

Council Meeting

to be held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 26 March 2024 commencing at 7:00pm.

Attachments

Carl Cowie
Chief Executive Officer

Thursday 21 March 2024

Distribution: Public

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Nillumbik Shire Council

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Council Meeting

held at the Council Chamber, 32 Civic Drive, Greensborough
on Tuesday 27 February 2024 commencing at 7.00pm.

Minutes

Carl Cowie
Chief Executive Officer

Friday 1 March 2024

Distribution: Public

Civic Drive, Greensborough
PO Box 476, Greensborough 3088
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Nillumbik Shire Council

**Minutes of the Meeting of Nillumbik Shire Council held Tuesday 27 February 2024.
The meeting commenced at 7.00pm.**

Councillors present:

Cr Ben Ramcharan	Sugarloaf Ward (Mayor)
Cr Richard Stockman	Blue Lake Ward
Cr Karen Egan	Bunjil Ward (Deputy Mayor)
Cr Natalie Duffy	Edendale Ward
Cr Frances Eyre	Swipers Gully Ward
Cr Geoff Paine	Wingrove Ward

Officers in attendance:

Carl Cowie	Chief Executive Officer
Vince Lombardi	Chief Operating Officer
Blaga Naumoski	Director Governance, Communications and Community Safety
Corrienne Nichols	Director Communities
Jeremy Livingston	Director Culture and Performance
Katia Croce	Manager Governance and Property
Leigh Northwood	Manager Strategic Planning and Environment
Tracey Varley	Manager Communications and Engagement
Melanie Burns	Electoral Project Officer

1. Welcome

2. Acknowledgement

Acknowledgement of Country was read by the Mayor, Cr Ben Ramcharan.

3. Good Governance Pledge

The Good Governance Pledge was ready by Cr Richard Stockman.

4. Prayer

A prayer was read by Jasmine Maitheson, Church Leader at Green Wedge Community Church.

Jasmine Mathieson, who is one of the Church Leaders at Green Wedge Community Church (GWCC). GWCC was started over 30 years ago in 1993, and is a part of Acts Global Churches.

It is a fellowship of believers who love God, each other and the beautiful part of the world that is Nillumbik.

They are named Green Wedge Community Church as a reflection of their belief God has called them to minister to and care for the people of the beautiful place of Nillumbik (and surrounds) – the wonderful Green Wedge Shire that is a great example of God's beautiful creation.

They get to be involved with many amazing community things – such as the Wattle Festival and Combined Churches events like the Good Friday Service and Community

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Christmas Carols that they are heavily involved in yearly, and they are able to have many ongoing pastoral care and community involvement opportunities.

In the past they have been able to support an orphanage in Indonesia, and the Hurstbridge Primary School Chaplain over a period of about 10 years.

It is supported by Green Wedge Christian Community Enterprises, who run Hurstbridge Opportunity Shop and the Reuse Shop at the Nillumbik Transfer Station, both of which they believe are places that help build community, provide sustainability benefits, and a place of help and haven for the community.

Through this, they get the blessing of meeting many people in the community – and being their friend through the highs and lows of life.

These shops allow them to have many opportunities to help the community – from the more obvious things like clothing, when other places might be unaffordable, to the lesser known side of emotional and spiritual care – they want to be there to listen, pray and support people as well.

They love being in this community and this fellowship together.

5. Apologies\Leave of Absence

A leave of absence request for this meeting was received from Cr Peter Perkins.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Karen Egan

That the leave of absence request be accepted from Cr Peter Perkins for the meeting of 27 February 2024.

CARRIED UNANIMOUSLY

6. Declarations of conflict of interest

Nil

7. Presentations

Australia Day 2024 Honours List

It is always wonderful to see local Nillumbik community members being awarded and recognised for their achievements in the Governor General's Australia Day Honours list and tonight I'd like to acknowledge them.

The following Nillumbik resident was appointed as a Member of the Order of Australia (AM) in the General Division:

Dr Jennifer GOWAN, for significant service to medicine as a pharmacist, to professional societies, and to community health.

The following Nillumbik resident was awarded a Medal of the Order of Australia (OAM) in the General Division:

Michael AITKEN, for service to optometry.

I'd like to commend both of them for their dedication service and achievement of excellence in that respective fields. They embodied the Nillumbik ethos of service diligence commitment and above all servicing the broader community so thank you to them both.

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8. Confirmation of Minutes

COM.001/24 Confirmation of Minutes Council Meeting held Tuesday 12 December 2023

Summary

Confirmation of the Minutes of the Council Meeting held on Tuesday 12 December 2023.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Natalie Duffy

That Council confirms the Minutes of the Council Meeting held on Tuesday 12 December 2023 (**Attachment 1**).

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 February 2024

8. Confirmation of Minutes

**COM.001/24 Confirmation of Minutes Council Meeting held Tuesday 12 December
2023**

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9. Petitions

PT.001/24 Cigarette Butt Education And Bins

A petition containing **32** signatures titled “Cigarette Butt Education and Bins” requests for the placement of bins throughout the shire and relates to the dangers of cigarette butt litter.

The petition contains the following statement:

We, the undersigned, residents of Victoria request the Nillumbik shire council to have education programmes regarding the dangers of cigarette butt litter and to put up cigarette butt bins around parks, shopping centres and schools in Nillumbik Shire council.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Frances Eyre

That Council:

1. Receives and notes the “Cigarette Butt Education and Bins” petition relating to the dangers of cigarette butt litter, and the placement of bins throughout the shire in accordance with the Governance Rule - Meeting Procedure.
2. Refers this petition to the Chief Operating Officer for investigation and response.
3. Notes that officers will advise the petition organiser of the outcome.

CARRIED UNANIMOUSLY

10. Questions from the gallery

Robyn Lees-West has asked the following questions:

Question 1

Given the strong feelings expressed by the public at the end of the November council meeting, regarding the handling of conflict & disciplinary matters within the council , & the engaging of an arbitor (& related cost). It was disappointing to see no item on the agenda for the December meeting regarding improving conflict resolution within the council. (other than a question asked by a member of the public regarding any ongoing action & cost).

Whilst I understand that due to confidentiality reasons the council is limited as to what they can publicly say about individual matters, is there any plan to improve the handling of incidents of this kind within the council ?

Response 1

The Council, in January 2021, adopted its Councillor Code of Conduct in line with section 139 of the *Local Government Act 2020*. This code outlines the expected standards of conduct for Councillors during the execution of their duties and responsibilities. The standards of conduct, along with a Councillor conduct framework, are specified in the *Local Government Act 2020* and the Local Government (Governance and Integrity) Regulations 2020.

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These regulations establish a clear hierarchy for managing issues related to Councillor conduct. The Council is obligated to adhere to the legislative framework governing its operations, and any alterations to legislation or procedures for addressing Councillor conduct complaints fall under the jurisdiction of the Local Government Minister at state Government level.

The Minister is currently in the process of reviewing some aspects of the Code of Conduct Framework and Council is making a submission to this process.

Question 2

Is this above something that the newly recruited CEO of Employment Matters Committee - Margaret Devin will be facilitating ?

Response 2

The CEO Employment Matters Committee's purpose is to make recommendations to Council on contractual employment matters, performance matters and any other functions or responsibilities prescribed by the *Local Government Act 2020* relating to the Chief Executive Officer (CEO). This Committee's role is not to manage issues related to Councillor conduct.

Wendy Faulkner has submitted the following questions:

Question 1

My last question to this forum was 23 February 2021. i.e. 3 years ago. I would like an update; "In 2016 the Municipal Building Surveyor issued a number of 'show cause' notices on properties in the Rangeview Estate." i.e. show cause notices are now almost 8 years old.

How many building notices remain ? Have all building notices now been upgraded to building orders ?

Response 1

Twelve (12) properties are currently affected by Building Notices and or Building Orders. Ten (10) of these twelve (12) impacted properties have had escalations to the previous Notices issued and now have Amended Building Orders. The remaining two (2) properties are currently seeking the appropriate approvals to complete the necessary building works, which will see the removal of such notices being cancelled once permits are issued and works are completed. In addition, there are two (2) other properties separate to the twelve (12) properties noted, that have had their orders cancelled with compliance achieved.

Question 2

Council have stated (meeting minutes 23 Feb 2021) that 'on compassionate grounds (council) have so far resisted calls for prosecution' - do these compassionate grounds apply to the owner of No 21 Haven Lane, being owned by Company Director and Registered Builder of the 62 properties issued building notices ?

Response 2

The matter of compliance is with the Building Owners and the Owners Corporation of this particular property. Council's Municipal Building Surveyor will endeavour to have compliance achieved via the Owner's own volition and with the Owners Corporation participation. Should such endeavours fail, the matter upon review will be escalated.

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Liz Morris has asked the following questions:

I recently visited Edendale Farm and was appalled by the lack of shade provided for the animals. Large pavilions provide shade for visitors but Not for all the animals on display. In at least 3 paddocks where animals are fenced in, there is NOT ONE tree for shelter for those animals ! Im asking what, if any consideration is being given to these very vulnerable animals on days like today when its 37 degrees ! I saw animals really searching for shade which was totally unavailable at some stages of the day as the sun moved . I am very concerned for their welfare. I consider it neglect.

I have been advised that trees may soon be planted to improve conditions (at Edendale Farm) but as it will take YEARS before they offer any shade i am asking what council can do to provide shade immediately. I have made some suggestions directly to the Farm management but nothing is being done about it. (that i know of) PLEASE address this urgent problem as it will not get better for those animals unless the problem is resolved by council.

Question 1

What, if any consideration is being given to these very vulnerable animals on days like today when its 37 degrees !

Question 2

What council can do to provide shade immediately.

Combined Response

Edendale Community Environment Farm has 24 years of experience caring for animals and prides itself of the level of care delivered. As you have highlighted, providing shade is critical to animal welfare, especially during extreme heat events. Shading options are available to all animals in the paddocks, although sometimes this may not be visible from public viewing points. The animals know where the shading is but can decide not take advantage of it if they are comfortable with the environment and conditions. We also recognise that there may be ways to exceed standard requirements so we are reaching out to a third party expert to help us review our infrastructure and practices. The hot day procedures that the trained farm staff follow are available at the reception for anyone to view.

John Fecondo has submitted the following questions:

It is commendable that Council is discussing at this meeting the long awaited Draft Biodiversity Strategy. The Nillumbik Council's Tree Management policy dated September 2018 states in Section 2.3, dot point 4 (page 8):"Council will keep a list of all trees removed and plant replacements if appropriate"

Question 1

Was this list generated and is it updated regularly in accordance with this policy?

Question 2

If yes, how may it be accessed by the public?

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Combined Response

A priority action of the 2021-2025 Council Plan is to 'Investigate measures to establish and enhance the urban tree canopy'. This work is identified as Action 16 of Council's Annual Action Plan 2023-2024 as "Complete and adopt the new Biodiversity Strategy, including investigation into measures to establish and enhance the urban tree canopy and protect wildlife". The drafting of the Biodiversity Strategy has identified some higher level tree canopy data for the Shire. This data has been fed into a further investigation as a separate but dependent piece of strategic work, preparation of a draft Urban Tree Canopy Strategy.

The draft Strategy also has regard to the Council Plan Action 'Review Council's tree management policy and supporting guidelines'. There are some iterative matters across the draft Urban Tree Canopy Strategy and the Tree Management Policy and Guidelines which will have implications for the Tree Management Policy and Guidelines particularly in regard to strategic data collection (on trees) and replacement planting.

Council will be briefed on preparation of the draft Urban Tree Canopy Strategy, and any implications for Council's Tree Management Policy and Guidelines. Advancement of this work will be subject to Councillor consideration.

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11. Reports of Advisory Committees

AC.001/24 Advisory Committee Report - 27 February 2024

Distribution: Public

Manager: Blaga Naumoski, Director Governance, Communications and
Community Safety

Author: Katia Croce, Manager Governance and Property

Summary

Council has a range of Advisory Committees which provide a formal mechanism for Council to consult with key stakeholders, seek specialist advice and enable community participation. Although they do not make any formal decisions, they provide valuable advice to Council.

In accordance with Advisory Committee Terms of Reference, the following minutes of Advisory Committee meetings are attached (**Attachment 1**) and presented to Council for noting:

1. Panton Hill Bushland Reserve System User Group Advisory Committee meeting held 16 November 2023; and
2. Environment & Sustainability Advisory Committee meeting held 22 November 2023.

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Frances Eyre

That Council notes the Minutes of the Advisory Committee meetings reported (**Attachment 1**).

CARRIED UNANIMOUSLY

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27 February 2024

11. Reports of Advisory Committees

AC.001/24 Advisory Committee Report - 27 February 2024

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12. Officers' reports

CM.001/24 Future delivery of the TAC L2P Program

Distribution: Public

Manager: Corrienne Nichols, Director Communities

Author: Nichole Johnson, Manager Community Partnerships

Summary

The current contract for the Transport Accident Commission (TAC) L2P Program in Nillumbik will cease 30 June 2024. This report provides the background, issues, and recommendations for future delivery of the TAC L2P Program delivery in line with the new four year funding contract for 2024/25 – 2027/28.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Geoff Paine

That Council:

1. Transitions the delivery of the TAC L2P Program to the Banyule Nillumbik Local Learning and Employment Network (BNLLEN) from 1 July 2024 and cease the current contract with Department of Transport and Planning (DTP) on 30 June 2024.
2. Supports this transition, by providing BNLLEN the in-kind donation of two L2P Vehicles.
3. Continues to support and celebrate Nillumbik's L2P Program through ongoing partnership with BNLLEN, including but not limited to:
 - a) Team Leader Youth Development to chair the Nillumbik L2P Steering Committee
 - b) Co-branding and promotion through Council's website and communication channels
 - c) Participation and recognition in events, celebrations and media releases
 - d) Support with volunteer and learner recruitment and retention.
4. Monitors the ongoing effectiveness of the Nillumbik L2P Program and ensures it continues to meet the needs of the Nillumbik community.

CARRIED

For: Crs Karen Egan, Frances Eyre, Geoff Paine, Ben Ramcharan and Richard Stockman

Against: Cr Natalie Duffy

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CM.001/24	Future delivery of the TAC L2P Program

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12. Officers' reports

CM.002/24 Land Management Incentive Program - Guidelines Update

Distribution: Public

Manager: Renae Ahern, Manager Planning Services

Author: Leigh Northwood, Manager Strategic Planning and Environment

Summary

The purpose of this report is to seek Council's endorsement of the Land Management Incentive Program Guidelines (as updated) at **Attachment 1**.

The Land Management Incentive Program (LMIP) supports the community with grants and advice to undertake sustainable land management and biodiversity conservation activities.

The Expression of Interest (EOI) for the LMIP grant is open all year round and we communicate it through our webpage, newsletters and socials and particularly our Landcare Network.

Unlike other grant funding provided by Council, administration of the LMIP is an iterative process from application submission to Council, through to agreement on land management outcomes, and will often have regard and alignment where possible to other environmental works being undertaken by Council on its own land or by other land owners to achieve the best possible landscape-scale environmental outcomes.

There is also a clear seasonal relationship to demand for the grant, typically leading into spring/summer as this is the key time people want to do works (and we encourage such), as it corresponds with breeding and prime weed growing weather conditions.

Given the seasonal aspects and lead time associated with preparing land management plans in administering the LMIP, granting of funds over a yearly 'even' basis is not realistic, achievable, nor optimal. For this reason the LMIP is open for Expressions of Interest all year round. Even where grant funding is exhausted, which tends to be the case in the later half of the financial year (Mar-Jun) aligned to seasonal demand at peak 'treatment' times, officers work with applicants to get their land management plans ready to align with optimal seasonal programming and availability of the grant funding the following year.

The LMIP guidelines provide detail on the program and eligibility criteria. These guidelines are available on Council's webpage (as updated).

After a risk review of the LMIP was undertaken, based on community feedback, Council endorsed the recommendation to remove shooting based activities for the control of deer from the LMIP in April 2023.

Further minor changes to the current LMIP guidelines have been identified to support further clarity in regard to the program and community concerns. Changes are detailed (track changed) at **Attachment 1**, and include:

- i. Ineligibility of projects requiring the use of firearms;
- ii. Ineligibility of projects where a company or contractor who has a personal interest in any property will benefit from the grant;
- iii. Consideration of negative amenity impacts as part of the grant assessment process (e.g. noise, odour, etc.); and

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12. Officers' reports

CM.002/24 Land Management Incentive Program - Guidelines Update

- iv. Inclusion of climate resilience and protection of plants from pest animal browsing as part of the criteria for indigenous revegetation projects.

There are no known budget implications for 2024-25 by the proposed changes to the LMIP guidelines as the changes are operational in nature. The program is currently funded for the 2023/24 financial year at \$60K.

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Frances Eyre

That Council:

1. Notes and adopts the updated Land Management Incentive Program Guidelines which are provided at **Attachment 1**; and
2. Instructs officers to make the updated Land Management Incentive Program Guidelines available on Council's webpage.

CARRIED UNANIMOUSLY

Council Meeting Minutes

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12. Officers' reports

CM.003/24 Review of the Governance Rule - Election Period Policy

File: **FOL/24/50**

Distribution: **Public**

Manager: **Blaga Naumoski, Director Governance, Communications and
Community Safety**

Author: **Katia Croce, Manager Governance and Property**

Summary

Council's existing Governance Rule – Election Period Policy (Election Period Policy) was prepared and adopted on 25 August 2020 as required under the *Local Government Act 2020* (the Act), after a period of public exhibition and community consultation was undertaken.

Any review of Council's Governance Rules requires Council to undertake community consultation on any amendments.

The draft Governance Rule – Election Period Policy (**Attachment 1**) has been informed by the experience of the 2020 Council election.

This report outlines the amendments that have been included since the previous version of the Election Period Policy adopted by Council in 2020 and to seek endorsement from Council of the draft Governance Rule – Election Period Policy (Election Period Policy) (**Attachment 1**) for public consultation.

Council Resolution

MOVED: **Cr Natalie Duffy**

SECONDED: **Cr Frances Eyre**

That Council:

1. Endorses the draft Governance Rule – Election Period Policy shown at **Attachment 1** for public consultation from 1 March 2024 to 24 March 2024 inclusive;
2. Invites written submissions regarding the draft Governance Rule – Election Period Policy by 24 March 2024;
3. Considers public submissions at the Planning and Consultation Committee meeting to be held on 16 April 2024; and
4. Notes that any person who makes a written submission in relation to the draft Governance Rule – Meeting Procedures and requests to be heard in support of the written submission, be heard at the April 2024 Planning and Consultation Committee meeting.

CARRIED UNANIMOUSLY

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12. Officers' reports

CM.003/24 Review of the Governance Rule - Election Period Policy

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12. Officers' reports

CM.004/24 Environment and Sustainability Advisory Committee (ESAC) - revised Terms of Reference and Expressions of Interest for new committee

Distribution: Public

Manager: Renae Ahern, Acting Director Planning, Environment and Strategy

Author: Leigh Northwood, Manager Strategic Planning and Environment

Summary

The current term of Council's Environment and Sustainability Advisory Committee (ESAC) is nearing completion.

This report provides an overview of the remit and work of the current ESAC, makes recommendations for minor edits to the Terms of Reference, and recommends that a recruitment process to appoint a new two-year committee be undertaken.

The last meeting of the current committee will be in April 2024, and the first meeting of the new committee will be in June 2024.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Karen Egan

That Council:

1. Acknowledges and thanks members of the Environment and Sustainability Advisory Committee for their advice and practical contribution to environment and sustainability outcomes for the Shire over the term of the committee.
2. Endorses the revised Terms of Reference for the Environment and Sustainability Advisory Committee for public exhibition in March 2024 seeking expressions of interest for membership nomination to renew the committee by June 2024.
3. Instructs officers to report nominations to the Environment and Sustainability Advisory Committee to Council for endorsement.

CARRIED UNANIMOUSLY

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**CM.004/24 Environment and Sustainability Advisory Committee (ESAC) - revised
Terms of Reference and Expressions of Interest for new committee**

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12. Officers' reports

CM.005/24 Jalna Court Special Charge Scheme - Intention to Declare

File: FOL/20/3711

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Alex Stewart, Acting Manager Capital and Infrastructure

Summary

On 29 July 2021 Council received a petition by property owners to partially seal Jalna Court, Eltham, with costs recovered via the implementation of a Special Charge Scheme.

On 21 December 2021 an initial questionnaire was sent to all property owners in Jalna Court to gauge their level of support. As part of this questionnaire the two east most properties in the street (1 Jalna Court and 6 Jalna Court) were also asked of their interest for a partial scheme to seal only the section of road adjoining these two properties.

The results of the questionnaires confirmed insufficient support to proceed further with an investigation to seal the full length of Jalna Court. However there was support to proceed with further investigation into a partial scheme involving the two eastern properties.

Council resolved on 26 April 2023 to proceed with the development of a Special Charge Scheme for the partial sealing of Jalna Court, Eltham (between the western boundary of 1 Jalna Court and the intersection with Sweeneys Lane), with a rural standard of construction. The development has now been completed.

This report commences the statutory process to levy the special charge.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Karen Egan

That Council:

1. Gives public notice of its intention to declare a Special Charge Scheme in accordance with Part 8 of the *Local Government Act 1989*, for the construction of the partial length of Jalna Court subject to the following conditions:
 - a) The Special Charge Scheme shall apply to the two properties 1 and 6 Jalna Court, Eltham.
 - b) The total estimated cost to each property may be paid as a lump sum or by quarterly instalments over a 10 year period with interest as provided by section 163(1)(b) of the *Local Government Act 1989*.
 - c) The Special Charge Scheme for Jalna Court, Eltham shall remain in force for 10 years.
 - d) Within 12 months of the completion of works, a final cost statement will be issued to participating properties in Jalna Court, Eltham and any adjustment to liabilities will be made.

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CM.005/24 Jalna Court Special Charge Scheme - Intention to Declare

- e) The estimated total project cost and total amount to be levied under this special charge is \$46,070.
- 2. Sends a copy of the public notice to each person who will be liable to pay the special charge.

CARRIED UNANIMOUSLY

Council Meeting Minutes

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12. Officers' reports

CM.006/24 Draft Budget 2024-2025

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Melika Sukunda, Manager Finance, Assets and Procurement

Summary

This report presents the draft Budget 2024-2025 for Council approval prior to exhibition for public consultation. The Budget provides resources for the ongoing delivery of Council services, delivery of Council Plan actions and for the development and maintenance of infrastructure throughout the Shire.

The draft Budget proposes a 2.75 per cent increase to rates levied and an increase of 6.81 per cent to the waste management standard charge.

A range of capital works projects have been identified through planning and community consultation. The draft Budget also provides significant resources to maintain and develop existing infrastructure.

The Strategic Resource Plan has also been prepared for the next ten financial years.

Council Resolution

MOVED: Cr Karen Egan

SECONDED: Cr Natalie Duffy

That Council:

1. Adopts the draft Budget 2024-2025 (**Attachment 1**) for the purposes of section 94 of the *Local Government Act 2020*.
2. Authorises the Chief Executive Officer to give public notice in accordance section 96 of the *Local Government Act 2020* of Council's intention to adopt, at a Council Meeting proposed to be held at 7:00 pm on 28 May 2024, the Budget 2024-2025.
3. Notes that any person who makes a written submission in relation to the draft Budget 2024-2025 and requests to be heard in support of the written submission, be heard at the Planning and Consultation Committee meeting on Tuesday 16 April 2024.
4. Authorises the Chief Executive Officer to undertake any and all administrative procedures necessary to enable Council to carry out its functions under sections 94 and 96 of the *Local Government Act 2020*.

CARRIED UNANIMOUSLY

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CM.006/24 Draft Budget 2024-2025

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Council Meeting Minutes

27 February 2024

12. Officers' reports

CM.007/24 December Quarter Financial Report

Distribution: Public

Manager: Vince Lombardi, Chief Operating Officer

Author: Melika Sukunda, Manager Finance, Assets and Procurement

Summary

This report outlines Council's financial performance and financial position for the period ended 31 December 2023.

The Income Statement shows an overall favourable year to date (YTD) variance of \$814,685 representing 1.63 per cent of YTD Budget. This reflects the combined result of higher than budgeted operating income of \$1.5 million and higher than budgeted operating expenses of \$720,995.

Council's overall financial position at the end of this quarter is sound.

The Chief Executive Officer has reviewed the quarterly report and the mid-year forecast and has determined that a revised budget is not required.

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Karen Egan

That Council receives and notes the Financial Report for the period ended 31 December 2023 (**Attachment 1**).

CARRIED UNANIMOUSLY

Council Meeting Minutes

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12. Officers' reports

CM.007/24 December Quarter Financial Report

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12. Officers' reports

CM.008/24 Local Government Performance Reporting Framework - Mid-Year 2023-2024 Performance Report

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: James Hartigan, Business Performance Analyst

Summary

The purpose of this report is to present (for noting) the Local Government Performance Reporting Framework (LGPRF) mid-year service performance results for the 2023-2024 financial year.

The report measures Council's current performance against the expected range (based on LGPRF guidelines set by State Government) as well as comparing Council's current performance against the 2022-2023 end of financial year result.

This is the fifth time Council is completing a mid-year progress update on the LGPRF indicators, with the aim of the report to provide more frequent and current data to better monitor and more proactively address any issues or trends identified with Council's performance.

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Karen Egan

That Council notes the Local Government Performance Reporting Framework (LGPRF) service performance results for the period from July to December 2023 (**Attachment 1**).

CARRIED UNANIMOUSLY

Council Meeting Minutes		27 February 2024
12. Officers' reports		
CM.008/24	Local Government Performance Reporting Framework - Mid-Year 2023-2024 Performance Report	

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12. Officers' reports

CM.009/24 Council Plan Quarterly Performance Report - 2023-2024 - Quarter 2

Distribution: Public

Manager: Jeremy Livingston, Director Culture and Performance

Author: James Hartigan, Business Performance Analyst

Summary

The purpose of this report is to present the Council Plan Quarterly Performance Report (**Attachment 1**) for noting.

These reporting updates are received by Council on a quarterly basis to demonstrate in a practicable and tangible way how the Council Plan 2021-2025 is being delivered to the community.

The Council Plan Quarterly Performance Report provides the second update on delivery progress and performance of the 2023-2024 Annual Action Plan actions, which align to delivery of the third year of the Council Plan 2021-2025.

Of the 37 actions in the 2023-2024 Annual Action Plan, 17 of those actions are reported quarterly, with the remaining actions reported on an annual basis in the final quarterly report for the financial year.

Of the 17 actions reported quarterly, 14 actions are 'on track', two actions are yet to commence and one action is experiencing minor issues.

The overall position reflected in the report suggests that Council continues to make solid progress in delivering on key actions of the Council Plan and significant outcomes for the community.

Council Resolution

MOVED: Cr Natalie Duffy

SECONDED: Cr Geoff Paine

That Council receives and notes the Council Plan Quarterly Performance Report (**Attachment 1**) for the second quarter of 2023-2024.

CARRIED UNANIMOUSLY

Council Meeting Minutes

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12. Officers' reports

CM.009/24 Council Plan Quarterly Performance Report - 2023-2024 - Quarter 2

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12. Officers' reports

CM.010/24 Instrument of Appointment and Authorisation (Planning and Environment Act 1987)

File: GF/20/96

Distribution: Public

Manager: Blaga Naumoski, Director Governance, Communications and Community Safety

Author: Katia Croce, Manager Governance and Property

Summary

Section 224 of the *Local Government Act 1989* provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer makes these appointments by authority conferred by Instrument of Delegation by Council dated 27 July 2021.

Section 147(4) of the *Planning and Environment Act 1987* provides for the appointment and authorisation of Council Officers for the purpose of the *Planning and Environment Act 1987*.

To strengthen Council's decision making and enforcement processes, appointment of authorisation under the *Planning and Environment Act 1987* is being recommended by Council Resolution.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Geoff Paine

That Council in the exercise of the powers conferred by s147(4) of the *Planning and Environment Act 1987*, resolves that:

- a) The Nillumbik Shire Council staff referred to in the Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) (**Attachment 1**) be appointed and authorised as set out in the instrument.
- b) The common seal of Council be affixed to the Instrument.
- c) The Instrument comes into force immediately after the common seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 February 2024

12. Officers' reports

**CM.010/24 Instrument of Appointment and Authorisation (Planning and
Environment Act 1987)**

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Council Meeting Minutes

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12. Officers' reports

CM.011/24 Informal Meetings of Councillors Records - 27 February 2024

Distribution: Public

Manager: Blaga Naumoski, Director Governance, Communications and Community Safety

Author: Katia Croce, Manager Governance and Property

Summary

In accordance with *Item 20 of Council's Governance Rule – Meeting Procedures*, adopted on 25 July 2023, Council is required to report as soon as practicable to a Council Meeting a record of each Informal Meeting of Councillors held.

This report lists Informal Meetings of Councillors Records submitted since the matter was last reported to Council on 12 December 2023.

An Informal Meeting of Councillors Record was kept for the following meetings (**Attachment 1**):

1. Positive Ageing Advisory Committee meeting held 1 December 2023;
2. Youth Council Formal Advisory Committee meeting held 5 December 2023;
3. Councillor Briefing held 5 December 2023;
4. Council Meeting pre-meet 12 December 2023;
5. Inclusion and Access Advisory Committee meeting held 15 December 2023;
6. Positive Ageing Advisory Committee meeting held 2 February 2024;
7. Youth Council Formal Advisory Committee meeting held 5 February 2024;
8. Councillor Briefing held 5 February 2024;
9. Councillor Workshop held 8 February 2024; and
10. CEO Employment Matters Committee meeting held 12 February 2024.

Council Resolution

MOVED: Cr Frances Eyre

SECONDED: Cr Karen Egan

That Council, in accordance with *Item 20 of Council's Governance Rule – Meeting Procedures*, receives the Informal Meetings of Councillors Records (**Attachment 1**) for the meetings held.

CARRIED UNANIMOUSLY

Council Meeting Minutes

27 February 2024

12. Officers' reports

CM.011/24 Informal Meetings of Councillors Records - 27 February 2024

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13. Notices of Motion

Nil

14. Delegates' Reports

Nil

15. Supplementary and urgent business

Nil

16. Confidential reports

Pursuant to section 66(2) of the *Local Government Act 2020* (the Act), the meeting of the Council be closed to members of the public for the consideration of the following confidential items:

CM.012/24 Unused Government Road (Joslyn Drive, Research)

This item is confidential because it is law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person pursuant to paragraph (d) of the definition of confidential information under section 3(1) of the *Local Government Act 2020*; and personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs pursuant to paragraph (f) of the definition of confidential information under section 3(1) of the *Local Government Act 2020*. This ground is applied because it is information that, if publicly released at the time, is likely to be inappropriately detrimental to the Council or any person (natural or corporate).

Council Resolution

MOVED: Cr Geoff Paine

SECONDED: Cr Frances Eyre

That in accordance with section 66(2) of the *Local Government Act 2020*, Council resolves to close the meeting to members of the public to consider confidential items.

CARRIED UNANIMOUSLY

The meeting closed to the public at 8:03pm.

The meeting re-opened to the public at 8:09pm.

Council Meeting Minutes

27 February 2024

17. Close of Meeting

The meeting closed at 8:09pm.

Confirmed:

Cr Ben Ramcharan, Mayor

Arts & Cultural Advisory Committee

Minutes



Date: Monday, 20 November 2023
Time: 7 – 9pm
Venue: Council Chambers and Via Zoom. The meeting was recorded
Chair: Cr. Geoff Paine
Minute taker: Sarah Hammond, Arts Program Officer
Attendees: * via zoom
Councillors: Cr Geoff Paine (Chair)
Committee Members: Leanne Ipsen, Rebecca Davies *, Chris Cook *, Terrie Waddell, Jean Verso *, Chloe Mann *, Cassie May, Sandra Miller, Yu Fang Chi *, Sammaneh Pourshafighi.
Officers: Nichole Johnson (Manager Community Partnerships), Saleh Hadi (Coordinator Arts & Cultural Development), Sarah Hammond (Arts Program Officer), Emily Wubben * (Curator & Collections Management Officer), Jacqueline Felstead (Exhibitions Support Officer), Ignacio Zamora (Arts Development Officer).
Apologies: Cr Peter Perkins, Corrienne Nichols (Director Communities), Alli Spoor, Mel Paine, Elsa Ch'ng, Simone Thomson.

Order of business

1. Attendees

Attendance and apologies were confirmed.

2. Acknowledgement of Country

Acknowledgement of Country was conducted by the Chair.

3. Welcome and Introduction

Attendance and apologies were confirmed.

New Arts & Cultural Development team members were introduced: Jacqueline Felstead, Exhibitions Officer and Ignacio Zamora, Arts Development Officer

4. Conflict of interest and Informal Meeting of Councillors

No conflicts of interest were recorded.

ACTION: To submit Informal Meeting of Councillors Record to Governance.

5. Minutes from previous meeting

The minutes of the meeting held on 25 September 2023 were confirmed as a true and accurate record of the meeting.

Moved: Cassie May. Seconded: Sandi Miller. Carried

6. Matters Arising

- Correct spelling of Simone Thomson's surname actioned.
- Minutes of 15 May 2023 updated to include attendance of Leanne Ipsen.

7. Creative Infrastructure Framework Update

See copy presentation (attached).

Updates presented:

- The purpose of the community engagement.
- How we engaged.
- Next Steps.

8. Officer Updates – Arts & Cultural Development

See copy presentation (attached).

Curator & Collections Management

Updates presented:

- Artwork Changeovers – Eltham Community Reception Centre
- Art Collection Disaster Plan
- Acquisition of donated artworks

Arts Programs

Update presented on the Nillumbik Prize for Contemporary Writing 2024.

Eltham Library Community Gallery + Socials

Updates presented on:

- Creative Minds Exhibition
- Emily Viski : Dogs are like sunshine
- DiversARTy : Living and Learning Nillumbik
- Ayman Kaake: Know Their Names - Midsumma Festival

Arts Development

Updates presented on:

- Changing Places Facility, Alistair Knox Park
- Tim Reid, Diamond Hills Pre School
- Skateboarding Park Mural, Diamond Creek Skate Park
- Maureen Faye-Chauhan: Gunga Winhanga Warr Bundha
Ba Winhanga Warr Djurring, Eltham Gateway
- Heidelberg School Artist Trail Signs, Eltham District
- Audit and Maintenance Plan, Nillumbik Shire
- Nillumbik Shire Council Public Art Collection Policy 2023-26 and the Nillumbik Shire Art Collection Internal Operations Guidelines 2023-2026.

9. Other Business

Members were invited to raise any other items for discussion or for future agenda scheduling.

Art Gallery Advocacy Movement

It was noted that there is a local community group advocating for Council to approach State Government for funding to develop an art gallery on council-owned Main Road, Eltham land. \$50Million budget estimated. The group has developed an architectural plan and has submitted this to Council. Philanthropic donations and investors are being sought. It was noted that this plan was also submitted as part of the community engagement/feedback on the Draft Creative Infrastructure Framework and that the concept of an art gallery is included in the Draft Creative Infrastructure Framework.

A planning and consultation meeting is scheduled for March 2024, at which members of the public may speak to the Creative Infrastructure Framework.

Events and Awards information

The Centre for Contemporary Photography has an opening on Saturday, 30 November (6-9pm) in Fitzroy. [Home - Centre for Contemporary Photography \(ccp.org.au\)](https://www.ccp.org.au)

The Melbourne Awards were recently announced. [Melbourne Awards – 2023 winners - City of Melbourne](#). The Arts & Events Award was won by a group that local creative, Sammaneh Pourshafighi, works with. APHIDS is an artist-led experimental art organisation founded in 1994. The group creates experimental work across art forms and contexts: in public space, festivals, digital platforms, across visual and performing arts, major institutions and beyond. [APHIDS — About](#)

10. 2024 Meetings

Proposed dates for 2024 were approved with the November/December meeting to be confirmed. Meetings are scheduled for the **3rd Monday of every quarter.**

Monday, 19 February 2024

Monday, 20 May 2024

Monday, 19 August 2024 (*last meeting for outgoing 2022-24 members*)

4th Meeting TBC (Nov-Dec) (*first meeting for new 2024-26 members*)

11. Close

The meeting closed at 8.14 pm.

Inclusion and Access Advisory Committee Minutes



Date: Friday 15 December 2023
Time: 10.00am – 12:30pm
Venue: Council Chambers, Civic Drive, Greensborough 3088
Chair: Cr Perkins
Scribe: Julie-Anne Grech

Attendees:

Councillors:

Cr Perkins

Council Officers:

Narelle Hart (Manager Community Programs), Angela Lampard (Coordinator, Disability Inclusion and Volunteering), Angela Clare (Disability Inclusion Officer), Julie-Anne Grech (Business and Program Support Officer)

Committee members:

Neville Coutts, Rhonda Bain, James Lindrea, Diana Warrell, Sue King, Silvana Scibilia, Geoff Weber (St John of God Accord), Jo Ahladas (Different Journeys), Helen Ryan (Araluen), Nicole Coxford (Carers Collective) and Aaron Williams (Brotherhood of St Laurence)

Other:

Adriana Lancuba



Apologies:

Carol Lee, Gina Lloyd-Thomas and Melanie Keely

Order of business

1. Welcome by Chair, Cr Perkins.

Confirmation by Cr Perkins that he has be re-appointed to the Inclusion and Access Advisory Committee as Chair for another 12 month term.

Cr Perkins was thanked by the Committee for his ongoing support of the Committee.

2. Acknowledgement of Country

Acknowledgement of Country was read by Cr Perkins.

3. Conflict of Interest and Informal Meeting of Councillors Record

Nil

4. The Minutes of the previous meeting held on 27 October were confirmed as a true and accurate record of the meeting.

Proposed: Rhonda Bain

Seconded: Sue King

5. Demonstration day at Hurstbridge Hub for a proposed Tovertafel – Rhonda Bain (Please see Disability Action Plan reference: 5.3.10 and 5.4.1)

Background: A Tovertafel, also known as the "Magic Table," is an interactive light projector designed to engage and stimulate individuals with cognitive challenges, such as dementia, autism or people with intellectual disabilities. Its benefits include promoting social interaction, sensory stimulation, cognitive engagement, and has proven to provide overall improved well-being. By projecting

interactive games and visual stimuli onto a table or the floor, the Tovertafel encourages participants to move, touch, and interact with the projected images, fostering physical activity and enhancing cognitive functions.

Rhonda shared with the Committee her experience at the Hurstbridge Hub Tovertafel demonstration, detailing how rewarding it was to watch intergenerational interaction of attendees and how beneficial it would be to the Nillumbik Community.

The Committee was advised that Council is looking to purchase a Tovertafel for the Hurstbridge Hub which will require building modification, installation, access and maintenance. It is expected that installation will take place early in 2024. Once installed, it is hoped that the increase in interest will lead to multiple Tovertafel sites in the Shire.

Committee members noted the benefits of a mobile unit for the autistic community and groups in general.

A committee member shared with the group a recent workshop which highlighted the use of artificial intelligence in reminiscence therapy. A mobile unit is currently being developed that is easy to use and provides a personal experience; helping to bring family, photos and memories to life to assist people with cognitive difficulties.

6. Application of CCTV security for Council facilities – Rhonda Bain

The conversation continued regarding CCTV security for the new Changing Places facility at Alistair Knox Park and other facilities around the Shire subjected to graffiti.

While not available at present, Council's IT Department is investigating a centralised security system and a consistent approach to tackling security issues which include issues of privacy, program and financial support.

A committee member raised the consideration of soap in all public facilities as a matter of hygiene.

7. International Day of People with a Disability (IDPwD) grant program - event update: Angela Clare, Disability Inclusion Officer

(Please see Disability Action Plan reference: 5.3.5)

An update of the IDPwD grant program of events was provided to the Committee by Angela Clare, as well as other Committee members who either attended events or played a key role to help make them happen. All events were a great success with many groups achieving ongoing benefits. Council was acknowledged for their ongoing commitment to fund and support local IDPwD celebrations, while highlighting the contributions people with disability make to our community.

8. School Leaver Employment Support (SLES) Program Geoff Weber, St. John of God Accord

Geoff informed the Committee of the School Leaver Employment Support (SLES) program at St John of God (SJOG). SJOG work with young people from 17 – 22 who are transitioning to work. The overall goal is to build up education, capacity, work skills and training within a working environment. Ultimately, after workshopping with clients and families about hobbies, interests, wants, support needs and expectations, a flexible course and program is customised for clients at local places of employment or voluntary positions.

9. Men's Shed mentoring Program – James Lindrea

James spoke about how his creative passion to make something with his own hands led to an opportunity via Diamond Creek Men's Shed. James explained that because of his limited vision, he needs extra time and support, especially when using tools. Phil from Diamond Creek Men's Shed saw this need and offered to create 1:1 time with James, bringing all the required tools to James at his home. James shared photos and videos of himself and Phil. Their shared passion for woodwork was clear to all and despite their age gap, a great friendship has formed.

10. Christmas celebration/thank you to members

Next Committee meeting:

Where:

Nillumbik Shire Council (Council Chamber). Civic Drive
Greensborough

When: 23 February 2024

Time: 10am -12pm.

2024 Meeting dates* are below:

Friday 23 February

Friday 3 May (**NOTE** amended from 26 April due to the public
holiday on 25 April)

Friday 28 June

Friday 23 August

Friday 13 December

Please note: all meetings are to be held in the Council Chamber
(unless negotiated with Committee members) from 10am – 12pm.

Positive Ageing Advisory Committee

Minutes



Date: Friday 2 February 2024

Time: 10.30am – 1.30pm

Venue: Nillumbik Shire Council; Chamber and via Zoom

Chair: Cr Frances Eyre

Present:

PAAC Members: Tanya Cottrell, Sandra Verdam, Ann Hutchinson, Kate Puls, Tom Fisher, Yuqi Yan, Sheila Cheary, Janice Crosswhite, Deanna Finn, Mahshid Ghorbani, Joy Ferguson

Council: Cr Frances Eyre, Narelle Hart (Manager Community Programs), Leanne Horvath (Coordinator Community Support Services), Heather Macmillan (Positive Ageing Officer), Julie-Anne Grech (Business and Program Support Officer)

Guest Speakers: Leigh Northwood (Manager Strategic Planning and Environment) and Sarah Shehata, (Senior Strategic Planner), Tony Augunas (Senior Strategic Planner)

Apologies: Annie Lee, Richard Kottek, Chantel Blitenthall, Tamlyn Carr

Order of business

1. Welcome

Cr. Eyre welcomed all to PAAC and advised that Tamlyn Carr has resigned from the Positive Ageing Advisory Committee. Annie Lee will be joining the Committee as the new representative for Banksia Palliative Care. Chantel Blitenthall will join the Positive Ageing Advisory Committee in April as the representative of YPRL. Apologies were noted.

2. Acknowledgement of Country

Acknowledgement of Country was read by Cr Eyre.

3. Conflict of Interest and Informal Meeting of Councillors Record

Nil

4. Minutes of previous meeting & Outstanding Action Items

That the minutes of the meeting 1 December 2023 are confirmed as a true and accurate record of the meeting.

Moved: Janice Crosswhite

Seconded: Deanna Finn

Carried

The Committee was advised that the outstanding action item of increasing accessibility for residents to make Council payments at an alternative site is being discussed internally at this point.

An update of the options for pruning of the peppercorn trees outside Eltham Community and Reception Centre to enable greater visibility of the sign was given. The trees are on Vic Roads land, there is no environmental or heritage overlay on them. A Snap Send Solve has been logged with Vic Roads to have the trees pruned to allow better visibility of the ERCR driveway and signage.

5. Business Arising

Nil

6. Nillumbik Shire Council Housing Strategy update (part A.) Leigh Northwood, Manager Strategic Planning and Environment and Sarah Shehata, Senior Strategic Planner

Council is preparing a draft Housing Strategy 2024 that will help plan for future housing demand to meet the needs of the diverse communities of Nillumbik.

Sarah Shehata presented via Zoom and covered topics such as:

- Background information regarding urban growth, density, population, the unique 'Neighbourhood character of Nillumbik and the dominating 'Green Wedge'
- Federal, State and Local government Planning and Policy that needs to be adhered to in planning a Housing Strategy
- The processes and options available to Local Government with regards to forward planning
- Community Reference Group; details about the group and how they are looking to guide the strategy
- Changes to planning schemes such as small second dwellings
- The why's and how's of developing a Planning Strategy together with the areas of the Shire incorporated in the Strategy
- How the Committee and the public can get involved and have a say: provide feedback on Participate Nillumbik from 22 April to 27 May 2024:
participate.nillumbik.vic.gov.au/draft-housing-strategy-2023

Sarah's presentation will be emailed to all Positive Ageing Advisory Committee members.

7. Nillumbik Shire Council Housing Strategy update (part B), Q&A & discussion. Leigh Northwood, Manager Strategic Planning and Environment and Senior Strategic Planners Sarah Shehata and Tony Augunas

The Committee continued to discuss with Leigh Northwood their issues of concern regarding the Housing Strategy which included:

- Members of the Community with larger properties and houses not being able to downsize and stay in their local community as there are few / no options available. New rules surrounding changes to 'second dwellings/granny flats' may assist with this option for downsizing moving forward

- Discussion about the reference group representation – are there members from all areas and age demographics of the Shire? Most live in the higher density regions of the Shire
- Can areas in the Shire i.e. urban boundaries and the Green Wedge be rezoned for additional housing and purpose? Not at this point as it would take changes at the state level for this to occur – and do we really want change the ‘character’ of the Shire by changing the purpose of the protected ‘Green Wedge? Protection of the wedge has been in place since the 1970’s and is unlikely to change based on the importance of the food-bowl and biodiversity of the area
- A Neighbourhood Character Strategy has been completed which has provided Council with strong ideas what the Community does and does not want to see moving forward
- Nillumbik is quite constrained in what can and cannot be achieved based on resources available, topography and environmental overlays.
- Has the VCAT role changed? VCAT has greater mandates which puts them in the stronger position to reject planning proposals without hearing the case
- The resulting increase in house sales due to greater taxes thus leading to decrease in rental properties in the Shire
- The Draft Housing Strategy touches on design, diversity of housing, accessibility and balance in the existing environment while trying to protect the desired character of the Shire

8. ‘Open Minds’ Dementia Alliance New website update – Sandra Verdam

Sandra updated the group on the ‘Open Minds Nillumbik’ Dementia Friendly Alliance new website.

Various community members, Memory Care Café and Dementia Alliance associates have assisted with the website development and pictures/graphics creating the colourful and informative website. Website address is

<https://www.nillumbikdementiafriendly.org/ndf/mob2.php>

More work on the website will be forthcoming however, they are up and running.

Flyers have also been developed and printed providing information regarding the website and the Memory Care Café. Committee members were asked to share with their groups and distribute to medical clinics.

9. Brainstorm of older persons friendly ideas where people can go during heatwave/emergency.

A range of ideas were brainstormed by the group for places older people could go to during heatwave/emergency. A wide range of options was discussed as individual circumstance, ability and type of emergency vary, making some options more /less suitable.

The main criteria for dementia friendly places to go during an emergency is a secure area, somewhere with reduced noise, lights, movement and stimulation.

Suggestions from the Committee included:

- Movies
- Libraries
- Aged Care Facilities – approaching your local aged care facility to determine if day respite might be an option. Requires pre planning
- Hurstbridge Hub, Diamond Creek Community Centre
- Living & Learning Centres
- healthAbility
- Men’s Sheds
- Community Groups such as bowls clubs
- St Margaret’s church / any local church

The above list of suggestions (dementia friendly options) could be developed by the Dementia Alliance to see whether agreements could be put in place with individual sites to provide access. Also noted that many of the suggestions will require pre-planning by individuals or families before an emergency.

10. Roundtable

Narelle, Tom and Ann departed the Committee meeting early.

Ann advised (prior) that she has been making more food parcels, they are becoming so popular that healthAbility have now been contacting her for parcels to distribute at their office. Committee members volunteered to bring non-perishable food items to the next meeting

Yuqi – shared news of the coming events for the Eltham Chinese Seniors Citizen's group

- Tuesday 13 February - Lunar New Year celebratory lunch – Asian banquet lunch for group members
- Tuesday 19 February please feel free to join the Eltham Chinese Senior at the Diamond Valley Library to celebrate Cultural Diversity week. This will include a cooking demonstration and a light lunch. 10.000am to 2.00pm
- Friday 22 March Cultural Diversity Week. The Eltham library have invited the Chinses Seniors to perform Tai Chi and line dances. From 11.00am to 12.00pm

Janice – queried whether Nillumbik could offer free swimming access on Australia Day.

Janice's previous enquiry was passed on to the Recreation and Leisure Team who work with Aligned Leisure in managing swimming options within the Shire. Might be a possibility for next year or potentially Senior's Week.

Sandra queried where Council was with the ToverTafel? Positive Ageing Officer to provide an update on this at next Dementia Alliance meeting. Sandra is looking to fundraise with local groups for more ToverTafel's within the community.

Kate advised that there are only 2 weeks remaining to feed back to the Department of Health and Aged Care regarding the Health Care Act. Kate to forward link to group for any wishing to contribute.

Deanna queried whether Committee members knew of anyone who has done training for a Laughing Group or who can run a Laughing group? If so, please advise Deanna

Heather advised the group on upcoming events being run by Positive Ageing:

- **Coordinated a talk with Gamblers Help Northern** on Tuesday 27 February for Diamond Creek Men's Shed.
- **World Elder Abuse Awareness Day – 3 talks being planned with Senior Rights Victoria:**
 - Monday 17th June general talk on elder abuse at the Hurstbridge Hub.
 - Tuesday 18 June elder abuse talk at the Chinese Senior Citizens (in Mandarin).
 - Wednesday 19th June talk at the Diamond Valley Library on 'Money, Ageing and Family'
- 17 April - **Come and Try Demonstration at the NARI park**, with coffee van, NARI staff, Champions.
- Currently planning a **Seniors Housing Forum** in August
- Currently undertaking some initial scoping with Banyule City Council on running a **Positive Ageing Expo** later in the year

Cr Eyre mentioned the possibility of inviting Vince Lombardi (Chief Operating Officer) to the Positive Ageing Advisory Committee.

11. Other Business

Janice – following up regarding the Planning Meeting session in 2023 – brainstormed idea of advertising to older people using electronic signage at strategic places in the Shire. The planning session was run as a stand-alone session with applicable ideas/issues potentially incorporated into the Health and Wellbeing Plan and other relevant Council plans or strategies. Positive Ageing Officer has discussed the matter of electronic signage with the Communications Department and it has already been flagged for exploration in the Communications 3 year strategy.

12. Next Meeting

When: Friday 5 April 2024

Time: 10.30am – 1.30pm

Where: Council Chambers and Hybrid on Zoom

Meeting closed 1.38pm

Action Summary Table			
Action	Who	Due	Completed?
Follow up on the possibility of offering another Council service site to increase accessibility for those in the outer parts of the Shire, particularly those who can't complete payments online. Cr Eyre has raised the matter with other Councillors who have agreed that it is a matter that needs further investigations. Councillors have requested a briefing from relevant Council Officers to investigate viability.	Cr Eyre	2 February 2024	Ongoing
Committee members to bring non-perishable food items to next meeting (if possible) to assist Ann with food parcels	Committee members	5 April 2024	

Current and upcoming Council engagements:

Engagement	Details

Economic Development Advisory Committee



Minutes

Date: Thursday 15 February 2024
Time: 4:30pm – 6:00pm
Venue: Council Chambers – 32 Civic Drive Greensborough
Chair: Carl Cowie – Chief Executive Officer
Minute Taker: Georgie Nathan – Industry Development Officer
Committee Members: Nicole Staveley, Kirri Romero, Chanmali Tregambe,
Other: Renae Ahern – Acting Director Planning, Environment and Strategy
Tania Treasure - Economic Development and Tourism Lead
Apologies: Cr Duffy, Debby Maziarz, Orianna Edmonds, Claire Nolle, Katrina Naish, Phil Marendaz, George Apted, Craig Usher, Meera Govil

Order of business

1. Welcome

2. Acknowledgement of Country

3. Apologies

Cr Duffy, Debby Maziarz, Orianna Edmonds, Claire Nolle, Katrina Naish, Phil Marendaz, George Apted, Craig Usher, Meera Govil

4. Conflict of Interest and Informal Meeting of Councillors Record

No conflict of interest stated

5. Minutes of previous meeting

- **Call for motion** – Called by Nicole, Seconded by Chanmali

6. Introductions

- Round the table introductions
- Rosa Zouzoulas has resigned from her role at Nillumbik Shire and is commencing a new role at Glen Eira Council
- Renae Ahern is Acting Director Planning, Environment and Strategy, welcome Renae

7. Economic Development and Tourism update – Tania

- Supporting Agriculture in Nillumbik, further consultation has taken place. There is support for a self drive trail project supporting Agricultural businesses in the Shire. Updates of project will be provided at future meetings.
- Nillumbik Small Business Week - 27 to 31 May
 - 1) Monday - Regenerative Agriculture
 - 2) Tuesday - AI Workshop
 - 3) Wednesday - Creative Industries workshop
 - 4) Thursday - Consumer Trends
 - 5) Friday - Customer Experience
- Women in Business Event with guest speaker Fabian Dattner from Dattner Group on the 14 March.
- Sustainable business podcast coming soon
- Spendmapp – latest report distributed to committee members

8. Updated Terms of Reference

- Current committee membership expires July 2024
- Revised Terms of Reference distributed with agenda for Feedback
- Expression of Interest process for next term will be occurring in the coming months

9. Other Council Updates – Policies/Projects/Grants

[Enabling Tourism Fund 2024 | Business Victoria](#)

[Northern Business Achievement Awards](#)

[Nillumbik Biodiversity Strategy – Open](#), closes 3 March

[Parliament of Victoria - Victoria's food supply inquiry – calls for submissions](#)

[Energy Efficiency Grants for Small and Medium Enterprises Round 2 | business.gov.au](#) - opening 22 Feb

10. Around the table - committee member updates

- Committee sentiment noting mental health still a concern in the business community
- No pick up in retail post-Christmas – change in retail behaviors
- Businesses still trying to adjust post-COVID19 – what is the new normal?
- Eltham town – new business opening up, however some of the more established businesses are looking to close up/retiring
- People unlikely to look at opening a small business/shopfront, too expensive, too much work and stress, not as many entrepreneurs willing to take a risk to open a business
- Foot traffic is light on
- Consumer trends workshop as part of Small Business Week of interest

11. Close – 5:55pm

Remaining meetings for 2024

Thursday 16 May 2024 - 4:30pm – 6:00pm – Council Chambers

Thursday 15 August 2024 - 4:30pm – 6:00pm – Council Chambers

Thursday 5 December 2024 – 4:30pm – 6:00pm – Council Chambers

Items for Action

- Types of businesses that attended AI Workshop
To be provided at next meeting

- **Northern Business Achievement Awards Categories**

Please feel free to share the opportunity for businesses to apply.
Expressions of interest opening soon and link will be shared with committee members.

Customer Service Award
Human Resources Award
Innovation and Enterprise Award
Export Award
Sustainability and Environment Award
Industry Education Engagement Award
Workplace Diversity Award
Philanthropy and Community Service Award
Digital Technology Award
Young Business Achiever

- **Comparable Spendmapp data from same time last year**
Consumer expenditure - Change in Total Local Spend
Oct-22 to Dec-22 = 10%
Oct-23 to Dec-23 = 8.3%

Living & Learning Nillumbik Advisory Committee

Minutes



Date: Monday, 19 February 2024

Time: 2:00pm – 4:00pm

Venue: Living & Learning Nillumbik – Panton Hill Neighbourhood House, 18 Bishops Rd, Panton Hill

Chair: Deborah Donehue

Minute taker: Vanessa Veldman

Committee Members: Cr Geoff Paine, Deborah Donehue, Sabi Bueler, Lynne Ellis, Deanna Finn

Other: Vanessa Veldman, Natalie Bucknell, Hilary Duns-Mackay, Fancy Chen, Erin Elderhurst, Corrienne Nicholls, Kellie Grocock, Cobie Vermeulen, Kathryn Lamb, Ni Li

Apologies: Sarah Doherty, Bambi Maclean

Order of business

1. Welcome

Welcome to everyone to the first meeting of 2024.
Welcome to Cr Geoff Paine
Observers - Kathryn Lamb, Ni Li

2. Acknowledgement of Country

Acknowledgement of Country was read by Deborah Donehue.

3. Apologies and review of previous meeting minutes

Minutes: No amendments.
Passed by Corrienne, seconded by Lynne
Trialing 2pm start as agreed at last meeting.

4. Conflict of Interest and Informal Meeting of Councilors Record

None

LIVING & LEARNING
NILLUMBIK



Living & Learning Nillumbik Advisory Committee

Minutes



5. Neighbourhood House update

Diamond Creek Neighbourhood Houses

- DC Christmas lunch – 55 attendees, a great community event
- 169 enrolments for Term 1
- 27 programs running + 3 Be Connected mentors offering multiple one to one sessions.
- 6 programs cancelled – 5 due to low enrolments and one due to a change in tutor availability (the DC Glee Club – 9 enrolments). 4 of these were new programs or session times which can often take a couple of attempts to get off the ground.
- 10 tutors contracted so far for the year, 8 volunteers + 3 digital mentors
- One new program – Music, movement and mindfulness – starts this week.
- Glee Club lost its tutor – currently looking for a new one.

Eltham Neighbourhood House

- 321 enrolled participants in Term 1, 31 classes / groups running
- 13 contracts tutors and 2 casual staff, 22 volunteers
- Parents and bubs yoga is being rested – may return in Term 2.
- New classes – Ester baskets, art for junior teens, new Paper Crafts Monday group.
- Botanical Illustration is running as a Makerspace for Term 1. Looking for new tutor to take over in Term 2.

Panton Hill Neighbourhood House

- 128 enrolments for Term 1, 14 programs running
- 4 contract tutors and 10 volunteers
- Garden expansion – levelling works, ordered veggie beds, new fence. More workshops are explored. Discussions with Estia Aged Care. Dementia care café to run a group as it is all fenced in. Carers hub running a workshop.
- Mosaics group is creating a Community Garden sign – launch during NH week
- One-off workshops – sourdough, clay earrings school holidays, Mother's day floristry
- PH Committee is exploring options for next drive, possibly Dress for Success or Fitted for Work.

6. Skills Hub update

- All courses good enrolments – except for Word and Excel course – maybe too involved
- New Floristry course starting this week – 26 people on the waitlist
- Be Connected grant has wrapped up – looking for other small grants to fund digital mentoring as important offering for the community
- RTO partnership – Second RSA course held last Sunday and First Aid scheduled

Living & Learning Nillumbik Advisory Committee

Minutes



7. Communications and Marketing update

Hilary provided an overview of rounding out 2023 and first key actions for 2024

2023 Wrap-up

- Course guide release, targeted approach
- Back cover of Nil News in December
- Council Briefing – video presented to Council
- Year in review posts/slideshow on SM
- Thank you to those who came along to our Comms Planning Day: invaluable in terms of addressing key identity issues for LLN but also in provide useful info about priorities and people.
- A number of discussion have happened since, to move our branding forward; further discussion earmarked for coming weeks including with Comms team; will have more to share shortly.

Moving through 2024

- March Nil News will feature NH Week theme - 'stronger together'
- School holiday programs promoted from 1st March
- Gardening groups - focus for this year, living and learning outdoors
- Carers Hub - series of videos with Fancy, what is Carers Hub and what to expect?

8. Carers Hub Update

- A new round of Major Initiative funding from Council has been approved, which will fund Carers Hub activities for another year.
- Applied for Stronger and Resilient Communities grant.
- New events coming up for Carers – terrariums, song-writing, PH garden workshops
- Availability of respite still an issue for carers to be able to access activities

9. Upcoming Events

- a. Neighbourhood Houses Victoria Annual Conference: 20 – 22 March 2024 - Cobie, Kellie, and 3 NH Coordinators will be attending
- b. Neighbourhood House Week (13 – 19 May 2024) – Eltham booked in Edible Weeds tour
- c. IDAHOBIT (Friday 17 May)
- d. National Volunteer Week (20 – 26 May 2024) - planning a thank you lunch for volunteers at Eltham
- e. Reconciliation Week (27 May – 3 June 2024)

Living & Learning Nillumbik Advisory Committee

Minutes



10. North East Neighbourhood House Network Bus Tour (2 May 2024)

- NENHN Bus tour – good opportunity for advisory committee members to visit other neighbourhood houses in our network.
- Deanna attended the NENHN dinner last year and provided positive feedback. She shared that it is all about communication, sharing and linking in with what other neighbourhood houses are doing.

ACTION: Committee members to reach out to Natalie if interested in attending the bus tour.

11. Recruiting additional Advisory Committee members

- Maximum number of Advisory Committee members is 12 members, thus 4 per house.
- Tenure is 2 years, with option to extend.
- Hilary will promote this opportunity again via Social Media and Neighbourhood House week. Neighbourhood House coordinators can invite interested community members to attend meetings as observers.

12. L&LN Advisory Committee involvement in planning and support

- Proposal to include 'Eyes and ears of the community' as a standard agenda item. This provide an opportunity to share feedback from other community groups and events.
- Deanna – On PAC have a roundtable where everyone have an opportunity to share ideas and feedback
- Deb – would appreciate updates on specific matters where the committee could provide input as well as opportunities to support the L&LN to achieve agreed outcomes. There is a fine line between opinion and research and the Committee could support with research.
- Committee members are asked for submission ideas for agenda prior to meetings
- Committee members can support with feedback on events such as diversArty or DC Christmas lunch.

13. Nillumbik Literary Festival

- Sabi – has contacts within the literary community. Also involved in the intergenerational storytelling during Covid pandemic, very valuable experience. Diverse community, with potential to share each other's stories. Sabi shared that she engaged a number of potential volunteers to support this initiative and hope to apply for grants which will enable to group to start small. The proposal is a month long festival with all sorts of events. Allwood Neighbourhood House has indicated that they could auspice the group.

Living & Learning Nillumbik Advisory Committee Minutes



The following ideas were shared:

- Stories - could be written, video, song. Valuable to capture and share stories about our area with the next generation.
- 'Moth' - literary night in Brunswick. Improvised stories. Names in a bucket. Stories on a theme – 5 minutes.

ACTION: Keep on the agenda for next meeting

ACTION: Any feedback or ideas please send to Sabi directly

14. Social Planet Client Management System

L&LN will be transitioning to a new Client management system designed for Neighbourhood Houses. Social Planet will enable L&LN to simplify data collection whilst also improving the customer experience associated with online enrolments. It is more cost effective and also integrates ACFE programs, reporting and NH programs.

L&LN will embark shortly on a Staged approach to the rollout with dedicated communication plan to the community. Where relevant, L&LN will seek committee members' feedback as part of the role out and continuous improvement.

15. Invitation: Nillumbik Community Fund assessors

Opportunity to be an assessor for committee members to be on a panel responsible to assess grant applications for the Nillumbik Community Fund.

ACTION: Please apply directly if interested in participating.

16. Meeting concluded at 3:15 pm

Environment & Sustainability Advisory Committee (ESAC) Minutes



Date: Wednesday 21 February 2024
Time: 7.00pm – 9.00pm
Venue: Council Chambers
Chair: Cr Ben Ramcharan
Minute taker: Tim Vickers

Order of Business

1	<p>Welcome and Acknowledgement of Country</p> <p>Nillumbik Shire Council acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located. We pay our respects to Elders past, present and future, and extend that respect to all First Nations People. We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge that sovereignty was never ceded.</p> <p>Present: John Huf, Doug Evans, Lynlee Tozer, Kahn Franke, Anne-Marie King; Cr Ben Ramcharan; Kirsten Reedy, Warren Tomlinson</p> <p>Apologies: Cr. Geoff Paine, Sue Rosenhain, Malcolm Cock, Vasundhara Kandpal, Leigh Northwood</p> <p>Alan Thatcher has resigned from the committee.</p> <p>Absent: Andrew McMahon</p>	Chair
2	<p>Conflict of interest</p> <p>Conflict of interest provisions are contained in section 80C of the <i>Local Government Act 1989</i>, the Councillor's Governance Code, the Employee Code of Conduct and the Volunteer Handbook.</p> <p>No conflicts of interest were declared.</p>	Chair
3	<p>Minutes of previous meeting</p> <p>Confirmed that the minutes of the previous meeting were a true and accurate record of the meeting.</p> <p>Moved: Kahn Franke Seconded: Anne-Marie King</p>	Chair
4	<p>Outstanding Action Items</p> <p>Council officers advised that a meeting with between Nillumbik officers and Maroondah officers was held re: Tree data product that Maroondah Council utilise – Nillumbik unlikely to pursue this product due to cost.</p>	Chair / Warren
5	<p>Biodiversity Strategy update</p> <p>Formal community consultation on the draft is currently underway. Update provided to the committee on numbers of people engaged with to date. Committee members requested to assist with promoting the consultation opportunity.</p>	Warren

6	Draft Urban Tree Canopy Strategy development <ul style="list-style-type: none"> - Draft Strategy discussed and committee members provided verbal feedback to Council officers. No significant issues were identified. - Discussed the source and level of confidence of the canopy cover data and 2021 baseline cover of 39%. This data is a best-estimate based on a methodology that is able to be repeated over time. Variables are noted in the draft strategy. - The draft is scheduled to be considered for endorsement for the purpose of public consultation at the March Council Meeting. - The aim is to finalise the draft and have the strategy endorsed within the current Council term. 	Warren
7	Other business <ul style="list-style-type: none"> - Renewal of ESAC. EOI period for new 2-year committee is scheduled for 1 March – 7 April 2024. - Council recently submitted a federal Urban Rivers grant application, focusing on the Diamond Creek. 	Chair / Kirsten
9	Next meeting - Wednesday 17 April at 7pm (Final meeting of this committee)	
10	Attachments to the agenda - Refer google drive	

Table of Open Actions

Meeting date	Action	Owner/s	Status	Comment
22 Nov 2023	Officers to meet with representative from Maroondah Council to learn about Tree Ledger canopy data product	Officers	Complete	Complete
22 Nov 2023	Schedule meeting to discuss draft Urban Canopy Strategy with ESAC members in February	Officers	Complete	February ESAC agenda item
28 June 2023	Agenda item to be scheduled to discuss progress to date in working towards achieving the goals and targets of the CAP, the types of actions that are being implemented and ESAC feedback ahead of year 3 planning.	Officers	Open	April 2024 agenda item

Nillumbik Audit and Risk Committee minutes

Monday 19 February 2024
Civic Drive, Greensborough

Held Monday 19 February 2024 at 4.00pm, Civic Drive, Greensborough

1 Present

Independent members: John Watson (Chair), Greg Rimmer-Hollyman, Jonathan Kyvelidis

Councillors:

Mayor Cr Ben Ramcharan, Deputy Mayor Cr Karen Egan

Council officers:

Vince Lombardi (Acting Chief Executive Officer), Jeremy Livingston (Director Culture and Performance), Blaga Naumoski (Director Governance, Communications and Community Safety), Melika Sukunda (Manager Finance, Procurement and Assets), Craig Commene (Risk and Safety Lead), Daniel Tarquinio (Manager IT)

Other invitees:

Graham Noriskin (Pitcher Partners), Richard Wilson (Pitcher Partners), Michael Gummery (HLB Mann Judd)

2 The Chair welcomed attendees and acknowledged the traditional owners and custodians of the lands on which attendees were meeting.

3 Apologies

Carl Cowie (Chief Executive Officer)

4 Disclosure of any conflicts of interests

Nil

5 Declarations

i. CEO – Any impending legal action, legislation breaches or instances of fraud.

Nil

ii. Internal Auditors – Any obstructions to the work of the internal audit.

Nil

6 Confirmed the minutes of the meeting held 20 November 2023

Decision

It was noted the minutes of the Audit and Risk Committee meeting held on 20 November 2023 were confirmed by circular resolution.

7 CEO Update

The CEO update was presented to the Committee by Vince Lombardi as acting CEO.

Decision

The CEO update was received and noted.

8 Table of actions arising

The table of actions arising was presented to the Committee.

Decision

The table of actions arising was received and noted.

9 Draft 2023/2024 VAGO Audit Strategy

The draft 2023/2024 VAGO Audit Strategy was presented to the Committee.

Decision

The draft 2023/2024 VAGO Audit Strategy was received and noted, noting that the reference to the Audit and Risk Committee meeting date requires updating.

10 Draft Leasing and Licensing Policy

The Draft Leasing and Licensing Policy Memorandum and the Draft Leasing and Licensing Policy were presented to the Committee.

Decision

The Draft Leasing and Licensing Policy Memorandum and the Draft Leasing and Licensing Policy were received and noted.

11 Procurement Internal Audit Report (Attachment 5, page 30) – *Graham Noriskin*

The Procurement Internal Audit Report was presented to the Committee.

Decision

The Procurement Internal Audit was received and endorsed. The Committee noted that the Internal Auditors will, with management's agreement, review finding two regarding related management comment, to ensure the scope and level of testing has been appropriately captured in the report.

12 Internal Audit Status Report

The internal audit status report was presented to the Committee.

Decision

The internal audit status report was received and noted.

13 Business Function Risk Assurance Map

The Business Function Risk Assurance Map was presented to the Committee.

Decision

The Business Function Risk Assurance Map was received and noted.

The Committee suggested some further additions to the document, referencing other agencies with a potential role (e.g. OVIC).

14 Internal Audit Plan

The internal audit plan was presented to the Committee.

Decision

The internal audit plan be received and approved, noting the Capital Works Management and the BCP and IT DRP internal audits will be interchanged.

15 Recent Risk and Issues Brief

The Recent Risk and Issues Brief was presented to the Committee.

Decision

The Recent Risk and Issues Brief was received and noted.

16 Pending audit recommendations report

The status report of pending audit recommendations report was presented to the Committee.

Decision

The pending audit recommendations report was received and noted.

17 Risk and Safety report

The Risk and Safety report was presented to the Committee.

Decision

The Risk and Safety report was received and noted.

18 Business Continuity Policy and Framework

The Business Continuity Policy and Framework Memorandum, Business Continuity Policy and the Business Continuity Framework were presented to the Committee.

Decision

The Business Continuity Policy and Framework Memorandum, Business Continuity Policy and the Business Continuity Framework were received and noted.

**19 IT suppliers risk exposures summary**

The IT suppliers exposures summary was presented to the Committee.

Decision

The IT suppliers risk exposures summary was received and noted.

The Committee request that an IT risk summary report be presented on a bi-annual basis.

20 December Quarter Financial Report Summary and December Quarter Financial Report

The December Quarter Financial Report Summary and December Quarter Financial Report were presented to the Committee.

Decision

The December Quarter Financial Report Summary and December Quarter Financial Report was received and noted.

21 Rates in Arrears report

The rates in arrears report was presented Committee.

Decision

The Rates in arrears report was received and noted.

The Committee expressed concern at the restriction on Council's ability to undertake formal debt management activities.

22 Councillor Expenses report

The Councillor Expenses report was presented to the Committee.

Decision

The Councillor Expenses report was received and noted.

23 Audit Committee work plan

The Audit Committee work plan was presented to the Committee

Decision

The Audit Committee work plan was received and noted.

24 Other Business

Nil

25 Post-meeting In Camera

No members raised matters they wished to discuss in camera.

26 Next meeting

The next Audit and Risk Committee meeting is scheduled to be held on 6 May 2024, 4pm, to be held at Edendale Community Farm, 30 Gastons Road, Eltham Victoria 3095.

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CM.014/24 Draft Leasing and Licensing Policy
Attachment 1. Lease Register by Category

Lease Register by Category as of 8 March 2024															
Lease No.	Rental Category	Category	Type	Land only/Land & Building or Other	Lease/Licence	Organisation (Tenant)	Property Address	Property Description (Demised Premises)	Lease/Licence Status	Original Agreement Commenced (first occupied site)	Term From	Term To	Term (years)	Further Term (years)	Further Term Expiry Date
271	A	Local Community	Childcare	Land & Buildings	Lease	Eltham Woods Child Care Co-Operative Limited	50 Frank Street ELTHAM VIC 3095	Eltham Woods Preschool	CURRENT	1/03/2011	1/01/2020	31/12/2025	6	0	
337	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Diamond Creek Memorial Kindergarten Inc	601 Kangaroo Ground-St Andrews Road PANTON HILL VIC 3759	Panton Hill Preschool	CURRENT	1/01/2023	1/01/2023	31/12/2025	3	NA	
316	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Diamond Creek Memorial Kindergarten Inc.	28 Coniston Street, Diamond Creek, Victoria, 3089.	Diamond Creek Memorial Kindergarten - Coniston Street Campus and Coniston Street Family Centre	CURRENT	1/10/2020	1/10/2020	31/12/2025	5 years and 3 months	0	
268	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Diamond Creek Memorial Kindergarten Inc.	11 Collins Street DIAMOND CREEK VIC 3089	Diamond Creek Memorial Kindergarten - Collins Street Campus	CURRENT	1/03/2011	1/01/2020	31/12/2025	6	0	
341	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Diamond Creek Primary School Council at 17 Clyde Street, Diamond Creek - Licence to Council	4 Ness Street DIAMOND CREEK VIC 3089	Ness Reserve Preschool	CURRENT	20/05/2002	1/04/2023	31/12/2025	2 years and 9mths	0	
266	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Diamond Hills Preschool Inc	9-11 Diamond Hills Drive GREENSBOROUGH VIC 3088	Diamond Hills Preschool	CURRENT	1/03/2011	1/01/2020	31/12/2025	6	0	
248	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Early Childhood Management Services Inc	50 Graysharps Road HURSTBRIDGE VIC 3099	Hurstbridge Community and Family Centre	CURRENT	22/12/2014	1/01/2020	31/12/2025	6	0	NA
278	A	Local Community	Childcare	Land & Buildings	Lease	Eltham Child Care Co-Operative Limited	16 Panther Place ELTHAM VIC 3095	Eltham Child Care Cooperative	CURRENT	1/01/2000	1/01/2020	31/12/2025	6	0	
263	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Eltham South Preschool Inc	35 Forhams Road ELTHAM SOUTH VIC 3095	Eltham South Pre-School	CURRENT	1/02/2016	1/01/2020	31/12/2025	6	0	
283	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Eltham Woods Pre-School Inc	50 Frank Street ELTHAM VIC 3095	Eltham Woods Preschool at Eltham Woods Children's Resource Centre	CURRENT	1/02/2016	1/01/2020	31/12/2025	6	0	
276	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Ferguson Park Pre-School Inc	4 Graysharps Road HURSTBRIDGE VIC 3099	Ferguson Park Pre-School	CURRENT	1/02/2016	1/01/2020	31/12/2025	6	0	
336	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Ferguson Park Pre-School Inc. - Banksia Campus of 4 Graysharps Road, Hurstbridge, Victoria 3099	6-8 Graysharps Road HURSTBRIDGE VIC 3099	Ferguson Park Pre-School	CURRENT	1/09/2022	1/09/2022	31/12/2025	3 years and 4months	NA	
272	A	Local Community	Childcare	Land & Buildings	Lease	Hohnes Road Playhouse	1 Hohnes Road ELTHAM VIC 3095	Hohnes Road Playhouse	CURRENT	1/02/2016	1/01/2020	31/12/2025	6	0	
129	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Kangaroo Ground Preschool (Linked to Licence 172)	20 Graham Road KANGAROO GROUND VIC 3097	Kangaroo Ground - Primary School and Preschool	OVERHOLD - IN PROGRESS	1/02/2013	1/02/2013	31/01/2018	5	0	NA
279	A	Local Community	Childcare	Land & Buildings	Lease	Meruka Park Child Care Co-Operative Limited	5 Meruka Drive ELTHAM VIC 3095	Meruka Park Child Care Centre	CURRENT	1/02/2016	1/01/2020	31/12/2025	6	0	
342	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Ness Reserve Pre-School Association Inc	4 Ness Street DIAMOND CREEK VIC 3089	Ness Reserve Preschool	CURRENT	20/05/2002	1/04/2023	31/12/2025	2 years and 9mths	0	
281	A	Local Community	Childcare	Land & Buildings	Lease	Occasional Child Care Centre Diamond Creek Inc	28 Main Hurstbridge Road DIAMOND CREEK VIC 3089	Occasional Child Care Centre Diamond Creek Inc	CURRENT	1/03/2011	1/01/2020	31/12/2025	6	0	
269	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Research Preschool Inc	1555 Main Road RESEARCH VIC 3095	Research Preschool	CURRENT	1/03/2011	1/01/2020	31/12/2025	6	0	
320	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	The Young Men's Christian Association of Ballarat	907 Main Road ELTHAM VIC 3095	Eltham Preschool	CURRENT	1/01/2021	1/01/2023	31/12/2025	3	0	
338	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	The Young Men's Christian Association of Ballarat	24-30 Glen Park Road ELTHAM NORTH VIC 3095	Eltham North Preschool	CURRENT	1/01/2023	1/01/2023	31/12/2025	3	NA	
282	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Woodridge Pre-School Inc	3 Novello Court ELTHAM VIC 3095	Woodridge Preschool	CURRENT	1/02/2016	1/01/2020	31/12/2025	6	0	

CM.014/24 Draft Leasing and Licensing Policy
Attachment 1. Lease Register by Category

Lease No.	Rental Category	Category	Type	Land only/Land & Building or Other	Lease/Licence	Organisation (Tenant)	Property Address	Property Description (Demised Premises)	Lease/Licence Status	Original Agreement Commenced (first occupied site)	Term From	Term To	Term (years)	Further Term (years)	Further Term Expiry Date
274	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Yarra Warra Preschool	186 Research-Warrandyte Road NORTH WARRANDYTE VIC 3113	Yarra Warra Pre-School at North Warrandyte Family Centre	CURRENT	1/02/2016	1/01/2020	31/12/2025	6	0	
339	A	Local Community	Preschool & Childcare	Land & Buildings	Licence	Yarra Warra Preschool inc.	186 Research-Warrandyte Road NORTH WARRANDYTE VIC 3113	North Warrandyte Family Centre (hall)	CURRENT	1/02/2016	1/09/2022	31/12/2025	3 years and 4months	0	
287	A	Local Community	Preschool & Childcare	Land & Buildings	Lease	Yarrambat/Plenty Pre-School Association Inc.	450 Ironbark Road YARRAMBAT VIC 3091	Yarrambat/Plenty Pre-School	CURRENT	1/02/2016	1/01/2020	31/12/2025	6	0	
323	A	Local Community	Miscellaneous	Land & Buildings	Lease	Araluen Centre	28 Main Hurstbridge Road DIAMOND CREEK VIC 3089	Shed No 1 and 2 of the Adaptive Bike Storage Facility	CURRENT	26/04/2021	26/04/2021	25/04/2024	3	0	
324	A	Local Community	Historical Society	Land & Buildings	Lease	Nilumbik Historical Society Inc.	10 Nilumbik Square DIAMOND CREEK VIC 3089	Ellis Cottage	CURRENT	1/04/2021	1/04/2021	31/03/2026	5	4	31/03/2030
315	A	Local Community	Historical Society	Land & Buildings	Lease	Plenty Historical Society Inc.	2-6 Memorial Drive PLENTY VIC 3090	Plenty Historic Church	CURRENT	1/07/2020	1/07/2023	30/06/2026	3	0	
326	A	Local Community	Arts & Markets	Land only	Licence	Diamond Valley Community Support Inc. (Library Place Market)	4-10 Panther Place and 829 and 895 Main Road ELTHAM VIC 3095	Car park - Eltham Library	CURRENT	10/05/2021	10/05/2021	9/05/2024	3		
334	A	Local Community	Miscellaneous	Land & Cage	Lease	LINK Community Transport Inc.	44A Graysharps Road HURSTBRIDGE VIC 3099	Hurstbridge Bus Cage	CURRENT	24/03/2022	1/04/2022	31/03/2025	3	NA	
212	A	Education	Education	Land only	Lease	Minister for Education	6 Arthurs Creek Road HURSTBRIDGE VIC 3099	Hurstbridge Primary School use of Fergusons Paddock	OVERHOLD - IN PROGRESS	1/03/2013	01/03/2013	28/02/2023	10	15	2038
213	A	Education	Education	Land only	Licence	Minister for Education	4 Arthurs Creek Road HURSTBRIDGE VIC 3099	Hurstbridge Primary School use of Fergusons Paddock	OVERHOLD - IN PROGRESS	1/03/2023	01/03/2013	28/02/2023	10	0	NA
115	A	Local Community	Committee of Mgt	Land & Buildings	Lease	Plenty Community Hall Association Inc	109-115B Yan Yean Road PLENTY VIC 3090	Plenty War Memorial Hall	CURRENT	1/01/2006	1/01/2015	31/12/2024	9	0	NA
267	A	Local Community	Committee of Mgt	Land & Buildings	Lease	Strathewen Recreation Reserve Association Inc	160 Chadds Creek Road STRATHEWEN VIC 3099	Peter Avola Pavilion	CURRENT	1/01/2013	1/07/2022	30/06/2024	2	0	
270	A	Local Community	Committee of Mgt	Land & Buildings	Lease	St Andrews Community Centre Association Inc	35 Caledonia Street ST ANDREWS VIC 3761	St Andrews Community Centre and St Andrews Hall	OVERHOLD - IN PROGRESS	1/09/2014	1/09/2015	31/08/2018	3	0	
185	A	Local Community	Committee of Mgt	Land & Buildings	Lease	Yarrambat War Memorial Hall Inc	450 Ironbark Road YARRAMBAT VIC 3091	Yarrambat War Memorial Hall	CURRENT	1/07/2011	1/05/2022	30/04/2025	3	0	NA
312	A	Local Community	Miscellaneous	Land & Buildings	Lease	Rotary Club of Diamond Creek Inc.	28 Main-Hurstbridge Road DIAMOND CREEK VIC 3089	Diamond Creek Tram Café	CURRENT	1/06/2020	1/06/2023	31/05/2026	3	3 years	31/05/2029
23	A	Local Community	Miscellaneous	Land & Buildings	Lease	Lions Club of Eltham Incorporated	2 Youth Road ELTHAM VIC 3095	Andrew Park Pavilion	CURRENT	1/01/2000	1/08/2021	31/07/2024	3	0	NA
318	B	Local Community	Scout/Girl Guide	Land & Buildings	Licence	1st Eltham Scout Group	8-32 Cedar Avenue ELTHAM NORTH VIC 3095	Eltham North Hall	CURRENT	4/12/2020	1/12/2023	30/11/2026	3	3 years	30/11/2029
168	B	Local Community	Miscellaneous	Land & Buildings	Lease	Allwood Neighbourhood House Incorporated	901 Hurstbridge-Arthurs Creek Road HURSTBRIDGE VIC 3099	Fergusons Paddock	CURRENT	30/01/2002	1/10/2022	30/09/2027	5 years	4 years	30/09/2031
15	B	Local Community	Bowling	Land & Buildings	Lease	Diamond Creek Bowling Club	28 Main Hurstbridge Road DIAMOND CREEK VIC 3089	Diamond Creek Bowling Club	CURRENT	1/07/1962	1/09/2023	28/02/2033	9 years and 6 months	0	NA
202	B	Local Community	Miscellaneous	Land & Buildings	Lease	Diamond Creek Men's Shed	53 Challenger Street DIAMOND CREEK VIC 3089	Campbell Street Reserve	CURRENT	1/12/2012	1/07/2022	29/06/2032	9 years and 364 days	0	NA
177	B	Local Community	Miscellaneous	Land only	Lease	Diamond Creek Swimming Club	1 Elizabeth Street DIAMOND CREEK VIC 3089	Diamond Creek Swimming Pool - Portable building	OVERHOLD - Lease not returned	21/11/1983	1/03/2019	28/02/2022	3	0	NA

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12	B	Local Community	Tennis	Land & Buildings	Lease	Diamond Creek Tennis Club	28 Phipps Street DIAMOND CREEK VIC 3089	Diamond Creek Tennis Pavilion	CURRENT	1/01/1986	1/10/2022	31/03/2032	9 years and 6 months	0	NA
49	B	Local Community	Miscellaneous	Land & Buildings	Lease	Diamond Valley Archers and Northern Suburbs Fly Fishing Club	651 Yan Yean Road YARRAMBAT VIC 3091	Yarrambat Archers and Fly Fishing Pavilion	CURRENT	1/01/1995	1/03/2021	28/02/2026	5	4 years	28/02/2030
208	B	Local Community	Miscellaneous	Land only	Lease	Diamond Valley Archers Inc.	651 Yan Yean Road YARRAMBAT VIC 3091	Yarrambat Park	CURRENT	1/01/1995	1/12/2023	28/02/2026	2 years 2mths 27days	5 years	1/03/2030
16	B	Local Community	Miscellaneous	Land only	Lease	Diamond Valley Railway Incorporated	576 Main Road ELTHAM VIC 3095	Miniature Railway	CURRENT	1/01/1971	1/12/2017	30/11/2038	21	0	NA
284	B	Local Community	Horse/Pony	Land only	Licence	Eastern Region Adult Riding Club and Eltham District Horse and Pony Club Inc	574 Main Road ELTHAM VIC 3095	Eltham Lower Park	OVERHOLD - IN PROGRESS (MINISTER TO SIGN)	1/09/2015	1/09/2015	31/08/2018	3	0	
290	B	Local Community	Horse/Pony	Land and Buildings	Lease	Eastern Region Adult Riding Club and Eltham District Horse and Pony Club Inc	574 Main Road ELTHAM VIC 3095	Eltham Lower Park	OVERHOLD - IN PROGRESS (MINISTER TO SIGN)	1/07/2014	1/09/2015	31/08/2018	3	0	
59	B	Local Community	Arts & Markets	Land & Buildings	Lease	Eltham and District Woodworkers Club	444 Ironbark Road YARRAMBAT VIC 3091	Yarrambat Community House	CURRENT	1/04/2001	1/11/2023	30/10/2028	4 years and 364 days	0	NA
156	B	Local Community	Arts & Markets	Land & Buildings	Lease	Eltham Arts Council	31 Cherry Tree Road HURSTBRIDGE VIC 3099	Cherry Tree Hall	CURRENT	1/01/2009	1/12/2022	30/11/2025	3	0	NA
264	B	Local Community	Bowling	Land & Buildings	Lease	Eltham Bowling Club Inc	58 Susan Street ELTHAM VIC 3095	Eltham Bowling Club	CURRENT	1/11/1982	1/12/2023	29/11/2028	4 years and 364 days		29/11/2028
321	B	Local Community	Cricket, Rugby & Football	Land & Buildings	Lease and Licence	Eltham Club Inc.	18 Panther Place ELTHAM VIC 3095	Eltham Central Park Pavilion	OVERHOLD - IN PROGRESS	1/01/2021	1/01/2021	31/12/2023	3	0	
302	B	Local Community	Arts & Markets	Land & Buildings	Licence	Eltham Concert Band	801 Main Road ELTHAM VIC 3095	Eltham Community and Reception Centre	CURRENT	12/07/2018	1/07/2023	30/06/2026	3	0	
27	B	Community Hall Network	Arts & Markets	Land & Buildings	Licence	Eltham Little Theatre Incorporated	1603 Main Road RESEARCH VIC 3095	Eltham Performing Arts Centre	CURRENT	7/09/1987	7/09/2007	6/09/2027	20	0	NA
257	B	Local Community	Arts & Markets	Land & Buildings	Lease	Eltham Little Theatre Incorporated	1603 Main Road RESEARCH VIC 3095	Eltham Performing Arts Centre	CURRENT	1/01/2014	1/01/2021	6/09/2027	6 years 8 months and 5 days	0	
299	B	Local Community	Men's Shed	Land & Buildings	Lease	Eltham Men's Shed Inc.	20 Wattletree Road ELTHAM NORTH VIC 3095	Eltham North Reserve	CURRENT	1/02/2016	12/04/2023	11/04/2027	4	0	
163	B	Local Community	Miscellaneous	Land & Buildings	Lease	Eltham Model Railway	58A Susan Street ELTHAM VIC 3095	Lower level of Eltham SES	CURRENT	1/07/2012	1/07/2022	30/06/2025	3	0	NA
20	B	Local Community	Cricket, Rugby & Football	Land & Buildings	Lease	Eltham Rugby Union Football Club	58 Bridge Street ELTHAM VIC 3095	Eltham Rugby Union Football Club Pavilion	CURRENT	1/10/1991	1/07/2022	30/06/2025	3	0	NA
11	B	Local Community	Tennis	Land & Buildings	Lease	Eltham Tennis Club Inc. (Andrew Park Tennis Club)	2 Youth Road ELTHAM VIC 3095	Eltham Tennis Pavilion	CURRENT	1/10/1993	1/10/2022	31/03/2032	9 years and 6 months	0	NA
184	B	Local Community	Miscellaneous	Land & Buildings	Lease	Greensborough Hockey Club	55-73 Yan Yean Road PLENTY VIC 3090	Plenty War Memorial Park	CURRENT	4/04/1997	1/06/2021	30/05/2031	9 years and 364 days	0	NA
170	B	Local Community	Miscellaneous	Land only	Lease	Greensborough Model Aircraft Club Incorporated	655 Yan Yean Road YARRAMBAT VIC 3091	Yarrambat Park	CURRENT	1/01/1995	18/04/2023	17/04/2026	3	0	NA
256	B	Local Community	Bowling	Land only	Lease	Hurstbridge Bowling and Recreation Club Inc.	36 Graysharps Road HURSTBRIDGE VIC 3099	Hurstbridge Bowling Club	CURRENT	1/09/2004	1/10/2020	30/09/2025	5	4 years and 364 days	30/09/2029
38	B	Local Community	Horse/Pony	Land only	Lease	Hurstbridge Horse and Pony Club	1041 Heidelberg-Kinglake Road HURSTBRIDGE VIC 3099	Fergusons Paddock	OVERHOLD - Tenant has not returned lease	1/11/1985	1/01/2019	31/12/2021	3	0	NA
309	B	Local Community	Men's Shed	Land and Buildings	Lease	Hurstbridge Men's Shed Inc.	50 Graysharps Road HURSTBRIDGE VIC 3099	Hurstbridge Basketball Stadium	OVERHOLD - moving	1/02/2020	1/02/2021	31/01/2023	2	0	
9	B	Local Community	Tennis	Land & Buildings	Lease	Hurstbridge Tennis Club Inc.	4 Arthurs Creek Road HURSTBRIDGE VIC 3099	Hurstbridge Tennis Pavilion	CURRENT	1/10/1992	1/10/2022	31/03/2032	9 Years and 6 months	0	NA

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146	B	Local Community	Tennis	Land & Buildings	Lease	Kangaroo Ground Tennis Club Inc	295 Eltham-Yarra Glen Road KANGAROO GROUND VIC 3097	Kangaroo Ground Tennis Pavilion	CURRENT	28/01/2008	1/10/2022	31/03/2032	9 years and 6 months	0	NA
343	B	Local Community	Miscellaneous	Land & Buildings	Lease	Mind Australia Limited	903-907 Main Road ELTHAM VIC 3095	Office within Eltham War Memorial Hall	CURRENT	1/09/2023	1/09/2023	31/08/2024	1	0	NA
63	B	Local Community	Tennis	Land & Buildings	Licence	Minister for Education and the School Council grants the Shire Council and The Tennis Club a licence to use the Land. The Shire Council grants the School Council and the Tennis Club a licence to use the DNRE Land (Land on Plan).	15 Caledonia Street ST ANDREWS VIC 3761	St Andrews Tennis Pavilion	CURRENT	10/05/2002	10/05/2002	9/05/2032	30	15	9/05/2047
197	B	Local Community	Netball	Land & Buildings	Lease	Nillumbik Force Netball Assoc. Inc.	2 Diamond Street DIAMOND CREEK VIC 3089	Diamond Creek Netball Pavilion	CURRENT	1/12/2011	1/07/2022	30/06/2024	2	2	
198	B	Local Community	Netball	Land only	Licence	Nillumbik Force Netball Assoc. Inc.	2 Diamond Street DIAMOND CREEK VIC 3089	Diamond Creek Netball Pavilion	CURRENT	1/12/2011	1/07/2022	30/06/2024	2	0	
322	B	Local Community	Education	Land & Buildings	Lease and Licence	Nillumbik U3A Inc.	18 Panther Place ELTHAM VIC 3095	Eltham Central Park Pavilion	CURRENT	1/01/2021	1/01/2024	31/12/2026	3	0	
332	B	Crown Land	Education	Land & Buildings	Lease	Nillumbik U3A Inc.	730 Main Road ELTHAM VIC 3095	Portable Annex	CURRENT	10/02/2022	1/02/2022	31/01/2025	3	NA	
10	B	Local Community	Tennis	Land & Buildings	Lease	Panton Hill Tennis Club Inc.	35 Rodger Road PANTON HILL VIC 3759	Panton Hill Tennis Pavilion	CURRENT	1/10/1993	1/10/2022	31/03/2032	9 Years and 6 months	0	NA
114	B	Local Community	Tennis	Land & Buildings	Lease	Plenty Tennis Club Inc	109-115A Yan Yean Road PLENTY VIC 3090	Plenty Tennis Pavilion	CURRENT	1/06/2007	1/10/2022	31/03/2032	9 years and 6 months	0	NA
7	B	Local Community	Tennis	Land & Buildings	Lease	Research Tennis Club	1459 Main Road RESEARCH VIC 3095	Research Tennis Pavilion	CURRENT	1/10/1948	1/10/2022	31/03/2032	9 years and 6 months	0	NA
42	B	Local Community	Scout/Girl Guide	Land only	Lease	Scout Association of Australia (Victorian Branch)	45-49 Challenger Street DIAMOND CREEK VIC 3089	Diamond Creek Scout Hall	CURRENT	1/01/1975	1/12/2023	30/11/2026	3	3 years	30/11/2029
1	B	Local Community	Scout/Girl Guide	Land & Buildings	Lease	Scout Association of Australia (Victorian Branch)	20 Anzac Avenue HURSTBRIDGE VIC 3099	Hurstbridge Scout Hall	CURRENT	1/11/1985	1/12/2023	30/11/2026	3	3 years	30/11/2029
2	B	Local Community	Scout/Girl Guide	Land only	Lease	Scout Association of Australia (Victorian Branch)	1459 Main Road RESEARCH VIC 3095	Research Park Scout Hall	CURRENT	1/02/1980	1/12/2023	30/11/2026	3	3 years	30/11/2029
3	B	Local Community	Scout/Girl Guide	Land only	Lease	Scout Association of Australia (Victorian Branch)	14 Handfield Street ELTHAM VIC 3095	Eltham Scout Hall	CURRENT	1/10/1980	1/12/2023	30/11/2026	3	3 years	30/11/2029
35	B	Local Community	Scout/Girl Guide	Land & Buildings	Lease	Scout Association of Australia (Victorian Branch)	8-32 Cedar Avenue ELTHAM NORTH VIC 3095	Eltham North Scout Hall	CURRENT	1/04/1980	1/12/2023	30/11/2026	3	3 years	30/11/2029
61	B	Local Community	Scout/Girl Guide	Land & Buildings	Lease	Scout Association of Australia (Victorian Branch)	27 Youth Road ELTHAM VIC 3095	Eltham 1st Scout Hall	CURRENT	3/11/1980	1/12/2023	30/11/2026	3	3 years	30/11/2029
77	B	Local Community	Horse/Pony	Land only	Lease	St Andrews Horse and Pony Club Inc	180 & 230 Clintons Road SMITHS GULLY VIC 3760	Clintons Road Reserve	CURRENT	1/10/1993	1/07/2022	30/06/2025	3	NA	NA
306	B	Local Community	Horse/Pony	Land only	Licence	St Andrews Pony Club Inc	180 & 230 Clintons Road SMITHS GULLY VIC 3760	Clintons Road Reserve	CURRENT	1/07/2019	1/07/2022	30/06/2025	3	0	
235	B	Local Community	Miscellaneous	Land only	Lease	Thrive Community Garden Inc	31 Watkins Street DIAMOND CREEK VIC 3089	Watkins Street Reserve	CURRENT	1/08/2014	1/08/2021	31/07/2024	3	0	NA
13	B	Local Community	Tennis	Land & Buildings	Lease	U C Tennis Club	45-49 Challenger Street DIAMOND CREEK VIC 3089	Challenger St Tennis Pavilion	CURRENT	1/10/1986	1/10/2023	30/09/2026	3	0	NA
246	B	Local Community	Horse/Pony	Land only	Licence	Yarrambat Horse and Pony Club & Yarrambat Adult Riding Club	657 Yan Yean Road YARRAMBAT VIC 3091	Yarrambat Park	CURRENT	1/07/2014	1/07/2020	30/06/2025	5	4	30/06/2029

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245	B	Local Community	Horse/Pony	Land & Buildings	Lease	Yarrambat Horse and Pony Club Inc and Yarrambat Adult Riding Club Inc	657 Yan Yean Road YARRAMBAT VIC 3091	Yarrambat Park	CURRENT	1/07/2014	1/07/2020	30/06/2025	5	4	30/06/2029
285	C	Corporate	Miscellaneous	Land & Buildings	Lease	Araluen Centre	12 Arthurs Creek Road HURSTBRIDGE VIC 3099	Fergusons Paddock	CURRENT	1/09/2007	1/06/2023	31/05/2024	1	0	
142	C	Corporate	Emergency Services	Land & Buildings	Lease	Country Fire Authority	35 Kangaroo Ground-St Andrews Road KANGAROO GROUND VIC 3097	Kangaroo Ground Emergency Operation Centre	OVERHOLD - IN PROGRESS	1/07/2008	1/07/2020	30/06/2023	3	3	30/06/2026
157	C	Corporate	Emergency Services	Land only	Lease	Country Fire Authority	184 Research-Warrandyte Road NORTH WARRANDYTE VIC 3113	North Warrandyte CFA Fire Station	CURRENT	1/01/2010	1/01/2023	31/12/2025	3	3	31/12/2028
221	C	Corporate	Emergency Services	Land only	Lease	Country Fire Authority	385B Eltham Yarra- Glen Road KANGAROO GROUND VIC 3097	Spotters Cabin	OVERHOLD - IN PROGRESS	1/01/2012	1/01/2013	31/12/2023	10	0	NA
44	C	Corporate	Emergency Services	Land only	Lease	Country Fire Authority	50 Kangaroo Ground-St Andrews Road KANGAROO GROUND VIC 3097	Kangaroo Ground CFA Fire Station	CURRENT	6/06/1978	1/01/2023	31/12/2025	3	3 years	31/12/2028
188	C	Corporate	Emergency Services	Land & Buildings	Lease	SES	58 Susan Street ELTHAM VIC 3095	Eltham SES	CURRENT	1/07/2012	1/07/2022	30/06/2032	10		
301	D	Land lease	Land	Land only	Lease	Name redacted for privacy reasons	19A Ely Street ELTHAM VIC 3095	Ely Street Nature Reserve	CURRENT	29/06/2018	1/07/2023	29/06/2028	4 years and 364 days	0	
286	D	Land lease	Arts & Markets	Land only	Lease	St Andrews Market Committee Inc	90 Burns Street ST ANDREWS VIC 3761	Reserve - Crown Land	CURRENT	1/09/2015	1/04/2022	31/03/2027	5	4 years and 364 days	30/03/2032
201	D	Land Lease	Land	Land only	Lease	Name redacted for privacy reasons	1333A Main Road ELTHAM VIC 3095	Main Road Reserve	CURRENT	1/07/2012	1/07/2022	30/06/2032	10	0	NA
180	D	Commercial	Commercial	Land only	Lease	Axicom Pty Ltd ABN 34 090 873 019	38 Graysharps Road HURSTBRIDGE VIC 3099	Ben Frilay Reserve	CURRENT	12/05/2011	12/05/2019	11/05/2024	5	5	11/05/2024
317	D	Commercial	Commercial	Road Reserve	Lease	Bunnings Group Limited	25 Bridge Street ELTHAM VIC 3095	Road reserve	CURRENT	1/10/2020	27/04/2022	26/04/2027	5	0	
48	D	Land lease	Land	Land Only	Lease	Name redacted for privacy reasons	2 Arthur Streeton Place DIAMOND CREEK VIC 3089	Road Reserve	CURRENT	1/02/2000	1/09/2023	30/08/2028	4 years and 364 days	0	NA
182	D	Land Lease	Land	Land only	Licence	Name redacted for privacy reasons	365 Kangaroo Ground - Wattle Glen Road KANGAROO GROUND VIC 3097	Road Reserve	CURRENT	1/10/1991	1/12/2020	30/11/2025	5	4	30/11/2029
260	D	Commercial	Commercial	Land & Buildings	Lease	Eco Roads Australia Pty Ltd (ACN 137 242 338) Gregory Rex Imlach	4 Panther Place ELTHAM VIC 3095	Shillinglaw Cottage	CURRENT	29/04/2005	30/04/2019	29/04/2024	5	4	29/04/2028
237	D	Commercial	Commercial	Land only	Licence	Global Ballooning Pty Ltd	6-8 Arthurs Creek Road HURSTBRIDGE VIC 3099	Launching locations: • Bell Street, Paddock • Fergusons Paddock, Hurstbridge	CURRENT	1/01/2013	1/10/2022	30/09/2025	3	0	NA
238	D	Commercial	Commercial	Land only	Licence	Go Wild Ballooning Pty Ltd	60 Diamond Street ELTHAM VIC 3095	Launching locations: • Andrew Park, Eltham • Fergusons Paddock, Hurstbridge	CURRENT	1/01/2013	1/10/2022	30/09/2025	3	0	NA
85	D	Residential	Residential properties	Land & Buildings	Lease	Name redacted for privacy reasons	50 Challenger Street DIAMOND CREEK VIC 3089	Nillumbik Farmhouse - Challenger Street Reserve	CURRENT	15/09/2003	15/12/2023	14/12/2024	1	0	NA
58	D	Commercial	Commercial	Land only	Lease	Indara Infrastructure Pty Ltd (previously Axicom Pty Ltd ABN 34 090 873 019 ABN 67010310059)	34 Graysharps Road HURSTBRIDGE VIC 3099	Ben Frilay Reserve	CURRENT	12/05/1999	12/05/2019	11/05/2024	5	5 years	11/05/2029
303	D	Land lease	Land	Land only	Lease	Name redacted for privacy reasons	19A Ely Street ELTHAM VIC 3095	Ely Street Nature Reserve	CURRENT	1/07/2018	1/07/2023	29/06/2028	4 years and 364 days	0	

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319	D	Commercial	Commercial	Land & Buildings	Licence	Jets Gymnastics	129-163 Main-Hurstbridge Road DIAMOND CREEK VIC 3089	Community Bank Stadium	CURRENT	1/02/2011	8/12/2021	7/12/2026	5	5	7/12/2031
255	D	Land Lease	Land	Land only	Lease	Name redacted for privacy reasons	9A Griffin Court ELTHAM VIC 3095	Reynolds Road Linear Reserve	CURRENT	1/08/2015	1/08/2015	31/07/2025	9 years and 364 days	0	
295	D	Commercial	Commercial	Land only	Licence	Third Chapter Café	9 Arthur Street ELTHAM VIC 3095	Eltham Town Square Footpath	CURRENT	21/12/2017	1/09/2022	31/08/2026	5	0	
258	D	Commercial	Commercial	Land & Buildings	Lease	L & E Catering Eltham Pty Ltd	9A Arthur Street ELTHAM VIC 3095	Small Plates Eltham	CURRENT	2/12/2015	2/12/2020	1/12/2025	5	2x 5 years	1/12/2030 1/12/2035
233	D	Land lease	Land	Land only	Licence	Name redacted for privacy reasons	62-68 Wattletree Road HURSTBRIDGE VIC 3099	Road Reserve	OVERHOLD	10/07/2002	1/07/2014	30/06/2016	2	0	NA
231	D	Land lease	Land	Land only	Licence	Name redacted for privacy reasons	56 Wattletree Road HURSTBRIDGE VIC 3099	Road Reserve	OVERHOLD	17/06/2002	1/07/2014	30/06/2016	2	0	NA
250	D	Residential	Residential properties	Land & Buildings	Lease	Name redacted for privacy reasons	651 Yan Yean Road YARRAMBAT VIC 3091	Yarrambat Park House	CURRENT	28/05/2015	27/12/2022	26/12/2023	1	0	NA
187	D	Land Lease	Land	Land only	Lease	Name redacted for privacy reasons	44A Valonia Drive ELTHAM VIC 3095	Tadema Reserve	CURRENT	1/10/1994	1/01/2019	31/12/2028	9 years and 364 days	0	NA
236	D	Commercial	Commercial	Land only	Licence	Picture This Ballooning Pty Ltd	6-8 Arthurs Creek Road HURSTBRIDGE VIC 3099	Launching locations: • Andrew Park, Eltham • Fergusons Paddock, Hurstbridge	CURRENT	1/01/2013	1/10/2022	30/09/2025	3	0	NA
162	D	Commercial	Commercial	Land & Buildings	Lease	Teapot Café Pty Ltd	8 Panther Place ELTHAM VIC 3095	Teapot Café at Eltham Library	CURRENT	1/07/2010	1/07/2019	30/06/2024	5	4	30/06/2028
75	D	Commercial	Commercial	Land only	Lease	Telstra Corporation Limited	18 Arcadia Way ELTHAM NORTH VIC 3095	Parry Road Reserve	OVERHOLD - negotiations underway	1/12/2003	1/12/2018	30/11/2023	10	5 years	30/11/2028
116	D	Commercial	Commercial	Land only	Lease	Telstra Corporation Limited	9A Griffin Court ELTHAM VIC 3095	Reynolds Road Linear Reserve	CURRENT	26/04/2007	26/11/2021	25/11/2030	9	0	0
247	D	Commercial	Commercial	Land & Buildings	Lease	The Clark Family Trust trading as Café Eden Pty Ltd ABN 61 613 387 076	32 Gastons Road ELTHAM VIC 3095	Café at Edendale Community Environment Farm	CURRENT	1/03/2015	22/10/2023	21/10/2027	5	0	NA
199	D	Commercial	Commercial	Airspace rights - roof balcony	Lease	Thye Lim Pty Ltd	26 Commercial Place ELTHAM VIC 3095	Airspace - 26 Commercial Place Eltham	CURRENT	1/11/2012	1/07/2022	31/12/2031	9 Years and 6 months	0	NA
106	D	Commercial	Commercial	Land only	Lease	TPG Telecom Limited (previously Vodafone Hutchison Australia Pty Limited) C/- Colliers International	12 Darkan Court ELTHAM VIC 3095	Parsons Road Reserve	CURRENT	24/11/2000	23/11/2016	22/11/2026	9 years and 364 days	0	NA
259	D	Commercial	Commercial	Land only	Lease	TPG Telecom Limited (previously Vodafone Hutchison Australia Pty Limited) C/- Colliers International	62, 100, 125, 145, 166A Allendale Road DIAMOND CREEK VIC 3089	Oronsay Crescent Reserve	CURRENT	1/04/2015	1/04/2015	31/03/2025	9 years and 364 days	0	
57	D	Commercial	Commercial	Land only	Lease	TXU Electricity	1B Pryor Street ELTHAM VIC 3095	Commercial Place Reserve and Carpark	CURRENT	15/02/2000	15/02/2000	14/02/2030	30	30 years	14/02/2060
186	D	Commercial	Commercial	Land only	Lease	Victoria Police	385A Eltham-Yarra Glen Road KANGAROO GROUND VIC 3097	Kangaroo Ground War Memorial Park	CURRENT	1/09/1979	1/09/2019	31/08/2029	10	10 years	31/08/2039
191	D	Commercial	Commercial	Land only	Lease	Waveconn Pty Ltd (previously known Towers Business Operations Pty Ltd ACN 659 221 495) sublicense to Vodafone	649 Yan Yean Road YARRAMBAT VIC 3091	Yarrambat Golf Course	CURRENT	1/08/2012	1/08/2012	31/07/2032	20	0	NA
311	D	Local Community	Miscellaneous	Land and Buildings	Lease	Green Wedge Christian Community Enterprises Inc.	290-304 Yan Yean Road PLENTY VIC 3090	Nillumbik Operations Centre Reuse Shop	CURRENT	1/01/2020	1/01/2023	31/12/2025	3	5	31/12/2028

CM.014/24 Draft Leasing and Licensing Policy
Attachment 1. Lease Register by Category

Lease No.	Rental Category	Category	Type	Land only/Land & Building or Other	Lease/Licence	Organisation (Tenant)	Property Address	Property Description (Demised Premises)	Lease/Licence Status	Original Agreement Commenced (first occupied site)	Term From	Term To	Term (years)	Further Term (years)	Further Term Expiry Date
Council as Tenant															
26		Council as tenant	Land	Land only	Licence	Sister of Charity of Australia	19 Diamond Street ELTHAM VIC 3095	L-shaped pathway adjacent to Catholic Ladies College	CURRENT	7/10/1993	7/10/1993	7/10/2023	30	0	NA
62		Council as tenant	Car park and traffic	Other	Lease	Polgar Family Investments Pty Ltd ATF Polgar Family Investments	9 Arthur Street ELTHAM VIC 3095	Two level carpark for Woolworths Eltham	CURRENT	19/11/1979	16/12/2000	15/12/2099	99	0	NA
107		Council as tenant	Land	Land only	Licence	Yarra Valley Water	30-34 Diosma Road ELTHAM VIC 3095	Yarra Valley Water Eltham Copper Butterfly Reserve	OVERHOLD - negotiations underway	1/07/2006	1/07/2011	30/06/2021	10	0	NA
109		Council as tenant	Land	Land only	Lease	Parks Vic	4 Homestead Road ELTHAM VIC 3095	Candlebark Park, Yarra Valley Parklands	CURRENT	1/03/2004	1/03/2004	28/02/2025	21	0	NA
166		Council as tenant	Education	Land & Building	Lease	Minister for Skills and Workforce Participation	119 Cowin Street DIAMOND CREEK VIC 3089	Diamond Creek Living and Learning Nillumbik	CURRENT	29/03/2011	1/07/2022	31/12/2025	3 years and 6 months	0	NA
172		Council as tenant	Education	Land & Building	Licence	Development and Joint Use Agreement (Responsible Partner) Agreement between The Minister of Education, The Kangaroo Ground Primary School Council and The Nillumbik Shire Council for the Kangaroo Ground Preschool Inc.	20 Graham Road KANGAROO GROUND VIC 3097	Kangaroo Ground - Primary School and Preschool	CURRENT	14/04/2011	14/04/2011	13/04/2026	15	10	13/04/2036
193		Council as tenant	Land	Land only	Lease	Parks Vic	39-61 Caledonia Street ST ANDREWS VIC 3761	Water tank on Queenstown Bushland Reserve	CURRENT	1/03/2012	1/03/2012	28/02/2033	21	0	NA
194		Council as tenant	Land	Land only	Lease	Parks Vic	55 Glynn Road NORTH WARRANDYTE VIC 3113	Water tank on Yarra Valley Parklands	CURRENT	1/03/2012	1/03/2012	28/02/2033	21	0	NA
227		Council as tenant	Land	Land only	Licence	Melbourne Water Corporation	75 Nicholas Lane - 20 Calwell Road KANGAROO GROUND VIC 3097	Maroondah Aqueduct Recreational trail	OVERHOLD - discussion around ongoing maintenance	1/10/2013	1/10/2013	30/09/2014	1	0	NA
228		Council as tenant	Land	Land only	Licence	Name redacted for privacy reasons	150 Alma Road PANTON HILL VIC 3759	Horse trail	CURRENT	1/05/2014	1/05/2022	29/04/2032	9 years and 364 days	0	NA
229		Council as tenant	Land	Land only	Licence	Name redacted for privacy reasons	27 Blue House Road PANTON HILL VIC 3759	Recreational trail	CURRENT	29/04/2014	1/07/2013	30/06/2033	20	0	NA
251		Council as tenant	Land	Land only	Licence	Dhamma Suka Meditation Centre Inc	251-255 Heard avenue PLENTY VIC 3090	Council bores	CURRENT	15/01/2015	15/01/2020	14/01/2025	5	5	14/01/2030
252		Council as tenant	Land	Land only	Licence	Wycliffe Bible Translators Australia	60-80 Graham Road KANGAROO GROUND VIC 3097	Council bores	CURRENT	15/01/2015	15/01/2020	14/01/2025	5	5	14/01/2030
253		Council as tenant	Land	Land only	Licence	Name redacted for privacy reasons	85 Graham Road KANGAROO GROUND VIC 3097	Council bores	OVERHOLD - did not return lease renewal	15/01/2015	15/01/2015	14/01/2020	5	2x 5 years	14/01/2030 14/01/2035
308		Council as tenant	Land	Land only	Licence	Melbourne Water Corporation	1608 Main Road RESEARCH VIC 3095		CURRENT	1/08/2019	1/08/2019	31/07/2024	5	0	NA
313		Council as tenant	Land	Land only	Licence	Melbourne Water Corporation	13 Collindina Crescent GREENSBOROUGH VIC 3088	Pedestrian access	CURRENT	1/09/2019	1/09/2019	31/08/2024	5	0	NA
329		Council as tenant	Land	VicTrack Land	Lease	Victrack	34 Main Hurstbridge Road DIAMOND CREEK VIC 3089	Sensitive land use	CURRENT	5/07/1982	1/12/1981	31/12/2080	99	NA	NA
330		Council as tenant	Car park and traffic	VicTrack Land	Lease	Victrack	801 and 803 Heidelberg-Kinglake Road HURSTBRIDGE VIC 3099	Carpark and footpath upgrades at Hurstbridge train station	NEW - IN PROGRESS	1/05/2021	1/05/2021	30/04/2031	10	NA	NA
331		Council as tenant	Land	VicTrack Land	Lease	Victrack	34 Main Hurstbridge Road DIAMOND CREEK VIC 3089	Sensitive land use	CURRENT	5/07/1982	1/12/1981	31/12/2080	99	NA	NA

CM.014/24 Draft Leasing and Licensing Policy
Attachment 1. Lease Register by Category

[illegible]

Governance and Property Leasing and Licensing Policy 2024

Purpose	<p>This Policy aims to establish a consistent, transparent, equitable and fair process for the administration of leases and licenses for properties owned and managed by the Council.</p> <p>The overall goal is to responsibly maximise the use of community assets in alignment with the Council's vision, policies, and Council Plan.</p>
Scope	<p>This Policy is applicable to all Council owned land and buildings and where Council acts as Committee of Management for Crown land.</p> <p>It does not apply to premises that are managed on behalf of Council under contract management arrangements; seasonal sports arrangements; event permits; council managed or operated buildings such as community hall network, living and learning centres and maternal child health centres; and facilities under service agreements such as libraries.</p>
Version Number	Version Number: 1.0

Policy Owner	Governance and Property Department
Authorised by	
Authorisation date	
Date of next review*	

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Acknowledgement of Country

Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners of the Country on which Nillumbik is located, and we value the significance of the Wurundjeri people's history as essential to the unique character of the Shire. We pay tribute to all First Nations People living in Nillumbik, give respect to Elders past, present and future, and extend that respect to all First Nations People.

We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge the ongoing impacts of past trauma and injustices from European invasion, massacres and genocide committed against First Nations People. We acknowledge that sovereignty was never ceded.

Wurundjeri Woi-wurrung people hold a deep and ongoing connection to this place. We value the distinctive place of our First Nations People in both Nillumbik and Australia's identity; from their cultural heritage and care of the land and waterways, to their ongoing contributions in many fields including academia, agriculture, art, economics, law, sport and politics.



Inclusion statement

Nillumbik Shire Council is committed to creating a fair, equitable and inclusive community where human rights are respected, participation is facilitated, barriers are addressed and diversity is celebrated. We support the rights of all people regardless of age, gender, ability or background. We value the diverse and changing nature of our community and understand that some groups and individuals experience more barriers than others.

Council can be contacted through the National Relay Service (NRS). The NRS is available as a phone solution for people who are deaf or have a hearing or speech impairment.

All calls are confidential. Users must be registered via www.relayservice.gov.au to make and receive calls:

- TTY users phone 133 677, then ask for Council on 9433 3111.
- Speak and Listen (speech-to-speech) users phone 1300 555 727, then ask for Council on 9433 3111.
- A Hearing loop is located at the Customer Service Counter, Civic Centre, Civic Drive, Greensborough
- Communication boards are available at the Civic Drive Customer Service Counter, Civic Centre, Civic Drive Greensborough.
- Interpreting services are available.

If you require the Leasing and Licensing Policy in an alternative format, please email nillumbik@nillumbik.vic.gov.au or call 9433 3111.

Please contact Council's Property Team on 9433 3111 if you need to discuss any leasing and licensing matter or require assistance understanding this policy.

1. Policy Statement

Nillumbik Shire Council recognises its role as the custodian of land and buildings on behalf of the Nillumbik Shire community.

The Council's property portfolio encompasses a diverse range of lease and license agreements,

Nillumbik's property portfolio has a wide variety of lease and licence agreements, reflecting our commitment to fostering community well-being, cultural enrichment, and sustainable development.

These agreements relate mostly to land with buildings or vacant land owned by Council, as well as Crown land where Council is the delegated Committee of Management appointed by the State Government.

This Policy reflects our commitment to responsible and community-driven property management, ensuring that our assets are utilised for the benefit of all residents of Nillumbik Shire.

2. Objectives

This Policy aims to establish a consistent, transparent, equitable and fair process for the administration of leases and licenses for properties owned and managed by the Council.

It outlines clear objectives for developing agreements, specifying the roles and responsibilities of both the Council and tenants.

The overall goal is to responsibly maximise the use of community assets in alignment with the Council's vision, policies, and Council Plan.

3. Guiding Principles

The guiding principles of this Policy encompass:

Community benefit	<ul style="list-style-type: none"> Providing efficient use of Council facilities that supports a diverse range of community groups to provide benefit for the Nillumbik community.
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Return to Council	<ul style="list-style-type: none"> Maximise the commercial return to Council of its commercial and residential properties and provide a fair and reasonable rate for community groups and not for profit entities.
Good governance and accountability	<ul style="list-style-type: none"> Delivering an equitable, transparent process for leasing and licensing of Council properties to a diverse range of organisations, businesses, agencies and community groups that is consistent with the Council Plan and other Council policies and strategies.
Sustainability	<ul style="list-style-type: none"> Promoting sustainable practices and encouraging lessees to take an active role in environmental initiatives.

4. Definitions

In this Policy, the following definitions apply:

Reference term	Definition
Property officer	the Council Officer who is responsible for negotiating the terms and conditions of the lease or licence with the community group. They are also responsible for the management of the tenant for the duration of the lease or licence.
DEECA	the Department of Energy, Environment and Climate Action.
Fittings	also known as chattels, are items that are freestanding and retain their independence from the building or land and are capable of being removed. Examples include refrigerators, microwaves, furniture etc.
Fixtures	are items that are attached to the building or land and cannot easily be removed from the Premises. Examples include central heating systems, air conditioning units affixed to the wall, kitchen units, stoves, dishwashers, solar panels and water tanks.
Incorporated Association	a club or community group, operating not-for-profit, whose members have decided to give their organisation a formal legal structure.
LGA	the <i>Local Government Act 2020</i>
Licensee	the occupier of a facility under a licence agreement.
Not for Profit (NFP)	an organisation that does not operate for the profit, personal gain or other benefit of particular people. They can vary in size, from small groups who may rely on volunteers and the receipt of grants, donations or fundraising, to larger

	organisations who are well funded by membership fees and programs as the principal source of income and may supplement this income with trading activities. Large and successful NFPs comprise paid employees and other staff including managers and executives.
Outgoings	Council rates, taxes, building and public liability insurance, utility supply and usage charges, and other levies (eg Fire Levy) assessed against the property.
Premises or Property	the land or land and building leased or licensed to the tenant.
RLA	the <i>Retail Leases Act 2003</i> .
Services	all services in connection with the property, including electricity, gas, water and telephone charges.
TCA	the <i>Telecommunications Act 1997</i> .
Tenant	is an authorised person or incorporated body that has entered into a lease or licence with Council for the use of a Council owned or Council managed property.
Lessee	the authorised person or incorporated body that has entered into a Lease with Council for the use of Council property.

5. Types of Tenure

In determining the appropriate occupancy agreement for Council owned and managed assets, including Crown land where the Council is the designated Committee of Management and any other assets the Council has control over requiring occupancy or usage arrangement, the choice of tenure for the circumstances will be at Council's sole discretion.

Nillumbik Shire Council has two main forms of tenure which are used to grant the use of Council land holdings. They are as follows:

5.1 Licence agreement

A licence agreement gives the tenant permission to enter and use a property for a specific purpose over an allocated time, but it does not grant exclusive occupancy.

A licence agreement does not create an interest in the land and cannot be assigned or transferred to a third party.

A licence may be granted for either vacant land or land and buildings.

5.2 Lease agreement

A lease is a contract which permits sole occupancy or “exclusive use” of an Asset that Council owns or controls for a specific purpose and time period (Term), usually in return for rent. A property may be leased under the provisions of:

- Section 115 of the *Local Government Act 2020*
- Section 17D of the *Crown Land (Reserve) Act 1978*, if the property is Crown land of which the Council is Committee of Management
- The *Retail Leases Act 2003*

6. Policy and Legislation

All agreements will have regard to, and consideration of, other Council adopted Policies and Statutory requirements, applicable acts and Section 115 of the *Local Government Act 2020*. Any agreement will be negotiated with the tenant and all rights and responsibilities will be included in that agreement.

A comprehensive list of Council Policies and relevant Legislation has been included at the end of this Policy for reference.

7. Categories and fee structure

Tenants have been grouped into categories which determine the fee structure and obligations which will apply to the tenant when entering into an agreement.

Rent or licence fees charge for the premises will be set at the discretion of the Council in line with one of the categorised rental categories:

- Category A - Community Service Providers
- Category B - Community Partnerships
- Category C - Other Organisations ‘Not for Profit’
- Category D - Commercial and Private Use

The eligibility for a tenancy agreement with Council is determined by an assessment against eligibility requirements, tenant structure, the broader community benefit, alignment with the Council Plan, and the organisation's capacity to occupy a leased facility. Once eligibility is established the assessment criteria is used to determine tenant categories.

Refer to **Schedule A** - Tenant categories

8. Tenant selection, negotiations and over-holdings

The assessment and selection of suitable tenants underpins Council's long term Strategic Plan associated Policies and Strategies, Stakeholder expectations and DEECA guidelines, for the provision of services and other benefits for the Nillumbik community.

The Council promotes inclusion and diverse representation within Council facilities. Use of a Council facility or asset by tenants must align with Council's Access, Equity and Inclusion Policy.

If tenants are not managing or utilising the Council asset or facility in line with Council's Access, Equity and Inclusion Policy, this will be treated as a breach of the agreement. Council will give notice to the tenant to remedy the breach.

The current condition of the building and Council's future requirements will be taken into consideration before selecting a tenant to operate from a Council facility.

The Council recognises some tenants have historical affiliations with assets they currently have agreements for however do not guarantee that current or historical tenants will be offered new agreements.

Groups or organisations wishing to occupy Council facilities will be assessed against the eligibility criteria contained in Council's Leasing and Licensing Procedure.

Selection of a tenant may be required if a Council building or part of a building becomes vacant, or there is a requirement to assess an existing tenant whose lease or licence has expired before offering a renewal of the agreement.

Where the property is Crown land and only managed by Council, Council will be required to follow the guidelines as set down by DEECA. This may require Council to advertise the lease or licence or undertake an Expression of Interest (EOI) process and tenant selection will then be in line with those guidelines.

8.1 Over-holding

All lease and licence agreements are to remain in a current status. Under certain circumstances, agreements may be allowed to enter into over-holding. The over-holding period will be at Council's discretion depending on the specific circumstances.

Capital works will not occur or be approved to occur at a Property which has an agreement in over-holding or an existing tenant with no agreement in place. Capital works associated with safety or compliance are exempt and in circumstances where

short term funding for works is available, capital works may proceed provided the leasing process has commenced and there is a low risk to Council.

8.2 Expression of Interest (EOI) to use Council property

In the event that a significant Council asset becomes available for use, either on a shared or exclusive basis, then Council will consider the *Local Government Best Practice Guideline for the Sale and Exchange of Land* dated June 2009 which can extend to cover leasing. This guideline outlines a public process be conducted unless Council can justify a public treaty negotiation.

As part of the ongoing management of Council's assets, all general leasing and licensing enquiries can be submitted via the Nillumbik Shire Council's website - Enquire about leasing or licensing Council land or via email to nillumbik@nillumbik.vic.gov.au.

8.3 Council as tenant

Council may require the use of a building and/or land which is owned by another organisation, should the type of facility required be unavailable in the current asset pool, or vacant buildings or land are not deemed suitable for the intended purpose.

9. Terms and conditions

The terms and conditions of all Council tenure will be assessed on the nature of the agreement. Additional provisions will be included when necessary to meet specific requirements of Council or the other party involved.

Council has a suite of standard documents used for occupancy agreements under this Policy.

The standard terms and conditions are set and agreements can be tailored for individual groups through the use of specific Special Conditions.

10. Insurance

As a minimum, all tenants are required to hold the following insurance:

- At least \$20,000,000 public liability insurance;
- Contents insurance for the tenant's own property; and
- Building insurance, where the tenant has constructed the building or other infrastructure on Council land.

Tenants must provide Council with a Certificate of Currency on or before the commencement date of the agreement and annually thereafter if requested.

11. Reporting and Inspections

All tenants must provide to Council as requested annually a certificate of currency for their public liability insurance policy.

Community groups may be required to provide various reports as a condition of their agreement on a regular basis or upon request by Council, which may include (but is not limited to) the following information:

- a. proof of the tenant's current registration with Consumer Affairs Victoria as an Incorporated Association in accordance with the *Associations Incorporation Reform Act 2012* (Vic);
- b. a copy of the tenant's current licence or permit under the *Liquor Control Reform Act 1998* (Vic) (if held);
- c. a copy of the tenant's Annual Financial Statement or a copy of the Lessee's Annual Statement lodged with Consumer Affairs Victoria;
- d. a list of its current committee members, including names and contact details for after hours and emergency situations;
- e. the number of current registered members of the tenant (if applicable); and
- f. the tenant's current child safe policies.

11.1 Entry by Council

The authorised Council Officer or contractor may enter the facility at any reasonable time after giving the tenant reasonable notification where practical to inspect the condition of the building, undertake repairs, maintenance, works or alterations in the building which Council decides to undertake or is required to carry out by any law or authority or in accordance with the use agreement.

Council will use all reasonable endeavours to cause as little disruption as possible to the tenant's use of the facility in exercising this right. However notice will not be provided for cyclic and routine maintenance and inspections undertaken by Council's contractors that involve multiple buildings in the following situations:

- The carrying out of routine essential safety measures and building condition audits; and
- Inspections for the purpose of valuation

Contractors will be required to provide suitable identification before entering the facility.

12. Maintenance and repair obligations and costs

A maintenance schedule is included in the standard community lease and licence to ensure a consistent approach to maintaining Council's facilities, which specifies the level of maintenance responsibility for the tenant and Council. Some of the items of responsibility include structural repairs, essential safety measures, maintenance and repairs of fittings and fixtures, cleaning of the interior and exterior and damage to the building.

The level of maintenance required of the tenant is determined by the tenants ability to maintain the premises, the category of the tenant, and if the tenant has constructed all or part of the premises.

Any assets, fixtures or fittings purchased and installed by the tenant, after seeking Council's prior written consent, is to be repaired and maintained by the tenant at their cost and will become Council's property at the end of the agreement, unless agreed otherwise.

Any planning permit required will be the responsibility of the tenant including the cost of obtaining the permit. The tenant must also obtain Council's consent to use its own contractors to install any assets, fixtures or fittings. Council's preference is to use its own contractors and recover this cost from the tenant.

Should Council undertake the repair and maintenance of the asset, fixture or fitting on behalf of the tenant, then Council will seek reimbursement of this cost from the tenant.

The tenant is liable for the cost of repair or replacement of any item that is damaged as a result of misuse or vandalism by the tenant or the tenant's guests, invitees and contractors.

13. Financial hardship

In the case of demonstrable financial hardship by the tenant, Council may at its discretion waive the requirement of the tenant to pay the Rent and/or other charges required under the lease or licence for a period of the Term, to be determined by Council.

14. Gambling

A tenant is not permitted to apply for any licence under the *Gambling Regulation Act 2003* for the installation of electronic gaming machines in any of Council's

facilities. Any form of gambling activity is not permitted, including promotion or advertising in or on Council-owned facilities under the tenant's occupancy agreement. Gambling activity includes, but is not limited to, sports betting, lotto and casino games.

15. Retail leases

In Victoria, retail leases are governed by the *Retail Leases Act 2003* (Vic). The Act applies to all retail premises, defined as premises used wholly or predominantly for the sale or hire of goods by retail or the retail provision of services.

The Act specifies what is and what isn't a retail lease and imposes extended obligations on landlords and affords extra protections to tenants.

16. Vacant land leased to residents for leisure, agricultural and grazing purposes

Some vacant Council land is able to be leased or licensed to residents as there are no short to medium term requirements by Council to use the land or it is encumbered with, for example, a drainage easement. Council benefits from the leasing or licensing of this land as the tenant maintains the land which also becomes rateable upon being leased by an individual, corporation or public utility.

Land will only be leased to residents for grazing, agricultural purposes, private residential use and leisure, not for permanent structures.

These leases will be subject to determination of a current market rental. A reduced market rental may be determined in certain circumstances where Council benefits from leasing or licensing of the Land.

17. Residential leases

Council has a small number of residential properties that are leased under the *Residential Tenancies Act 1997*.

These residences are managed by a commercial property agent and are leased at a market rental.

These residential properties each form part of a larger parcel of land which is reserved as Public Park and Recreation (PPRZ).

Council benefits from the leasing of this land as the lessee maintains the property.

18. Related legislation, regulations, policies, procedures and/or guidelines

A number of laws, regulations, policies and plans apply to Council's implementation and management of leases and licences. The following are of relevance:

- *Crown Land (Reserves) Act 1978*
- *Child Wellbeing and Safety Act 2005 (Vic)*
- *Leasing policy for Victorian Crown land 2023*
- *Crown Land Leasing Guidelines 2012*
- *Local Government Act 2020*
- *Local Government (General) Regulations 2004*
- *Land Act 1958*
- *Planning and Environment Act 1987 (Vic)*
- *Property Law Act 1958*
- *Retail Leases Act 2003*
- *Leasing Policy for Victorian Crown Land 2023*
- *Committee of Management Guidelines dated December 2021*
- *Local Government Best Practice Guideline for the Sale and Exchange of Land dated June 2009*
- *Child Safe Standards*

Nillumbik's relevant Plans and Strategies

- *Access Equity and Inclusion Policy*
- *Climate Action Plan 2022-2032*
- *Community Vision – Nillumbik 2040*
- *Nillumbik Council Plan & Budget*
- *Nillumbik Health & Wellbeing Plan 2021-25*
- *Nillumbik Shire Council's Local Laws*
- *Nillumbik Shire Council - Leasing and Licensing Procedure 2024*

19. Review

This Policy must be reviewed within 5 years of the authorised date or as legislation requires or as determined by Council.

This Policy has been reviewed for Human Rights Charter compliance.

Schedule A - Tenant categories

Category A – Community Service Providers

Eligibility Indicators

- **Community Benefit:** Provides the maximum level of community benefit by providing children services, services to disadvantaged groups within the Nillumbik community, management of a Council hall or Historical Society.
These utilise Council owned or managed facilities and include Childcare - Long Day and Occasional Care, Preschools, Halls managed by Committees, Historical Societies, Foodshare, and Adaptive Bike Storage Facility in Diamond Creek to organisations and residents.
- **Use:** Aligns with a Council service and the Council Plan. Proposed use will increase social inclusion, equity and promote health and wellbeing of Nillumbik Shire Council residents.
- **Funding:** Receives limited funding aside from that provided for the ongoing operation of the service.
- **Fit for Purpose:** The proposed use of the Property is appropriate taking into account building and planning requirements.
- **Revenue:** Is low to medium and there are no permanent retail activities.
- **Utilisation:** Community access and utilisation of the Property will be maximised either by direct use of the Property or through shared use or hire arrangements.
- **Operational:** Not for profit organisation, or community group or club run by volunteers or paid workers.
- **Compliance:** Not for profit organisation, registered legal entity (incorporated, legitimate body or under the auspice of an incorporated body), financially viable, complies with all relevant legislation governing its activities, holds all relevant certificates including certificate of currency of insurance (public liability or others as required), and governance capability.

Management of a Preschool or Child Care Cooperative must be compliant with the requirements of the *Educational and Care Services National Law Act 2010* (Vic) and *Educational and Care Services National Regulations 2011* and Council's relevant Service Level Agreement.

Category B – Community Partnerships

Eligibility Indicators

- **Community Benefit:** Provides significant community benefit of which is in demand by the local community in the form of recreational, learning services for adults, sporting or club based activities. Promotes and supports volunteerism. The type of community benefit provided could not be delivered unless supported by Council.

- **Use:** Aligns with a Council service and the Council Plan. Proposed use will increase social inclusion, equity and promote health and wellbeing for the Nillumbik Shire Council community.
- **Funding:** Receives limited funding other than Council.
- **Fit for Purpose:** The proposed use of the Property is appropriate taking into account the land, building and planning requirements.
- **Revenue:** Limited capacity to generate revenue from use of the Property (i.e. memberships or hiring) or activities consistent with the organisational purpose. The tenant must not use the Premises wholly or predominantly for the sale or hire of goods by retail or the retail provision of services within the meaning of the *Retail Leases Act 2003* (Vic).
- **Utilisation:** Community access and utilisation of the Property will be maximised either by direct use of the Property or through shared use or hire arrangements.
- **Operational:** Not for profit organisation or community group or club run by volunteers or paid workers.
- **Compliance:** Not for profit organisation, registered legal entity (incorporated, legitimate body or under the auspice of an incorporated body), financially viable, complies with all relevant legislation governing its activities, holds all relevant certificates including certificate of currency of insurance (public liability or others as required), and governance capability.

Category C – Other Organisations ‘Not for Profit’

Eligibility Indicators

- **Community Benefit:** There is evidence base that the proposed use is in strong demand and will provide a significant community benefit and service which is in high demand by the Nillumbik Shire community.
- **Use:** Aligns with a Council service and the Council Plan. Proposed use will increase social inclusion, equity and promote health and wellbeing for the Nillumbik Shire Council community.
- **Funding:** Receives significant funding other than Council.
- **Fit for Purpose:** The proposed use of the Property is appropriate taking into account the land, building and planning requirements.
- **Revenue:** Has increased capacity to generate revenue from use of the Property (i.e. memberships or hiring) or activities consistent with the organisational purpose. The tenant must not use the Premises wholly or predominantly for the sale or hire of goods by retail or the retail provision of services within the meaning of the *Retail Leases Act 2003* (Vic).
- **Utilisation:** Community access and utilisation of the Property will be maximised either by direct use of the Property or through shared use or hire arrangements.

- **Operational:** Tenancy by a State/Nation Wide organisation that is registered 'Not for Profit', however, may operate with more than one branch or service (unit) and have the option of treating their units as if they were separate entities for 'Not for Profit' purposes, that are predominately run by paid employees. For example Country Fire Authority.
- **Compliance:** Not for profit organisation, registered legal entity, financially viable, complies with all relevant legislation governing its activities, holds all relevant certificates including certificate of currency of insurance (public liability or others as required), have a management committee or board with appropriate governance arrangements.

Category D – Commercial and Private Use

Eligibility Indicators

- **Community Benefit:** Desirable to provide community benefit.
- **Use:** Aligns with and not detrimental to Council Plan strategic objectives.
- **Funding:** Receives significant funding other than Council or is a profit based organisation.
- **Fit for Purpose:** The proposed use of the Property is appropriate taking into account the land, building and planning requirements.
- **Revenue:** has increased capacity to generate revenue from use of the Property or activities consistent with the organisational purpose.
- **Utilisation:** Community access and utilisation of the Property will be maximised either by direct use of the Property or through shared use or hire arrangements.
- **Operational:** Run by paid workers or for private use. Includes retail leases, residential, commercial, telecommunication facilities (utilities) and vacant land leased to private individuals.
- **Compliance:** Registered legal entity, professional capacity and experience, financially viable, complies with all relevant legislation governing its activities, and holds all relevant certificates including certificate of currency of insurance (public liability or others as required). This excludes residential which are managed by the Real Estate Agent and generally require:
 - The Financial capacity to pay ongoing rent
 - Undertaken a 100 point check for identification
 - A proven rental history and are reference checked.

Community Engagement Overview Draft Leasing and Licensing Policy

Purpose:

To seek community feedback on the draft Leasing and Licensing Policy.

1. A staged process is proposed as follows:

a) **Stage 1 - Community Engagement - Participate Nillumbik**

Have your say on the Draft Leasing and Licensing Policy.

Provide the community with the Draft Policy and overview.

- Community Engagement to commence –Thursday 4 April (after Easter) to Thursday 25 April (3 weeks).
- This phase of community engagement will be promoted through the following:
 - Council's online portal 'Participate Nillumbik', inviting community members to provide a submission on the proposed lease;
 - Economic Development and Community Partnerships to email their relevant networks and community organisations;
 - Public Notice on Council's website;
 - Email to Council's current tenants;
 - news release on website – explain Participate Nillumbik community engagement;
 - Social posts; and
 - the ability to submit hard copy submissions if requested.

b) **Stage 2 – Hearing of submissions and Council decision**

- The community will have a further opportunity to make a verbal submission at the Planning and Consultation Committee (PCC) meeting on 11 June 2024.
- Upon considering the written submissions and hearing the verbal submissions at the PCC meeting, a summary report will be provided to Council on 30 July 2024 for consideration before a final decision is made on whether Council will adopt the Leasing and Licensing Policy.

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DRAFT URBAN TREE CANOPY STRATEGY 2024 – 2040

Acknowledgement of Country

Nillumbik Shire Council respectfully acknowledges the Wurundjeri Woi-wurrung people as the Traditional Owners and Custodians of the Country on which Nillumbik is located. We pay respect to Elders past, present and emerging and extend that respect to all First Nations People. We respect the enduring strength of the Wurundjeri Woi-wurrung and acknowledge that sovereignty was never ceded.

Wurundjeri Woi-wurrung people hold a deep and ongoing connection to this place. We value the contribution their Care for Country makes to the lands, waterways, plants, wildlife and people of the Shire of Nillumbik; acknowledge their beliefs, customs and values; and are committed to collaborating around how we think, work and act in relation to climate change and caring for our environment.

Nillumbik Youth Council's vision for Nillumbik's urban tree canopy

"Nillumbik's young people envision a healthy and resilient urban tree canopy in our suburbs and townships. Our urban canopy with its many indigenous species, is a link to the land's traditional owners and our cultural heritage.

In this vision, our trees become integral to the fabric of our neighbourhoods, providing shade, enhancing community wellbeing, enriching biodiversity, and improving air quality.

We aspire to protect and maintain vibrant and interconnected green spaces that foster a sense of community pride and engagement, where residents actively participate in the nurturing and preservation of our urban tree canopy.

Our vision embraces the notion that a resilient urban tree canopy is essential for adapting to the challenges of a changing climate. Ensuring that Nillumbik's urban forests will continue to provide safe habitats for wildlife, provide benefits to community health and connectedness, and contribute to counteracting the effects of a changing climate."

1. Introduction

Why Council has an Urban Tree Canopy Strategy

Located on Wurundjeri Woi-wurrung land and renowned as “the Green Wedge Shire”, Nillumbik is home to a collection of suburbs and townships along the north-eastern edge of Melbourne’s Urban Growth Boundary.

These are our urban areas. They comprise only nine percent of our Shire (3,888 hectares), yet they are home to 75 percent of our population (47,365 people)¹ and approximately seven percent of our shire-wide canopy². Facing challenges and opportunities that are unique to peri-urban and urban localities, specific action is required to care for the canopy of these areas.

We are very fortunate that the extent of canopy in our suburbs and townships is generally high. With an average of 39 percent urban canopy coverage³, Nillumbik’s urban canopy cover is the second highest in all of Melbourne - and we want to maintain this. This canopy contributes greatly to the green, leafy neighbourhood character that our residents, visitors and wildlife enjoy and provides a wide range of environmental, health, cultural and economic benefits.

It is important that we all do what we can to protect - and enhance - the extent, health and resilience of canopy across Nillumbik’s urban areas. Local government has important and varied roles to play in helping to achieve this – on our own land and on land owned by our residents and businesses.

What this Urban Tree Canopy Strategy will focus on achieving

This strategy provides context on the importance of urban canopy, the wide-range of challenges and considerations that need to be taken into account, and provides a fifteen-year framework for strategic action that will help us achieve our vision.

It has three overarching goals:

- **Goal 1 - That Nillumbik’s urban canopy is protected and enhanced**
Target: No overall net loss of Nillumbik’s urban canopy
(Overall target: 39 percent canopy cover in 2040)
- **Goal 2 - That the Nillumbik community value and care for our urban canopy**
Target: An increase in planting of trees across all land tenures
- **Goal 3 - That a healthy urban canopy supports the wellbeing of the Nillumbik community**
Target: An increase in canopy in areas experiencing higher urban heat island effects
(Minimum urban canopy cover target of 25 percent by 2040 in every suburb and township).

The strategy’s scope:

- Defines urban canopy as being any woody vegetation that is over two metres in height. This includes trees and other tall plants/shrubs, including those that are indigenous to Nillumbik, native to Australia and exotic species. (Two meters+ is the height that data is most readily available for).

¹ Nillumbik 2022-2023 Annual Report

² Nearmap, 2021

³ Nearmap, 2021

- Focuses specifically on the needs of our urban canopy – Council has other strategies such as our draft Biodiversity Strategy and Green Wedge Management Plan that plan for the extent and health of our broader natural environment.
- Encompasses all private and public land that is within the Urban Growth Boundary (UGB) of Nillumbik. This UGB is a state-government defined boundary which indicates the long-term limits of Melbourne’s urban development. Within Nillumbik, this includes parts of Diamond Creek, Eltham, Eltham north, Greensborough, Hurstbridge, North Warrandyte, Panton Hill, Plenty, Research, St Andrews and Wattle Glen.

The steps taken to develop the Urban Tree Canopy Strategy

This is Council’s first Urban Canopy Strategy. Research was undertaken into relevant legislative requirements, policy, data, science and best practice to inform its development. Consultation was undertaken with Councillors and Council Advisory Committees on strategic priorities, and community feedback on urban canopy that has been received to date has been considered.

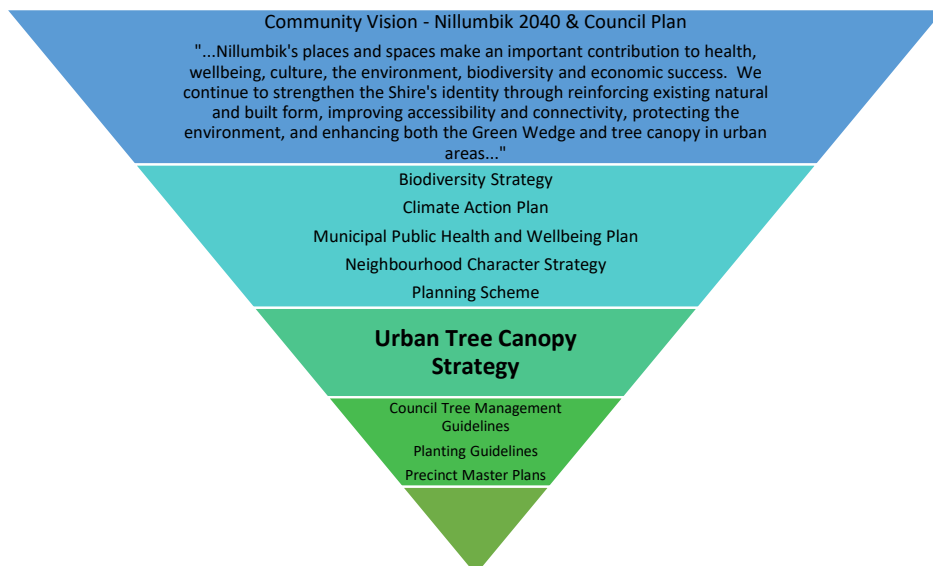
This draft version of the strategy is now on public exhibition so that the community can provide specific feedback on it.

Strategic Context

This strategy seeks to meet its goals and targets which simultaneously:

- Support Council to achieve the tree/canopy-related community wellbeing, amenity and environmental direction of various higher order Council strategies and our planning scheme; and
- Provide strategic context for the implementation of our Tree Management Guidelines which specify how we manage trees on Council land; and planned Planting Guidelines (as a recommendation of Council’s adopted Neighbourhood Character Strategy) which provide tree planting guidance to support the community to fulfil (proposed) planning permit tree planting requirements, where a planning permit is required.

Table 1 Strategic context for Nillumbik’s Urban Tree Canopy Strategy



2. Nillumbik's urban canopy cover

Historical context – the species that make up our canopy cover are diverse

Prior to European settlement, Nillumbik's natural vegetation largely consisted of dry forests. These forests generally comprised low growing trees up to 20m, over a rich understorey of grasses, herbs, orchids and small shrubs. Through subsequent land uses such as agriculture, horticulture, gold mining and timber collection, much of this original vegetation has gone through significant change; though fortunately, even with urbanisation, significant original/remnant tree canopy persists in Nillumbik's urban areas.

To this day, there are a diverse range of indigenous canopy species across our urban areas. Manna Gums dominate stretches along our larger waterways such as the Yarra River, while Swamp Gums occupy smaller gullies and floodplains. On the slopes and hilltops, trees such as Yellow Box, Red Box, Yellow Gum and Long-leaved Box are the most common species.

Many urban areas of Nillumbik also show significant character from the different canopy plantings of various eras. Orchard trees and hedge rows persist from early European settlers in some areas; larger trees from traditional gardens including deciduous northern hemisphere species are still present from early 20th century homesteads and gardens; and Radiata Pine and Sugar Gum plantations are still present along aqueducts and roads. Then over time, considerable planting using Australian natives has also occurred.

As a result, our urban canopy cover is comprised of a wide variety of species.

How we measure canopy cover

Canopy cover is the measure of the area of all vegetation that has reached a certain height, which for the purpose of this strategy is two meters and higher. This can include leaves, branches, trunks and other features of trees and shrubs, and is the amount of tree or shrub that is visible from directly above.

With improving technology, such as AI recognition of canopy from high resolution aerial photos of the Shire, the accuracy of measuring canopy cover is continuously improving. However, measuring cover and its change over time can still be influenced by factors such as photo resolution, seasonal changes e.g. winter vs summer, rainfall and growth, drought impacts, shadowing and time of day.

Analysis of Nillumbik's urban canopy for the purposes of this strategy has used a Nearmap AI generated vegetation layer, which considers all vegetation greater than two metres in height.

Our urban canopy cover today

Nillumbik's overall urban canopy cover is considered to be high (39 percent in 2021 – which equates to approximately 1,400 hectares of canopy), and is the second highest in all of urban Melbourne. As a comparison, at the lowest end of the spectrum some municipalities such as Wyndham and Melton have an urban canopy cover of around only five percent.

There are many competing needs that space for trees and urban canopy competes with. Within urban Nillumbik, urban canopy covers approximately⁴:

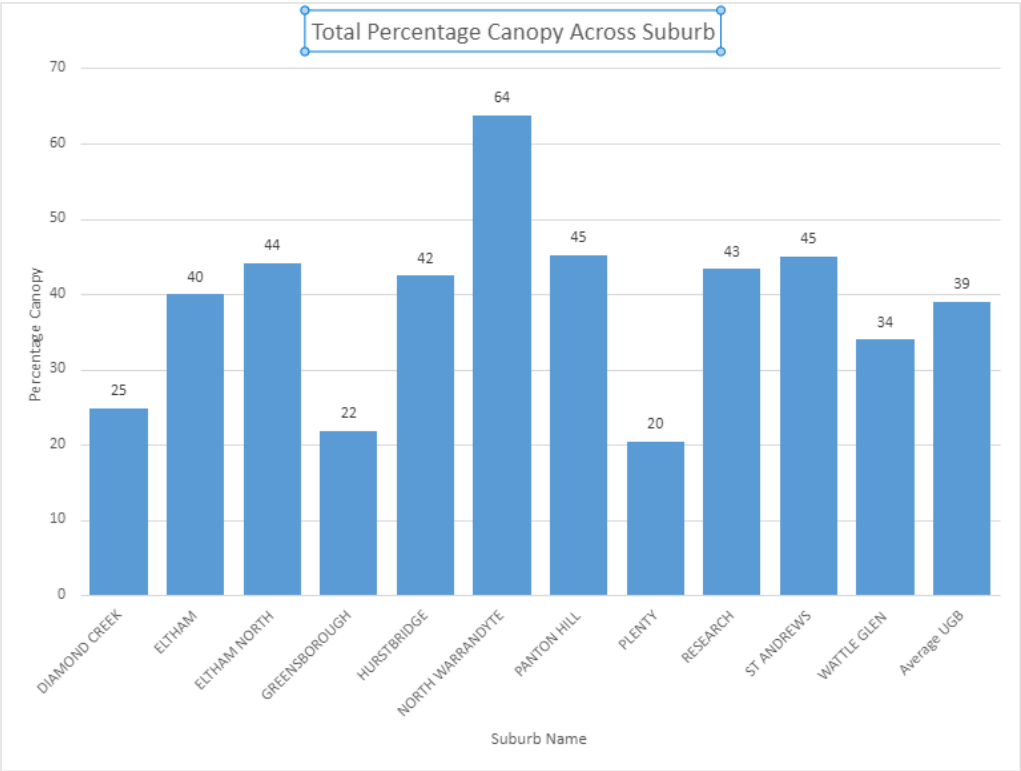
- 36 percent of private land
- 45 percent of public land (i.e. land owned/managed by Council, Crown and State government agencies)

⁴ Nearmap, 2021 – approximate figures based on analysis of aerial images, February 2024.

Differing levels of canopy cover across our various urban areas

While generally high, our tree canopy cover is not equal across all urban areas of the shire, as shown in Table 2. Additional canopy would be particularly beneficial in Greensborough (22 percent) and Plenty (20 percent). Conversely, North Warrandyte’s urban canopy cover (64 percent) is very high.

Table 2 – Urban Canopy Cover for Nillumbik

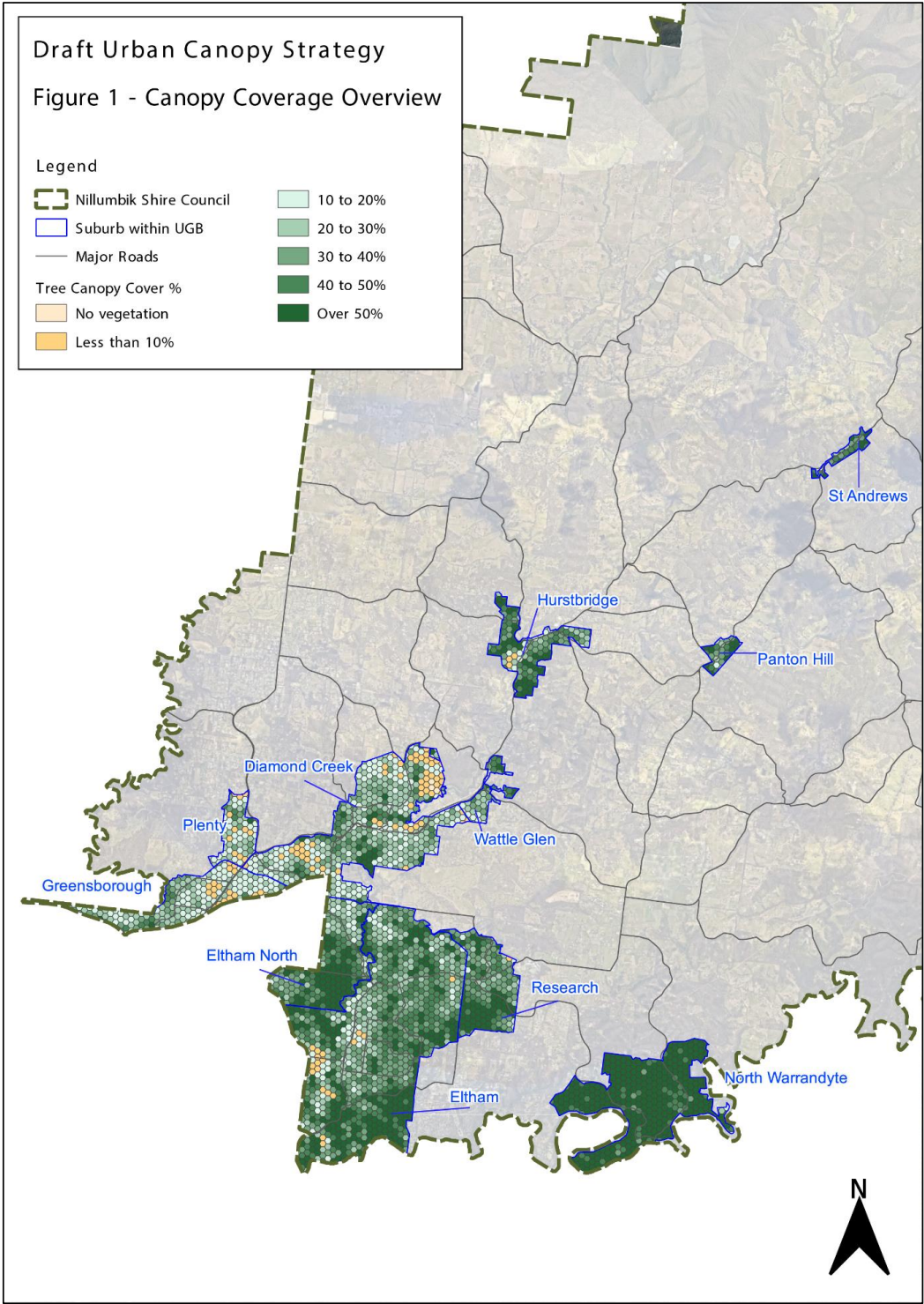


Source: Nearmap, 2021

Furthermore, it’s possible to identify the locations within each of our 11 suburbs and townships that have more or less canopy, as shown in the map in Figure 1. Locations with higher amounts of canopy are green, and locations with less canopy are orange.

This strategy seeks to help protect and maintain the canopy that already exists; and identify opportunities to support more canopy in areas where there is less canopy, in particular where higher urban heat island effects may be present.

Figure 1 – Canopy Cover of Nillumbik’s UGB



3. Benefits of having Urban Canopy

Benefits of an Urban Canopy

Urban trees and shrubs play a significant role in creating liveable neighbourhoods and increasing the health and wellbeing of communities and our environment. For example, they provide shade and shelter, improve air quality, absorb carbon and rainfall, cool local environments and support wildlife. They also enhance local amenity and neighbourhood character; and encourage walking and physical activity through more shade covering streets, paths and open spaces.

One of the largest risks to communities and the environment is the impact of climate change, including phenomena such as the urban heat island effect, and other climate related events such as increased flood risks and heat waves. Urban canopy helps to reduce the occurrence and manage the impacts of climate change. This includes its role in sequestering and storing carbon, naturally cooling homes and the urban environment, wind abatement and flood mitigation.

A broad range of the many benefits of urban canopy are listed below.

Table 2 – Benefits of Urban Canopy

Environmental	Ecological	Community	Health and Wellbeing	Economic
Cooling and shading	Increased biodiversity	Sense of place	Reduced effects of Urban Heat Island	Property values
Clean air	Ecosystem services	Neighbourhood character	Improved mental wellbeing	Energy Savings
Stormwater treatment	Water cycling	Cultural heritage	Increased productivity	Tourism
Flood mitigation	Nutrient cycling	Social connections	Increased outdoor activity	Carbon sequestration
Wind abatement	Fauna habitat	Connection to nature	Shade and comfort	Reduce health costs
Carbon storage		Pollution removal & noise reduction		Reduce UV damage to infrastructure

Canopy reduces the urban heat island effect

Climate change is increasing average temperatures across our shire and across Australia. In built up urban areas, temperatures tend to be higher than in rural areas. This difference in temperature is referred to as the Urban Heat Island effect. These higher temperatures are caused by the materials covering land surfaces, such as in buildings and infrastructure, which absorb more heat compared with natural environments and areas with canopy cover.

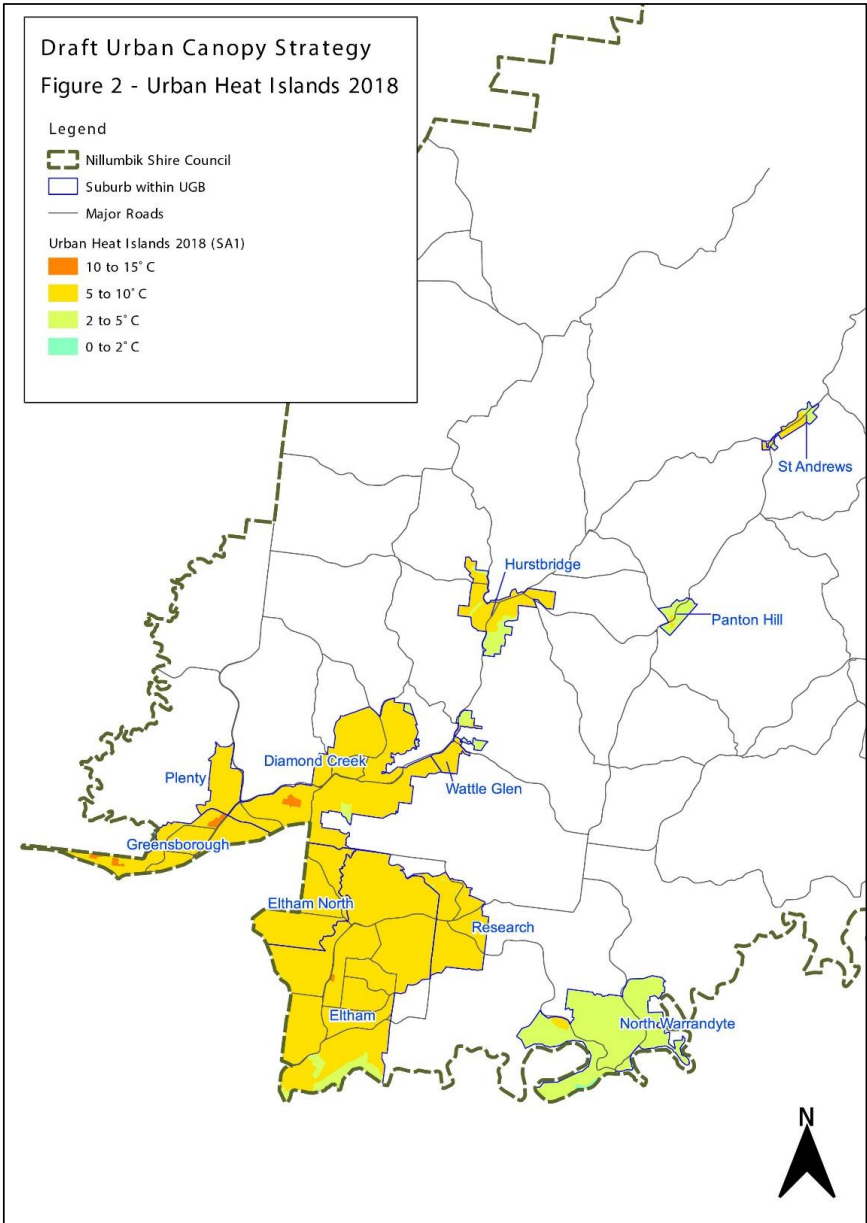
The extra heat from the urban heat island effect can prolong heat waves and increase maximum temperatures during extreme hot weather events. This is further exacerbated by the built surfaces absorbing heat during the day and releasing it during the night, with resultant higher night time temperatures proving less heat stress respite. This can have a significant health impact, particularly on vulnerable members of our community, including young children, the elderly and those with medical conditions.

Canopy trees in urban areas help to reduce this urban heat island effect by shading built surfaces that absorb heat and by releasing cooling water vapour.

Nillumbik’s high urban canopy coverage and lower development intensity means that we currently experience relatively minor urban heat island impacts, especially when compared to most of metropolitan Melbourne. Only small areas of the Shire are classified as being significantly urban heat island impacted, as shown in Figure 2 below (with more detailed maps in Appendix A). These are small, isolated locations, generally associated with shopping strips, with larger roof surfaces, carparks or where vegetation is not present.

The challenge long term will be to ensure that canopy cover continues to provide sufficient coverage and shade to enable this generally positive position to endure.

Figure 2 – Urban Heat Island Effect locations within UGB areas of Nillumbik



4. Threats to Nillumbik's Urban Canopy

Numerous threats and associated challenges exist in terms of protecting and maintaining our urban canopy. These include extreme weather such as major wind events, prolonged heat waves, changing rainfall regimes, bushfires and changing average temperatures; ageing tree stock and disease; urban development and associated public infrastructure and utilities; and a certain lack of community awareness of the benefits of trees and regulations and values around their protection.

We need to recognise these challenges and respond to them where possible, through thoughtful urban planning, climate action, tree selection and tree maintenance.

Challenge: Climate Change - Extreme weather

Extreme weather such as wind events, prolonged heat waves, changing rainfall regimes, and changing average temperatures affects the health of trees and the condition of urban canopy. Such events are happening more frequently, and they result in canopy loss:

- Immediately - for example as a result of strong winds upending trees
- Soon after the event – for example in the aftermath of a storm or flood, either naturally or where a danger exists they may need to be pruned or removed
- Over time – for example with life expectancy reduced as a consequence of insufficient water.

Healthy trees are more likely to be resilient to such events.

Challenge: Bushfire threat

The peri-urban characteristics that make Nillumbik so liveable also contribute to it being one of the most bushfire prone areas in the world. Fire has been part of the landscape for millennia and is a complex issue that is exacerbated by climate change.

Most of Nillumbik, including much of our suburbs and townships, is recognised by the state government through its planning controls as being in a defined Bushfire Prone Area (BPA). A map is provided in Appendix B - focusing on Nillumbik's urban areas.

The challenge to Nillumbik's urban canopy is multifaceted:

- Intense fire is a threat to human life and property, and destroys canopy trees
- Planning scheme exemptions are in place in all Victorian planning schemes to reduce the threat of fire to human life and property; and they include the right to remove native vegetation, including trees in specified bushfire prone and bushfire management locations for bushfire preparedness purposes.

These are unique and significant threats to canopy that present complex challenges when planning for tree canopy outcomes that most Metropolitan Melbourne government areas do not face.

The need to balance protection of life from bushfire with maintaining our urban canopy is recognised at Council. There is an acknowledged tension between protecting and enhancing urban tree canopy, and the challenges of Nillumbik's high bushfire risk environs. Actions such as strategic new plantings which won't increase fire risk, and maintaining trees on Council land to reduce fire risk from utilities and hazard reductions in parks and reserves are some of the key ways that Council responds to this challenge.

Challenge: Age and diversity of our tree population

Trees age, and eventually reach the end of their life. Different tree species have different anticipated life spans - and local climate conditions, human impacts and pest/disease occurrences can all influence anticipated life spans.

Therefore it is important to encourage and plant a diverse range of species, as some can be more or less effected by such events than others; and it is important to plan ahead so that replacement plantings are scheduled to supplement trees as they near the end of their life – or beforehand so that such occurrences are staggered.

Appropriate maintenance of trees also needs to be prioritised to help extend the lifespan of trees and protect our mature canopy, and reduce the need for renewal. This is critically important.

Challenge: Urban development / housing

Nillumbik's population is expected to grow by 6.3 percent to 67,420 people by 2036⁵. It is also expected that the majority of these people will live in and around our urban areas. Development associated with this (although modest) population increase puts pressure on canopy trees, as buildings and associated hard surfaces are built to house and provide services for our growing population. Often when private land is developed, existing trees are removed and replacement trees often don't provide the same canopy coverage as there was before, and it takes time for the planted trees to grow. Critically, the larger and deeper soil areas required for canopy trees have often been non-existent in new developments.

To manage this, the Nillumbik Planning Scheme sets out objectives, policies and provisions that regulate development, including vegetation protection which includes canopy trees. The Planning Scheme specifies when a planning permit is required to develop or to remove vegetation, native vegetation offset requirements, minimum garden area requirements (which includes space for vegetation, pools and paved areas), neighbourhood character objectives, and built form requirements; and also includes specific bushfire threat permit exemptions for removing vegetation. Work is continuing in developing the Shire's Residential Framework Plan, where development of Council's Housing Strategy will also support neighbourhood character objectives as identified in the Neighbourhood Character Strategy 2023 to embed robust policy and planning scheme requirements to protect and enhance urban tree canopy in the Shire's residential areas.

Detail on how canopy trees are managed through the planning scheme is provided in Appendix C.

Challenge: Public infrastructure and utilities

Public infrastructure such as footpaths, street furniture, roads and parking, along with above and below ground utilities such as water, sewerage, storm-water, internet, gas and electricity, all compete for space with vegetation and in particular canopy trees.

The challenge to Nillumbik's urban canopy is multifaceted:

- Planning scheme exemptions are in place which allow utility and infrastructure managers to remove trees and other vegetation without a planning permit when required to undertake essential maintenance of assets or construct major public infrastructure.

⁵ Victoria in Future (VIF) 2023

- When identifying locations to plant new trees, consideration of the infrastructure and utility clearance requirements is required, which can significantly limit the suitable locations for new planting and/or the maximum size of the tree to be planted.

Challenge: Community perceptions about trees

Some residents may wish to remove (or not plant) a tree for a variety of reasons. In some circumstances, it may actually be a better outcome if the tree is retained or planted.

Provision of information / education on the benefits of trees and ways in which risks may be mitigated is important in order to encourage and empower our community to contribute to the protection and growth of our urban canopy.

5. Managing Nillumbik's Urban Tree Canopy

Council's sphere of influence in terms of protecting and maintaining Nillumbik's urban canopy is multi-faceted. Although our canopy is exposed to many threats and associated challenges, a lot of work is implemented to support positive canopy outcomes across Council land and private land.

Trees on Council land

Planning and planting for the future

Within urban areas of the shire, Council is directly responsible for vast numbers of trees within a varied landscape context.

There are many different tree species that are planted and maintained in our urban, council-managed:

- sporting reserves
- parks and open spaces
- bushland and wetland reserves
- activity centres /shopping strips
- streets (along nature strips – both infill and whole-street planting, subject to strategic benefit and funding; and in roundabouts and median strips).

Our most common tree species vary across our different reserves and suburbs. They include:

- Remnant Yellow Gum, Yellow Box, Red Box and Manna Gums, particularly in bushland and waterway reserves, and they remain in roadsides and parklands as scattered trees as well.
- Sugar Gums and Radiata Pine, particularly along trails and in parklands.
- Native Eucalypts.
- Flowering Gums and Yellow Gum cultivars along streets.

We continue to pursue diversity by planting a range of species every year. This is particularly important given the variety of pests and diseases and the impacts of climate change that are likely to affect our trees in the future.

We seek to have an urban tree canopy (outside of our bushland reserves) that meets the commonly accepted tree diversity target for Metropolitan Melbourne councils:

- No more than 30 percent of any one family
- No more than 20 percent of any one genus
- No more than 10 percent of any one species

Furthermore, areas that have a balanced mix of tree age ranges provide a more stable canopy base. While the most mature trees provide the greatest benefits to our community, having an adequate number of young trees in the population is important, as they will make up the replacement stock.

Identifying where new planting can be undertaken

Work is undertaken to ascertain the locations across our urban areas (in activity centres / shopping strips, streets, and parks and open space) that have the capacity for more trees to be planted, or where replacement trees are likely to be required due to tree health issues.

Capacity considerations can be quite complex. Suitable locations for new plantings, as specified in our Tree Planting Guidelines, need to be, for example:

- Minimum of 20m from intersections with signals or from school crossings, or from streets intersecting a main road
- Minimum of 15m from an intersection in residential streets and further in streets where visibility may be a problem
- Minimum of 10m from a stop or give way sign
- Minimum of 3m from electricity poles
- Minimum of 2.5m from laneways, bus stops/shelters
- Minimum of 2m from vehicle crossings/driveways, hydrants or drainage pits
- Minimum of 4m spaces between trees in reserves to enable mower access and a fuller canopy structure at maturity (closer spacing may occur in mulched garden beds)
- Minimum of 2m beneath service wires
- Not above house connections to gas or water services
- If there is no existing footpath, provide allowance for pedestrian access and a potential future footpath
- Not where nearby trees will significantly reduce the tree's health, vigour or shape
- Not where the planting site is less than 1m wide
- Not where the mature tree may block street, car park or reserve lighting
- Not within roadsides with remnant vegetation (outside of the scope of our street tree planting program).

Matters to be considered before planting will then include selecting species that are climate ready, suitable for the site, that provide a diverse tree diversity population, and that consider the benefit for urban ecology – **Right tree, Right place.**

Tree Maintenance

Council periodically updates its *Nillumbik Tree Management Guidelines*, which specify tree maintenance standards for planted or naturally grown trees on Council managed land, and which also outline Council's responsibility for managing trees around assets such roads and electricity or telecommunication lines (and applicable permit requirements).

Tree maintenance needs are identified through proactive inspections and reactive inspection requests from the community. Pruning or removal may need to be undertaken for the following reasons:

- Trees with structural defects and/or poor health
- Stumps which are a hazard to road users and pedestrians
- Tree roots damaging property
- Trees interfering with electric or telecommunication lines
- Trees encroaching into the road clearance space
- Regrowth of trees that will encroach into the road clearance space in the future

Council may also do other works to maintain tree health, particularly for significant trees, such as formative pruning, applying mulch, managing pests and diseases, and creating additional habitat for fauna through artificial hollows or nest boxes.

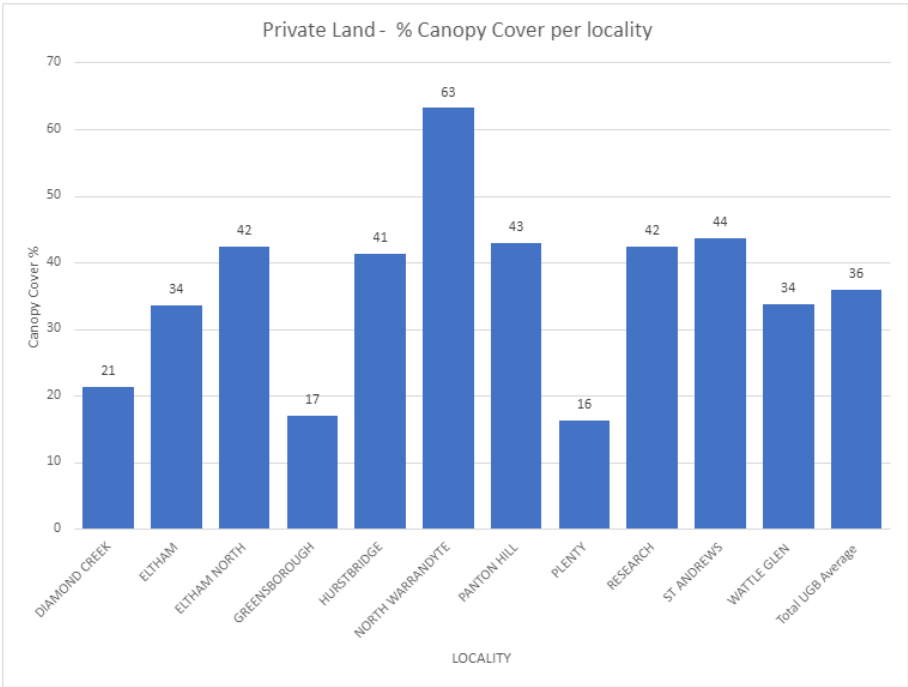
Such works are very important, in order to extend the life of our trees and the benefits that mature canopy provide.

Trees on private land

Trees on private land - in people’s front and back gardens and on larger properties - comprise the majority of Nillumbik’s urban tree canopy (around 70 percent). Therefore, residents have a major role in providing for our long-term urban tree canopy cover, by planting and looking after trees on their properties.

Around a third of our privately owned land (36 percent) is covered by trees and their canopy (with considerable variances between different suburbs and townships as depicted in Table 3).

Table 3 – Total percentage of private land that has canopy cover in each suburb / township in Nillumbik UGB



There are various Council levers that seek to help protect this existing canopy on private land, and also to grow its extent:

- 1. Advice, education and support to grow and care for our urban canopy
- 2. Regulatory protections for trees

Advice and Support to support landholders to care for trees and urban canopy

We provide a wide variety of information, programs and advice:

- Advice on what to plant, where, is available via the Edendale Indigenous Nursery, Council's environment staff, volunteer programs such as Nillumbik Gardens for Wildlife, and various Council publications such as the useful guide 'Live Local, Plant Local'.
- We run regular activities and events which promote, for example, the planting of indigenous plants in the right locations, maintaining habitat on private property, and how to manage threats.
- Information is available on Council's website to help people understand our Planning Scheme and the extent of landholder responsibilities that apply in the context of vegetation and tree canopy protection.

Regulatory protections for trees

Planning controls (in the planning scheme) and local laws operate in Nillumbik which provide a high level of protection for our urban canopy. However these protections do not include areas which are subject to the Bushfire Management Overlay (BMO) or located in the Bushfire Prone Area mapping (BPA), as vegetation clearance exemptions exist in all Victorian Planning Schemes in these high-risk bushfire areas which prioritise protection of life and property from bushfire – specifically in the vicinity of buildings and boundary fence lines. A map depicting these areas is in Appendix B.

Examples of urban canopy protections that enable Council to seek optimised canopy outcomes include:

- Council's Municipal Planning Strategy - It identifies strategic objectives for protection of trees and vegetation for biodiversity, neighbourhood character and amenity purposes. It supports specific Local Planning Policy in the Nillumbik Planning Scheme with regard to protection and enhancement of the Shire's urban canopy.
- Council's Neighbourhood Character Strategy 2023 – it identifies objectives and design guidelines to enhance and protect canopy trees, aligned to specific neighbourhood character profiles (and therefore intents) for different parts of the Shire's residential areas. At the time of writing this strategy, a planning scheme amendment is proposed to embed the objectives and the design guidelines of the adopted 2023 Neighbourhood Character Strategy into the Nillumbik Planning Scheme. Once introduced, additional requirements for canopy tree planting will be required as part of planning permit applications, with associated requirements for sufficient plantable areas to accommodate canopy trees will also be required which will result in urban canopy gains.
- Council's General Local Law Clause 52 requires a local law permit to remove, destroy or kill, damage or interfere with (including lopping and pruning) any substantial tree on private land inside the Urban Growth Boundary. Note Clause 52 does not apply to areas located in the BPA mapping or where the BMO applies.

However, there are also additional State-led provisions within all Victorian Planning Schemes that were introduced in late 2023 by the Victorian State Government, including the Future Homes initiative as part of the Housing Statement, which seek to facilitate higher density development in some areas of Melbourne, including urban Nillumbik. Unfortunately some of these provisions require a 'one size fits all approach – Metro Melbourne' to provision of housing, and as a result the requirements for provision of tree canopy in these provisions is not necessarily consistent with the policy objectives for tree canopy in the Nillumbik Planning Scheme and in our adopted

strategies such as the Neighbourhood Character Strategy. With regard to these types of developments, Council will continue to advocate for tree canopy outcomes that are consistent with the unique settings in Nillumbik (e.g. the height and species of a tree that may be appropriate for a proposed development in the inner metropolitan suburbs of Melbourne is not suitable or preferred in the provision of urban canopy in Nillumbik).

Right tree, right place

In all areas localised heat effects occur which can benefit from thoughtful placement of canopy planting. For example, individual houses can benefit from trees around houses, particularly in strategic locations shading north and west areas of the dwelling; while on public land such as streets and parks, shaded footpaths and shopping precincts can benefit pedestrians and users of facilities during hot weather, encouraging walking and use of these areas.

6. What we want to achieve

Nillumbik Urban Tree Canopy Goals and Targets

To achieve the maximum benefits of a healthy Urban Canopy within the urban areas of Nillumbik the following goals with associated targets are proposed.

Goal 1 – That Nillumbik’s Urban Canopy is protected and enhanced

Target – No overall net loss of Nillumbik’s urban canopy. (Baseline - 39 percent urban canopy cover)

That through Council leadership, advocacy, use of planning regulations, improved data, a focus on proactive tree maintenance and other strategic canopy works, our urban canopy is supported. The objective is to maintain canopy cover at 39 percent (2021 baseline), noting that this may decrease significantly in locations where loss can occur as a result of bushfire mitigation action or natural disasters and that it is a priority that it increase in locations where there is less than 25 percent canopy cover.

Goal 2 – That Nillumbik’s community values and cares for the Urban Canopy

Target – An increase in the planting of trees across all land tenures

That through education, planning regulations and support, that partner agencies, community and residents will increase the number of trees cared for, being planted and thriving. This includes Council providing support to volunteers, identifying new partners and encouraging all community members to be tree stewards.

Goal 3 – That a healthy Urban Canopy supports the wellbeing of Nillumbik’s Community

Target – An overall increase in canopy in areas with higher Urban Heat Island Effect (Minimum urban canopy cover of 25 percent in every suburb and township).

That through the strategic targeting of areas to renew and increase canopy and reduce urban heat island impacts, along with management of canopy across the whole of urban areas, that human health will be protected.

Each of these goals is considered within our three focus areas in the following pages, supported by objectives and examples of what Council will do over the coming 15 years in the:

- Short term: 0 – 4 years (2024 – 2028)
- Medium term: 5 – 8 years (2029 – 2032)
- Long term: 9 – 15 years (2033 – 2040)
- Ongoing: regular, repeated activity

The focus areas for urban canopy action are:

- Focus Area 1 - Leadership
- Focus Area 2 - Grow Nillumbik’s urban canopy on Council land
- Focus Area 3 - Grow Nillumbik’s urban canopy on private land

7. Key Focus Areas for action

The actions below are aspirational and are currently not funded and their implementation will be dependent on future funding being available.

Focus Area 1: Leadership

#	Objective	Council will:	
1.1	Consider urban canopy impacts and opportunities in conducting Council business	a. Provide information for Council staff on Nillumbik's Urban Tree Canopy Strategy and Tree Management Policy –and what they mean for their work.	Short term
		b. Integrate urban canopy consideration into relevant new Council policies, infrastructure works, structure and township plans, and master plans etc.	Ongoing
		c. Implement Council's Tree Management Policy and Guidelines, prioritising action that enhances urban canopy resilience and minimises health and safety risks.	Ongoing
		d. Consider the resourcing needs of the strategy in Council's annual budget process.	Short - long term
1.2	Foster partnerships to achieve landscape scale urban canopy outcomes	a. Connect and collaborate with private landholders, businesses, community groups, Traditional Owners, researchers and organisations such as Parks Victoria and Melbourne Water, seeking opportunities to enhance Nillumbik's urban canopy.	Ongoing
		b. Support and help to further build the capacity of Nillumbik volunteer and community groups such as Friends of Groups and others who can help achieve the goals of this strategy; and celebrate these volunteers.	Ongoing
		c. Develop and promote citizen science projects which can involve the community in the collection of data that can be incorporated into Urban Canopy programs.	Short term
1.3	Advocate for action by state government that will facilitate positive urban canopy outcomes	a. Advocate for the state government to regularly provide local government with high quality tree canopy data and analysis for urban areas.	Short term
		b. Advocate for the state government to apply increased penalties for the un-permitted damage or removal of vegetation, as per the Planning and Environment Act regulations.	Short term
		c. Advocate for the state government to proactively retain urban canopy assets when designing and constructing infrastructure; and to plant and fund long-term maintenance of new trees in all infrastructure projects.	Ongoing
1.4	Help to adapt Nillumbik's Urban Canopy to a changing climate	a. Cultivate and provide/sell a diversity of indigenous plant stock, including local provenance canopy species that are suitable for local conditions, through Council's indigenous nursery at the Edendale Community Environment Farm.	Ongoing

#	Objective	Council will:	
		b. Identify opportunities to investigate “climate-ready” revegetation options for urban Nillumbik.	Short – medium term
		c. Apply latest research and climate change projections to help guide Council’s urban canopy actions.	Medium - long term
1.5	Encourage the community to help protect and grow Nillumbik's Urban Canopy.	a. Promote opportunities for community members to report and nominate culturally significant trees with The National Trust and with First Peoples - State Relations.	Ongoing
		b. Develop and update existing brochures /education materials on the benefits of urban canopy and how the community can protect and grow trees.	Short term
		c. Promote Council resources on how planning controls protect and enhance Urban Canopy on private property.	Short term

Focus Area 2: Grow Nillumbik's Urban Canopy on Council land

#	Objective	Council will:	Timing
2.1	Collect data that will enable Council to strategically plan and optimise its annual tree planting and maintenance works	a. In a staged priority-based manner, develop a Nillumbik Tree Inventory that covers: <ul style="list-style-type: none"> Activity centres/ shopping precincts Other high-use sites including around facilities and sporting grounds all new trees planted in urban areas Council street trees (location and species) Parks and open space (location and species) <p><i>This inventory will aim to ultimately encompass all urban trees on Council land excluding trees in bushland/wetland reserves and native vegetation roadsides.</i></p> <p><i>For high-use sites it will include information on tree species, health, age, likely life expectancy and any risks identified at the time of inspection.</i></p>	Short - medium term <i>(currently no allocated budget)</i>
		b. Investigate incorporating Tree Inventory data into Council's assets database or similar, and update the database on an ongoing basis.	Short - medium term <i>(currently no allocated budget)</i>
		c. In a staged and priority-based manner, undertake a plantable area/vacant site assessment of high use sites, parks and open space areas, and street nature strips. <p><i>This will help to inform locations that have the capacity for new tree plantings.</i></p>	Short - medium term <i>(currently no allocated budget)</i>
		d. Create an inventory of large hollow-bearing habitat trees that are located in Council's urban bushland reserves	Short term <i>(currently no allocated budget)</i>
		e. Report annually, via the Annual Council Report, on new street tree, activity centre and park plantings.	Ongoing
2.2	Have a multi-year horizon when planning tree maintenance, planting and renewal works to care for and grow Nillumbik's urban canopy	a. Develop an 'Urban Tree Maintenance, Planting and Renewal Plan'. <p><i>It will seek to specify priority:</i></p> <p>a) <i>Pro-active maintenance works to care for trees and prolong their lifespan.</i></p> <p>b) <i>Planting locations, species palettes (that are climate-change responsive and which will help to provide a suitable diversity of species), and planting timeframes.</i></p> <p><i>Priority locations are likely to include sites that:</i></p> <ul style="list-style-type: none"> <i>Have high pedestrian use and will provide maximum benefits to the community in counter-acting the urban heat island effect.</i> 	Short - medium term <i>(currently no allocated budget)</i>

#	Objective	Council will:	Timing
		<ul style="list-style-type: none"> Are facing foreseeable canopy-loss due to tree age or health Are in suburbs or areas which have less canopy than the average canopy across urban Nillumbik <p><i>This Plan will be data driven, building on the findings of the actions in Objective 2.1</i></p>	
		<p>b. Implement Council's Tree Management Policy and Guidelines, and review every five years or as required.</p> <p><i>These documents should guide a 'right tree, right place' tree planting and tree maintenance decision-making process; and provide a framework for managing risks such as pests/disease, drought conditions etc that could affect the health of Council trees.</i></p>	Short - long term
2.3	Maximise opportunities for tree planting and supportive action on Council land	<p>a. Embed tree planting and tree canopy objectives into the plan and design of Council infrastructure and capital works projects, as appropriate.</p>	Ongoing
		<p>b. Investigate opportunities to incorporate water sensitive urban design (WSUD) principles into projects that would support positive urban canopy outcomes.</p>	Ongoing
		<p>c. Promote how residents can apply for a permit that allows them to plant on their nature strip, and the associated guidelines.</p>	Short term
2.4	Minimise loss of trees on Council land that is caused by private and public sector development / maintenance works.	<p>a. Investigate developing a Tree Valuation Policy for trees on Council land, including for amenity and ecological value.</p> <p><i>This could help to incentivise developers/others to prioritise public tree retention and more appropriately compensate for their removal.</i></p>	Short term (currently no allocated budget)
		<p>b. Liaise with service authorities (water, electricity distribution, etc.) to maximise tree and canopy retention when asset works are being planned.</p>	Short - long term
2.5	Reduce and eliminate non-permitted clearing / removal of trees from Council land	<p>a. Promote Council resources on how planning controls protect and enhance Urban Canopy; and on how the community can report suspected vegetation removal that is in contravention of the planning scheme.</p>	Short term
		<p>b. Continue to enforce the Planning and Environment Act with regard to illegal vegetation clearing.</p>	Ongoing
2.6	Support the community to value and care for trees on Council land	<p>a. Provide education to the community about the value of, and how to care for, street trees.</p>	Short - long term
		<p>b. Celebrate and support Friends Groups and other volunteers who undertake tree planting in bushland reserves and sites.</p>	Short - long term

Focus Area 3: Grow Nillumbik's Urban Canopy on private land

#	Objective	Council will:	
3.1	Apply planning controls and other regulatory tools to help protect and enhance Nillumbik's urban canopy	a. Implement the neighbourhood character tree canopy requirements, and other relevant provisions and overlays (e.g. Environment Significance Overlay, Significant Landscape Overlay and Native Vegetation Offsets) of the Nillumbik Planning Scheme.	Ongoing <i>(subject to 2024/25 draft budget allocation)</i>
		b. Implement Nillumbik Local Law clause 52 (amenity tree regulations) which regulates the removal, destruction or damage to any substantial tree on private land inside the Urban Growth Boundary by requiring a permit (certain exemptions apply).	Ongoing
		c. Develop Tree Planting Guidelines that optimise urban canopy establishment and retention in Nillumbik's urban areas; and implement them through the planning permit process.	Short term
		d. Investigate establishing Tree Bonds, as an incentive for developers to protect trees on development sites. (Subject to the outcomes of Objective 2.4a – Tree Valuation Policy)	Long term <i>(currently no allocated budget)</i>
3.2	Increase landholder action in maintaining and growing urban canopy on private land	a. Provide the community with information and programs that support landholders to plant the right tree(s) in the right place, and to protect and enhance Urban Canopy assets more generally.	Short term

8. Implementation and Evaluation

Implementation of the Strategy

Achieving the 'no net canopy loss' target of this strategy is going to be challenging - as so many of the factors that can contribute to widespread urban canopy loss are largely outside of our control, and are very real risks in Nillumbik.

However, as demonstrated in our three Focus Areas for Action, there is a lot to be done to optimise how we allocate our resources to help achieve positive canopy and urban heat island outcomes.

Many of the actions of this strategy are ongoing actions which are embedded within Council operations. Others are initiatives that need to be delivered in a staggered approach over three council terms over a fifteen year timeframe, including several which will need to be delivered to pave the way for other work to be done. These initiatives will require funding and this will be considered, as required, in Council's annual budget processes.

How we'll review and report on progress

Evaluation will enable Council to measure its effectiveness in supporting positive urban canopy outcomes.

Outcome evaluation – Are the goals of the strategy being achieved? We'll consider our targets, indicators and specific initiative outcomes. Measuring tree canopy extent is our primary indicator, which enables us to identify areas of loss and gain over time, and to prioritise areas of focus.

Progress evaluation – Have we done what we said we would?

An annual update will be provided to Councillors and a summary will be placed on our website and in Council's Annual Report.

Continuous Improvement

This cycle of regular tracking will enable us to:

- Reflect on challenges and progress
- Consider emerging climate change and other factors, innovation, collaboration and opportunities
- Consider resourcing requirements to program timely action

9. References

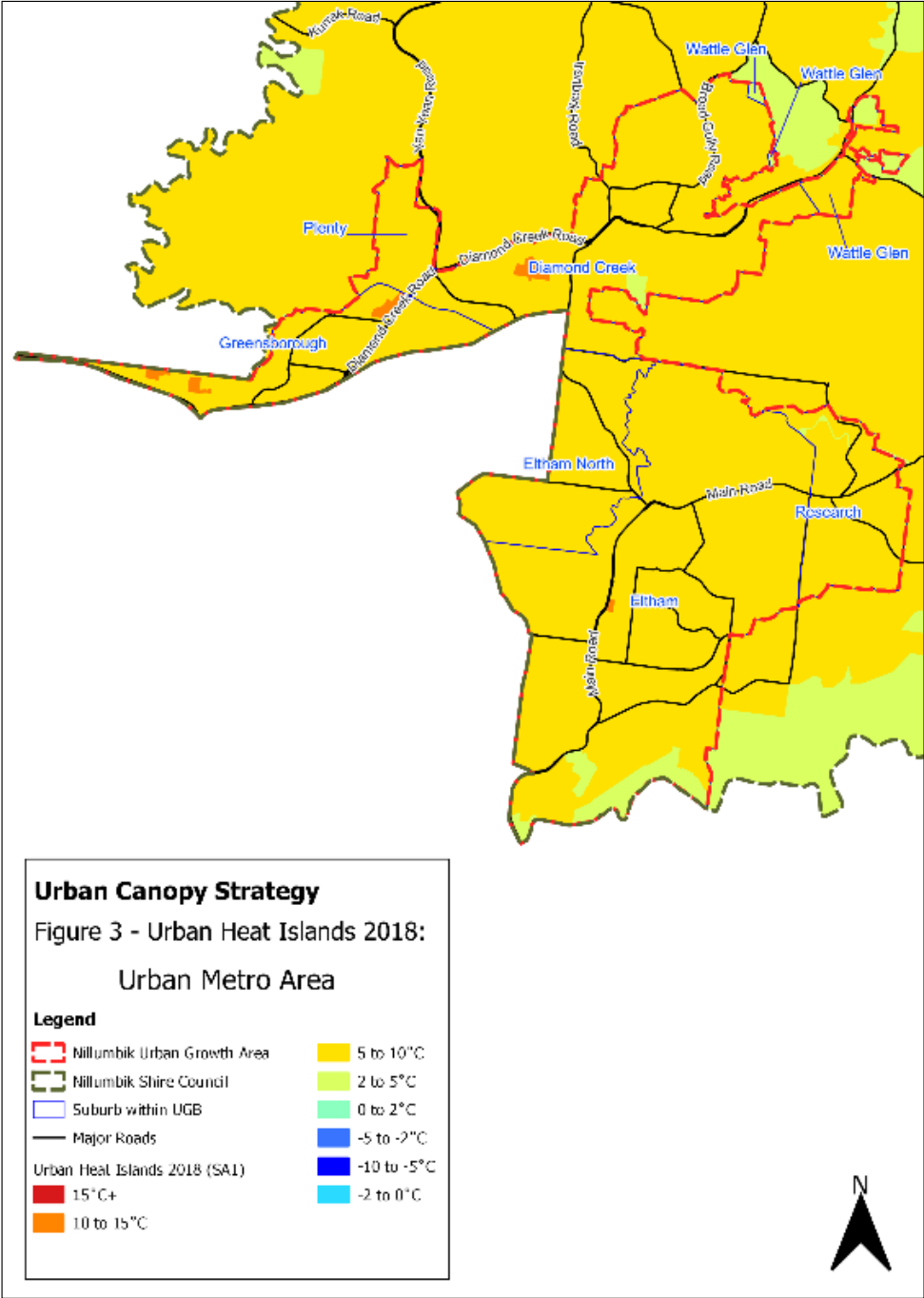
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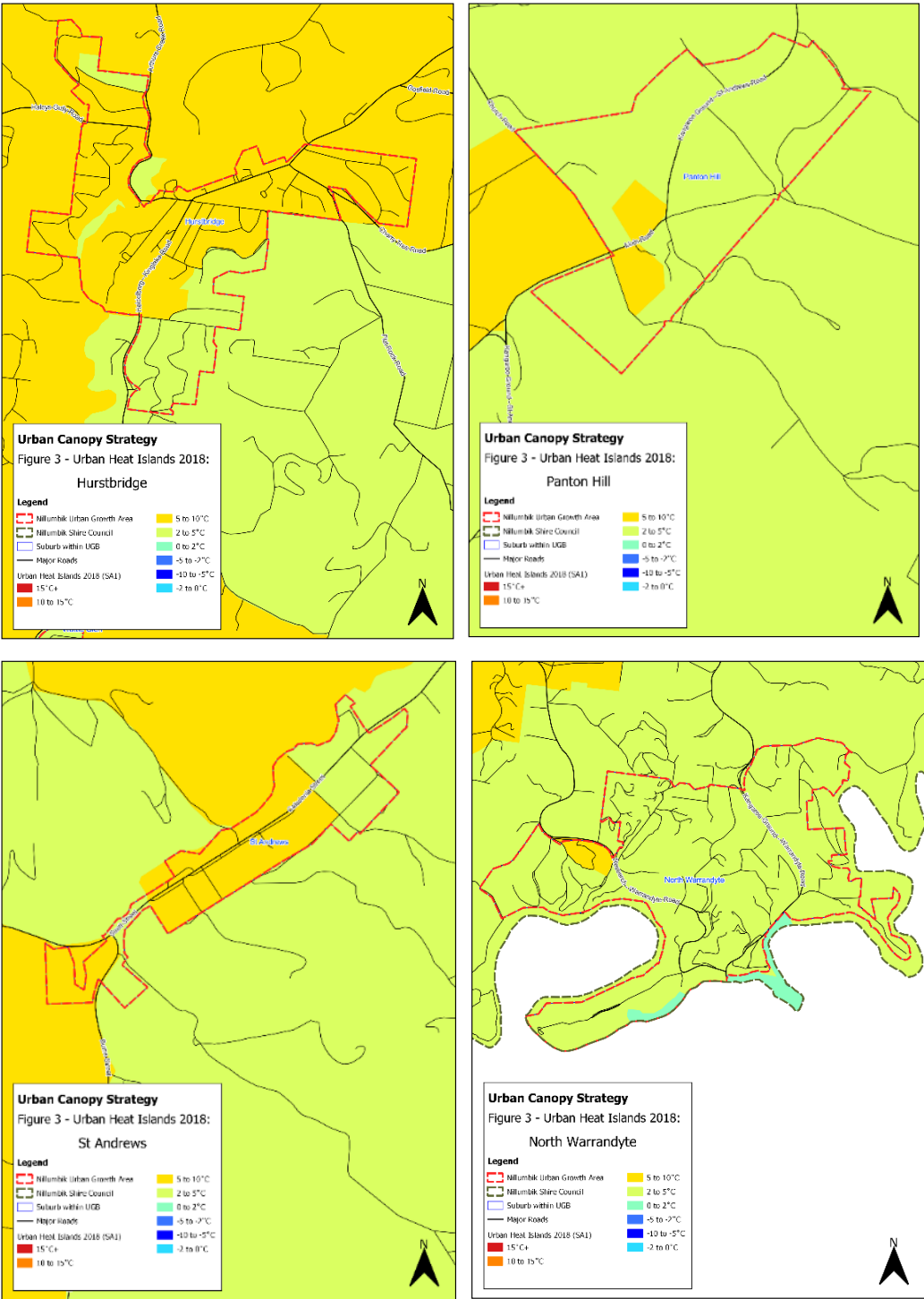
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10. Appendices

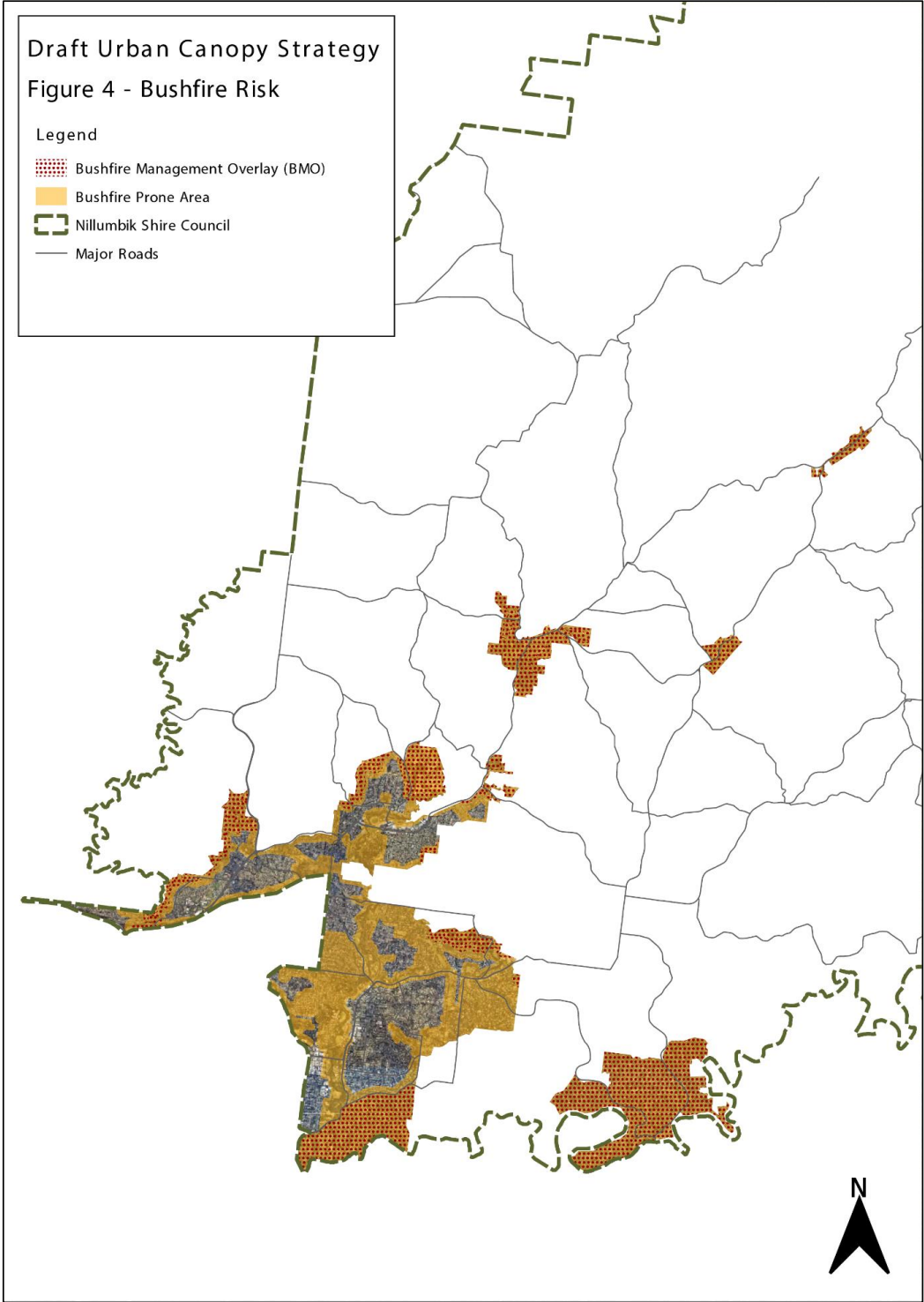
Appendix A - Urban Heat Island impact locations⁶



⁶ Source: Sun C, Hurley J, Amati M, Arundel J, Saunders A, Boruff B and Caccetta P (2019) Urban Vegetation, Urban Heat Islands and Heat Vulnerability Assessment in Melbourne, 2018 [online document], Clean Air and Urban Landscapes Hub, accessed 1 January 2024



Appendix B – Bushfire management planning zones in Nillumbik’s urban areas⁷



⁷ Nillumbik Planning Scheme

Appendix C – Planning Context – How canopy trees are protected through the planning scheme

State planning policy

All planning schemes in Victoria contain State policy, of which particular sections support our Urban Tree Canopy among other things. Planning should help protect the health of ecological systems and the biodiversity they support, and conserve areas with identified environmental landscape values.

The following policy sections are of particular note as they play an important role in protecting vegetation and biodiversity, compensating for native vegetation loss and also protecting human life from bushfire. These policies all have a significant effect on our Urban Tree Canopy:

Protection of Biodiversity:

- Support land use and development that contributes to protecting and enhancing habitat for indigenous plants and animals in urban areas.

Native Vegetation Management:

- Ensures that decisions associated with the removal, destruction or lopping of vegetation aims to avoid, minimise and provide offsets to compensate the biodiversity impacts.

River and riparian corridors, waterways, lakes, wetlands and billabongs:

- Retaining, enhancing and re-establishing indigenous riparian vegetation along waterway systems, ensuring it responds to the bushfire risk of a location.

Landscapes:

- Ensure important natural features are protected and enhanced.

Natural Hazards and Climate Change:

- Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.
- Ensure planning controls allow for risk mitigation and climate change adaptation strategies to be implemented.
- Site and design development to minimise risk to life, health, property, the natural environment and community infrastructure from natural hazards.

Bushfire Planning:

- To strengthen the resilience of settlements and communities to bushfire through risk based planning that prioritises the protection of human life.
- Protect human life by:
 - Prioritising the protection of human life over all other policy considerations.
 - Directing population growth and development to low risk locations and ensuring the availability of, and safe access to, areas where human life can be better protected from the effects of bushfire.
 - Reducing the vulnerability of communities to bushfire through the consideration of bushfire risk in decision making at all stages of the planning process.
- Ensure settlement growth and development approvals can implement bushfire protection measures without unacceptable biodiversity impacts by discouraging settlement growth and development in bushfire affected areas that are important areas of biodiversity.

Building Design:

- Encourage development to retain existing vegetation.
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

Subdivision Design:

- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
Protecting and enhancing habitat for native flora and fauna, and providing opportunities for people to experience nature in urban areas.

Strategic Context

Neighbourhood character

Nillumbik's Neighbourhood Character Strategy accurately reflects the valued and existing characteristics and establishes the preferred character of our residential areas. Canopy trees play a huge part in our varied neighbourhood character areas, both in the public and private realms. Incorporated into the Nillumbik Shire Planning Scheme, there are a number of overlays that guide and protect the neighbourhood character of our unique urban settings.

Major Activity Centre's

Eltham and Diamond Creek are Nillumbik's major activity centres. They are also the areas in and around which the majority of the shire's population live, work and shop. Guided by a number of planning zones and overlays, including the Eltham Major Activity Centre Structure Plan (2020) and Diamond Creek Major Activity Centre Structure Plan (2020), canopy trees are protected, maintained and promoted to preserve the leafy neighbourhood character, create quality shade to mitigate the heat-island effect and enhance the environment. Development is also carefully guided in these areas to prevent canopy tree loss and to provide deep planting areas for new canopy trees.

Planning scheme overlays

Overlays are one of the primary ways Canopy Trees are protected in the Shire. Both Environmental Significance and Significant Landscape Overlays have triggers for the removal, destruction and lopping of trees with objectives specific to those overlays that seek to protect and enhance regional and strategic habitat links, vistas and views, riparian environments and ecological resources. These overlays are strategically evidenced and justified through a rigorous planning scheme amendment process, and embedded within the Nillumbik Planning Scheme. They allow Council to consider how new developments will affect our natural resources including our canopy tree cover.

Municipal Planning Strategy & Local planning policy

The Nillumbik planning scheme has the Municipal Planning Statement and local policy that preserve and protect the environment and biodiversity of our Shire. Policy that supports the protection and enhancement of our urban tree canopy includes strategies encouraging the planting of indigenous vegetation on roadsides reserves and sites of environmental significance.

Appendix D - Glossary and definitions

Term	Definition
Activity Centres	Retail, service and employment hubs that are usually well serviced by public transport. They range in size from local neighbourhood strip shops to major regional shopping malls and centres.
Amenity	High-quality landscapes are likely to be prioritised in key civic and commercial activity areas and in key city entrances and movement corridors. Adding to the network of tree-lined streets also contributes to the character and legacy of Melbourne.
Canopy Cover	The foliage / leaf cover provided by trees
Canopy Tree	For the purpose of this strategy, a canopy tree is defined any tree that is, or will reach, a height of over two metres.
Climate Change	A change in the pattern of weather (e.g. temperature, wind and rainfall), and the related changes on land and in oceans, occurring over time. These changes in weather patterns increase the occurrence, severity and distribution of events such as drought, flooding, heatwaves, bushfire and rising sea levels.
Heat Wave	Heat Wave defined as three or more days of high maximum and minimum temperatures that are unusual for that location (Bureau of Meteorology, 2020).
Indigenous species	The original flora or fauna that occur naturally in a given location, which for the purpose of this strategy is Nillumbik.
Native Vegetation	Native vegetation is plants that are indigenous to Australia, including trees, shrubs, herbs and grasses.
Neighbourhood Character	The interplay between development, vegetation and topography in the public and private domains that distinguishes one residential area from another.
Overlays	Planning scheme controls that apply to specific areas to address a particular issue such as environmental, landscape, heritage and flooding. These requirements operate in addition to those provided by the land's zoning.
Resilience	The ability of trees to adapt, survive and thrive in a changing climate.
Urban canopy	For the purpose of this strategy, urban canopy is any woody vegetation that is over two metres in height, including indigenous, native and exotic species.
Urban Growth Boundary (UGB)	A state-government defined boundary which indicates the long-term geographic limits of Melbourne's urban development. Within Nillumbik, this includes parts of Diamond Creek, Eltham, Eltham north, Greensborough, Hurstbridge, North Warrandyte, Panton Hill, Plenty, Research, St Andrews and Wattle Glen.
Urban heat island effect	The phenomenon of dense urban areas having significantly warmer air and land surface temperatures than surrounding rural areas.
Water sensitive urban design	Integrated design of the water cycle, incorporating water supply, wastewater, stormwater and design groundwater management, urban design and environmental protection. It sees all water as a resource to be managed to improve the environment, the economy, and liveability.
Tree canopy	The cover of leaves or branches that hangs over a tree trunk.

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Government
Services

Local Government Reforms 2024 Consultation Paper

January 2024

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Introduction and overview

Introduction

On 17 November 2023, the Victorian Government announced its intention to introduce legislative reforms in 2024 to support improved governance and integrity across the local government sector ahead of the 2024 council general elections.

This Consultation Paper provides an overview of the proposed reforms organised around three key reform areas:

- Reforms to strengthen council leadership, capability and councillor conduct.
- Reforms to improve early intervention and effective dispute resolution.
- Reforms to strengthen oversight mechanisms.

Background

Victorian councils have been through a significant period of reform with the development and enactment of the *Local Government Act 2020* (LG Act).

The Local Government Inspectorate's (LGI) 2023 report ['Checking compliance: A review of council policies'](#) found that councils had a very high rate of compliance with adopting the new and updated policies required under the Act. To build on this progress, ongoing sector engagement is needed to embed the new principles-based Act and support continuous improvement.

Continuous improvement includes addressing the findings of integrity body reports and other government initiatives which have provided consistent evidence in highlighting governance issues across the sector.

Since the start of the current council term in October 2020, the Minister for Local Government (Minister) has appointed Municipal Monitors to nine councils to monitor their governance processes and practices. In October 2022 a Commission of Inquiry into Moira Shire council was appointed by the Minister resulting in the dismissal of the Moira Shire council in 2023. And in December 2023, Strathbogie Shire Council was suspended.

Additionally, the Independent Broad-based Anti-Corruption Commission (IBAC), the LGI and other government initiatives such as the Local Government Culture Project have highlighted areas for improvement in relation to council governance.

These interventions and reports highlight some of the underlying governance and integrity challenges faced by the sector. It also emphasises the opportunities for supporting council leadership, capability and conduct. They have also provided a strong body of evidence to suggest that if left unaddressed, these issues can undermine public trust in the sector, hinder effective decision-making, and impede the delivery of essential services to local communities.

Key reports and recommendations that have informed the reforms

[Independent Broad-based Anti-Corruption Commission, Operation Sandon Special Report 2023](#)

[Local Government Culture Project Insights Report 2022](#)

[Local Government Inspectorate, Checking compliance: a review of council policies 2023](#)

[Local Government Inspectorate, Personal interests returns: Encouraging disclosure and increasing transparency 2021](#)

[Local Government Inspectorate, Social media fuels rise in complaints during 2020 council elections 2021](#)

[Commission of Inquiry into Moira Shire Council Report 2023](#)

[Municipal Monitor Reports \(Various\)](#)

Consultation

This consultation is for the local government sector to provide comment and feedback on the proposed reforms, specifically:

1. Whether the individual proposed reforms are supported or not supported; and
2. Any operational matters that should be taken into consideration in finalising the reforms, including to ensure that the proposed legislative changes can be implemented effectively by councils.

Local Government Victoria (LGV) invites feedback and comments from councils and peak bodies on the proposed reforms by **29 February 2024**.

To facilitate this, the Municipal Association of Victoria (MAV), the Victorian Local Governance Association (VLGA) and the Local Government Professionals Inc (LGPro) will actively seek feedback and comments and submit this to LGV by the closing date.

The peak bodies will coordinate feedback from Mayors and elected representatives, CEOs, and council staff. Noting the tight timeframes, the peak bodies will determine the most appropriate engagement strategies.

Individual, sensitive, and confidential submissions can be sent directly to LGV via email at lgv@ecodev.vic.gov.au.

Enclosed with this Consultation Paper is a **Feedback Form** to assist the peak bodies with this process (Attached).

Please note that all reforms in this paper are proposals only and may be subject to change.

Scope

LGV is inviting comments in relation to the proposed legislative reforms outlined in this Consultation Paper.

Following this initial invitation to provide feedback, LGV will undertake a separate consultation process with the local government sector to inform the development of regulations that will give effect to reforms outlined in this Consultation Paper. LGV will release details on this consultation process to the sector, including how the sector can participate, in due course.

Part 1: Reforms to strengthen council leadership, capability and councillor conduct

Overview

These reforms recognise the need to enhance the capability and leadership of elected representatives. This will be achieved through ongoing mandated training programs and professional development for mayors and councillors that will build upon the existing induction training requirements for councillors.

These reforms also seek to support improved councillor conduct by introducing a mandatory uniform councillor code of conduct. A uniform councillor code of conduct will ensure consistent standards of behaviour at all Victorian councils and promote early and effective intervention.

1. Mandatory ongoing training for councillors and mayors

Background

The 2022 Local Government Culture Project (the Project) was designed to understand the factors influencing culture and conduct within local government and to identify opportunities and initiatives to improve culture and conduct.

Following a public engagement process, the Project produced an Insights Report, reflecting the feedback received from the sector and other key stakeholders. The report identifies key issues that influence council culture and councillor conduct.

One of the key issues identified is that candidate training, councillor induction training and ongoing training help in understanding councillor and mayoral roles and responsibilities. They can also assist in clarifying how the local government sector operates.

Strengthening councillor capability in relation to governance, leadership, and integrity via mandatory training is also reflected in IBAC's Operation Sandon Special Report (Recommendation 18, 20 and 28).

The LG Act mandates local government candidate training to educate and prepare candidates for the strategic focus of the councillor role. This helps to minimise unrealistic expectations and confusion regarding the responsibilities of councillors. Once elected, the councillor induction training is mandatory and must be completed by all councillors within the first six months of taking the oath or affirmation of office. This training is also critical for newly elected councillors to receive the necessary guidance on the importance of building effective relationships and leadership capabilities.

Any additional or ongoing training throughout the course of the council term, and its frequency, is currently at the discretion of the council.

Proposal

To establish and enhance councillors' understanding of their role and their leadership capabilities, they may be required to complete regular (annual) training throughout their term. Councillors are required to perform their role and make decisions as soon as they take office. As such, six months is too long without them having undertaken this training. Councillors will instead be required to complete induction training within three months of commencing their role.

Mandatory training for mayors, deputy mayors and acting mayors may also be introduced for the first month of their term. The training will focus on developing effective leadership skills, understanding their roles and responsibilities, meeting procedures, and ways to manage conflicts that address root causes and prevent escalation. If an acting mayor is appointed for a period of less than one month, they must complete the training within that period of appointment.

The provisions providing for mandatory training for councillors and mayors will largely be modelled on the existing councillor induction training provisions in the LG Act and relevant regulations. To ensure compliance with these new training requirements, a councillor's allowance will be withheld until they have completed the training requirements.

The scope and delivery of the new mandatory training will be prescribed in Regulations. LGV will consult with the local government sector in their development.

2. Enable model Councillor Code of Conduct and other governance matters to be prescribed in regulations

Background

The purpose of the current council Councillor Code of Conduct includes prescribed standards of conduct expected to be observed by councillors while performing their duties and functions as councillors. The standards include the prohibition of discrimination, harassment (such as sexual harassment) and vilification.

Councils may, however, include any other matters in their Code of Conduct which the council considers appropriate. This has enabled councils to supplement the standards of conduct with other matters councillors have agreed in principle to abide by in performing their role. These matters vary significantly across councils and include such things as shared values and commitments, dispute resolution procedures and social media policies.

In the development of the proposed reforms, LGV considered community expectations that acceptable conduct should be standardised and not differ across municipalities. LGV noted that there is little value in councils including other matters in their Codes to supplement the standards of conduct. This is because these are

not enforceable in the same way that the standards of conduct are under the councillor conduct framework.

Proposal

Regulations may be made to prescribe a uniform mandatory Model Councillor Code of Conduct (Model Code) to replace existing Codes that would apply to all councils.

The Model Code will include the existing standards of conduct expected to be observed by councillors. It may also include matters necessary to ensure consistent standards of behaviour, including promoting early and effective intervention.

Councils will no longer be able to include any other matters in the Model Code which the council considers appropriate, to ensure their uniformity across councils.

A council would no longer be formally required to adopt the Model Code, as it will automatically apply to councils as prescribed. However, councils should be required to publish a copy of the Model Code on their website.

To allow councils some flexibility regarding policy implementation for matters not covered in the Model Code, councils could adopt policies regarding matters prescribed in regulations, separately from the proposed Model Code. In the same way that certain council policies are currently enforced through the standards of conduct¹ compliance with these prescribed policies may be enforced through the standards of conduct, where appropriate. These matters will be consulted on in the development of the regulations.

Regulations that will implement a Model Code will align with the recommendations in IBAC's Operation Sandon Special Report (Recommendation 17, 21 and 31). These regulations will be designed in consultation with the local government sector.

¹ See Clause 3 of the standards of conduct 'Compliance with good governance measures'.

Part 2: Early intervention and dispute resolution

Overview

These reforms are proposed to strengthen and clarify the operation of the councillor conduct framework and assist in effective dispute resolution.

1. Limit the Victorian Civil and Administrative Tribunal's (VCAT) jurisdiction with respect to councillor conduct panel decisions

Background

The councillor conduct framework under the LG Act is intended to ensure that councillor conduct issues are dealt with quickly, properly, fairly and with little formality.

Currently, a person who is affected by a councillor conduct panel (CCP) decision may apply to VCAT for a 'merits' review of that decision. This involves VCAT 'standing in the shoes' of the CCP and hearing the application afresh to determine the correct and preferable decision. In practice, this enables parties affected by a decision of a CCP to challenge the decision of a CC through a new hearing. These challenges can prolong the proceedings and delay a resolution to the matter.

Proposal

Parties affected by a decision of a CCP hearing will be able to seek a review of a decision to the Victorian Supreme Court. This can only occur on the grounds the decision is not legal, reasonable or fair i.e., judicial review, rather than on the merits of the decision to VCAT.

This is consistent with the process that applies to an internal arbitration process (IAP) under the LG Act, where VCAT review of a decision of an arbiter is not available.

2. Councils must not indemnify councillors in relation to the internal arbitration process and the councillor conduct panel process

Background

Using their insurance policies, councils often indemnify councillors for legal or other costs. This includes costs incurred with being a party to a proceeding for an IAP or

CCP process under the LG Act, and any associated review to VCAT or the Victorian Supreme Court.

LGV has noted the concerns that councillor conduct processes are being unduly delayed and complicated because of councillors' reliance on their councils to indemnify them for legal costs associated with these proceedings.

Proposal

A council must not indemnify a councillor or councillors against legal costs incurred in initiating or defending or otherwise being a party to a proceeding in relation to:

- an application for an IAP made, or
- an application for a CCP process, or
- an application to the Victorian Supreme Court for judicial review of a decision of an arbiter or a decision of a CCP.

A council will not be prohibited from indemnifying a councillor or councillors against legal costs in relation to an IAP or CCP hearing. This only applies when an arbiter or CCP has granted a party leave to have legal representation on the basis that legal representation is necessary to ensure that the process is conducted fairly. This proposal is not intended to restrict a council from obtaining legal advice in relation to those proceedings it initiates, by council resolution.

3. Broaden the scope of sanctions that may be imposed by an arbiter

Background

The LG Act sets out the sanctions an arbiter may take if the arbiter has made a finding of misconduct against a councillor.

The LG Act requires an arbiter to provide a written copy of the arbiter's decision and statement of reasons to the council, the applicant or applicants, the respondent and the Principal Councillor Conduct Registrar. A copy of the arbiter's decision and statement of reasons must be tabled at the next council meeting after the council received the copy of the arbiter's decision and statement of reasons.

However, the next meeting of the council can sometimes be an impromptu council meeting called at late notice to consider an urgent matter with little public notice and attendance at the meeting. This results in limited public transparency of the arbiter's decision.

A Municipal Monitor appointed to a Council in 2022 made several recommendations in their final report on ways to improve the sanctions that may be imposed by an arbiter and the transparency of the arbiter's decision. These included ensuring that a copy of an arbiter's decision and statement of reasons be tabled at the next

regular council meeting. Any apology a councillor is directed to make by an arbiter would also be made at the next regular council meeting that the councillor attends.

IBAC's Operation Sandon Special Report also made recommendations consistent with increasing the severity of sanctions available for misconduct (Recommendation 30).

Proposal

The sanctions that may be imposed by an arbiter on a finding of misconduct will be expanded to include:

- Directing that a councillor is prevented from attending and participating at the council's next council meeting or at a council meeting specified by the arbiter following the tabling of the arbiter's decision and statement of reasons;
- Suspending the councillor from the office of councillor for a period specified by the arbiter not exceeding three months (instead of one month); and
- Directing that a councillor be ineligible to hold the office of Mayor or Deputy Mayor for a period of up to 12 months.

A copy of an arbiter's decision and statement of reasons must be tabled at the next council meeting, or at a council meeting specified by the arbiter after the council received the copy of the arbiter's decision and statement of reasons.

To increase transparency and public trust, an arbiter will be given power to specify a council meeting which a councillor is prevented from attending and participating in. The arbiter will also be able to specify a council meeting at which the tabling of the arbiter's decision and statement of reasons must occur. The council meeting the arbiter specifies would occur reasonably soon after the arbiter's decision.

Part 3: Oversight Mechanisms

Overview

These reforms will strengthen direct accountability mechanisms and promote early and effective intervention at a council to prevent and address governance failures and councillor conduct.

1. Suspending or disqualifying individual councillors

Background

The Minister has the power to appoint a Municipal Monitor or Commission of Inquiry to a council under the LG Act where indications of a council's governance failures have been brought to the Minister's attention.

Municipal Monitors and Commissions of Inquiry have previously identified behaviours of individual councillors that create serious risks to the health and safety of staff at a council, or significantly impact a council's ability to perform its functions. However, neither a Municipal Monitor nor a Commission has an explicit function or power to recommend the suspension or dismissal of a councillor where it may be warranted.

Proposal

The Minister will be provided the power to suspend an individual councillor for up to 12 months if the Minister is satisfied on the advice of a Municipal Monitor or Commission appointed to the council. The advice would demonstrate that the councillor is creating a serious risk to the health and safety at the council or is preventing the council from performing its functions.

The suspended councillor will also be ineligible to hold the office of mayor or deputy mayor, or to chair a delegated committee of the council, for the remainder of the term. These sanctions are consistent with current sanctions following a finding of serious misconduct made by a CCP under the LG Act.

Councils and the Chief Municipal Inspector (CMI) will be expected to utilise existing pathways under the councillor conduct framework to address councillor conduct issues. Limiting this power of suspension by the Minister will provide a high bar to the exercise of this power. Additionally, before providing a report to the Minister, a Municipal Monitor or Commission will be required to confirm that a CCP is not already considering an allegation of serious misconduct against the councillor. This will avoid the councillor having separate adverse findings made against them in relation to the same behaviour.

Further, the Governor in Council will be provided with the power to disqualify a person from standing at future council elections. This would be on the recommendation of the Minister if satisfied on the advice of a Municipal Monitor or Commission. The advice must provide that the person was a councillor during the term immediately preceding the council's dismissal, and that the person was found to have created a serious risk to health and safety at the council or prevented the council from performing its functions. The period of disqualification would be for up to eight years following the dismissal of the council.

This power of disqualification of a councillor will ensure individual councillors found to have contributed to the council's governance failures are sanctioned appropriately and won't cause further issues at the council following the period of administration.

Prior to a Municipal Monitor or Commission submitting a report to the Minister recommending the suspension or disqualification of a councillor, they must first provide procedural fairness to the councillor to ensure they're provided an opportunity to respond to the adverse claims.

2. Clarify the application of privileges and statutory secrecy to Municipal Monitors and Commissions of Inquiry

Background

To fulfill their respective roles in monitoring or inquiring into the affairs of a council, Municipal Monitor or Commission of Inquiry often need to access legally privileged information, or other information prohibited from release under another enactment.

However, Municipal Monitors don't have explicit powers to request this information, and councils have previously been dissuaded from providing documents due to legal privilege or other statutory requirements prohibiting release of information.

Similarly, a Commission of Inquiry currently has the power to request a person to appear before it or give evidence or produce any document, which the person must comply with unless they provide a 'reasonable excuse'. Given the term 'reasonable excuse' is not defined, there is a risk that a person (or a council) refuses to provide evidence or information to a Commission. This may occur on the basis that the evidence or information is legally privileged information or is prohibited from release under another enactment.

Proposal

To encourage councils to provide information to assist a Municipal Monitor, the reforms will add:

- The provision of information by a council to a Municipal Monitor that is legally privileged does not cease to be the subject of legal professional privilege only because it is given or produced to a Municipal Monitor under the LG Act.
- When information that is prohibited from release under another enactment, is provided to a Municipal Monitor, a person is not subject to any criminal, civil, administrative or disciplinary proceedings or actions only because the person has complied with the request.
- Councils must provide reasonable assistance to a Municipal Monitor.

The reforms will clarify the meaning of 'reasonable excuse' for the purpose of complying with a request of a Commission, making it consistent with the definition of 'reasonable excuse' in the *Inquiries Act 2014*. The reforms will make it clear that it is not a reasonable excuse for a person to refuse or fail to comply with a request of a Commission to give information or produce a document on the basis that:

- The information, document, or other thing is the subject of legal professional privilege;
- The information, document or other thing might tend to incriminate the person or make the person liable to a penalty; and
- Another enactment prohibits the person from giving the information or producing the document or other thing or imposes a duty of confidentiality on the person in relation to the information, document or other thing.

3. Give the Chief Municipal Inspector the power to issue infringements for certain offences

Background

In the LGI's report [Social media fuels rise in complaints during 2020 council elections](#), it noted the limited avenues available to ensure compliance with offences relating to the conduct of council elections. The LGI recommended in its report that the LG Act be amended to give the CMI specific powers to issue infringement notices with respect to electoral related offences.

Further, in the LGI's report titled [Personal interests returns: Encouraging disclosure and increasing transparency](#), the LGI recommended that the CMI be given powers to issue infringement notices regarding personal interests returns related offences.

In these reports, the LGI noted that the cost and delay in conducting prosecutions in the court system in relation to these offences is disproportionate to the nature and seriousness of the offences. The LGI further observed that given the significant cost and time needed to bring these matters to court, historically only the most serious examples of noncompliance have been prosecuted by the LGI.

Proposal

The CMI will be given power to serve infringement notices for specified electoral and personal interests related offences under the LG Act. These offences, and their respective penalty amount, will be prescribed in regulations.

A general infringement provision will be introduced to enable offences in the LG Act to be prescribed to be infringement offences. This ensures that any further offences identified in the future as being appropriate to be made infringement offences, and their respective penalty amount, can be prescribed in regulations.

The proposed infringement regulations will be developed in accordance with the Attorney-General's Guidelines to the *Infringements Act 2006*.

Part 4: Other Miscellaneous Amendments

Overview

Note there are further proposed reforms to improve the operation of provisions relating to councillor conduct, early intervention, dispute resolution and oversight, as well as other miscellaneous amendments.

As noted above, these reforms will provide for administrative efficiencies and clarity and ensure the LG Act operates as intended. LGV is not seeking feedback and comments from the local government sector on these reforms.

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Part 1: Reforms to strengthen council leadership, capability and councillor conduct.

Reform proposal	Support / Not Support	Comments (Please limit responses for each proposal to 500 words)
Mandatory ongoing training for councillors and mayors	Partially Support – some consideration to be made to scope of training and financial implications.	<p>Ongoing training provides Councillors with the necessary information and knowledge to make informed decisions. This can lead to better governance, improved policy formulation, and increased responsiveness to the needs of the community. This helps to build public trust and confidence in the local government, as residents see their representatives committed to high ethical standards.</p> <p>The political and social landscape is constantly evolving. Regular training equips councillors and mayors with the ability to adapt to changing environments, ensuring that they remain effective leaders in the face of new challenges and opportunities. It can enhance communication skills, helping councillors and mayors effectively convey their ideas to the public. Clear and transparent communication fosters a positive relationship between Councillors and the community.</p> <p>Conversely, the challenges associated with mandatory training for Councillors include demanding schedules that may impact their effectiveness. The reduction in the delivery of the training from 6 months to three months will be problematic and impractical due to the timing constraints associated with elections and declarations.</p> <p>Given that most councils do not convene in January, delivering training by the end of February poses challenges and would necessitate dedicating the first few months of councillor sessions entirely to induction, precluding discussions on other essential matters.</p> <p>Financial concerns also need to be taken into consideration due to the associated costs of continuous training, potentially deterring smaller Council's with limited budgets.</p> <p>Council does not support the idea of withholding the councillor allowance until the mandatory training is fully completed as it could create administrative complexities and potential disparities in allowance disbursement based on individual training progress and attendance.</p>

		Overall, it is the view of this Council that the implementation of mandatory ongoing training for councillors and mayors comes with both advantages and challenges. Striking a balance between ensuring continuous improvement and addressing the concerns and constraints of Councillors and implementation of the reforms is crucial for the success of such reforms.
Enable model Councillor Code of Conduct and other governance matters to be prescribed in regulations	Partially Support	<p>Council's view is that the proposal to introduce a uniform mandatory Model Code for all councils is a commendable initiative that holds the potential to enhance the integrity and transparency of local government operations. By replacing existing codes with a standardised framework, it will aim to establish consistent standards of conduct expected from councillors across various councils.</p> <p>The proposed Model Code preserves the fundamental principles yet its forward-thinking approach, addresses potential issues proactively and incorporates measures for consistent standards and early intervention. This will help cultivate a culture of accountability and ethical governance within local councils.</p> <p>The move to no longer require Council's to formally adopt their Code not only streamlines the regulatory landscape but also prevents any potential dilution of standards, however Council would also like to see the signing of the document as an agreement to comply return, to ensure councillors have understood the document and committed to abide by its requirements. This will ensure greater accountability.</p> <p>Council does not support the inability to adopt separate policies for matters not covered in the Model Code, Council believes this approach is inflexible as does not take into account the local governments unique challenges and require tailored solutions.</p> <p>Allowing flexibility while ensuring standards of conduct align across the sector ensures that councils are able to maintain a balance between adherence to the Model Code and addressing local nuances.</p> <p>Council also believes that the proposal should go a step further and consider incorporating provisions for the production of best practice guidelines. These guidelines can serve as a valuable resource for councils, providing insights into efficient and equitable ways to handle conduct-related issues and also including Councillor/Staff interactions protocol. Furthermore, the guidelines should include checks and balances specifically addressing the CEO's involvement in managing</p>

		<p>councillors' conduct. Given the influential role of the CEO in the organisational hierarchy, establishing a clear framework for their involvement in conduct matters is paramount. This could include outlining the circumstances under which the CEO may be required to intervene, ensuring that such interventions are conducted impartially and in accordance with established procedures. Best practice guidelines can evolve over time, incorporating lessons learned and adapting to the changing landscape of local government.</p> <p>Another crucial aspect to consider is the provision of support for individuals going through the conduct processes. Facing an inquiry or investigation can be a daunting experience for councillors and officers, and having a support system in place is essential. The proposal should include measures to ensure that individuals undergoing conduct processes have access to support or advisory services. This not only safeguards the rights of the individuals involved but also contributes to a fair and thorough examination of the circumstances.</p> <p>Moreover, incorporating provisions for training and education around the Model Code can be beneficial. This can help councillors better understand their responsibilities and obligations, reducing the likelihood of unintentional breaches. Investing in ongoing training programs ensures that councillors remain well-informed about the evolving standards of conduct and can contribute to a positive and proactive council culture.</p> <p>Overall the proposal to introduce a uniform mandatory Model Councillor Code of Conduct is a positive step towards reinforcing ethical standards and accountability in local government. Its emphasis on consistency, transparency, and flexibility, along with alignment with relevant recommendations, makes it a well-rounded initiative that has the potential to elevate the standards of governance across the board. Council however stresses the need to include provisions in regulations or producing best practice guidelines to guide the application of conduct provisions is a crucial enhancement to be considered in addition to the proposed Model Councillor Code. These provisions can serve as a roadmap for councils, fostering consistency and fairness in their approach to conduct-related matters. Additionally, offering support for individuals navigating the conduct processes, such as access to legal counsel and educational programs, contributes to a more equitable and transparent governance framework.</p>
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Part 2: Early intervention and dispute resolution

Reform proposal	Support / Not Support	Comments (Please limit responses for each proposal to 500 words)
Limit the Victorian Civil and Administrative Tribunal's (VCAT) jurisdiction with respect to councillor conduct panel decisions.	Partially Support	<p>Council partially supports the proposed reform. While Council acknowledges the intention of the proposal is to streamline and refine the review process for councillor conduct panel decisions and to align this process with the internal arbitration process (IAP) under the Local Government Act (LG Act), Council believes this approach undermines the principles of transparency, accountability, and fairness in the resolution of councillor conduct matters.</p> <p>Firstly, confining the scope of review to legal, reasonable, or fair considerations limits the avenues for challenging a decision based on its substance and merits. This narrow focus risks overlooking potential procedural irregularities, factual errors, or instances where the decision-making process itself may have been flawed. Additionally, the exorbitant cost associated with pursuing a matter in the Supreme Court, as opposed to VCAT, could be prohibitive for some councillors and councils, hindering their ability to address the matter effectively.</p> <p>The proposed reform could inadvertently create an impediment to justice by limiting the avenues for appeal. In contrast, allowing VCAT to review decisions based on both procedural fairness and merits would contribute to a more comprehensive and impartial examination of councillor conduct matters, instilling confidence in the fairness of the process.</p> <p>Council believes consideration should be given to an effective oversight mechanism which encompasses a comprehensive review that goes beyond the legality and reasonableness criteria, ensuring that justice is not only done but is seen to be done.</p> <p>While Council remains somewhat concerned with the proposed restriction on VCAT's jurisdiction, it believes that if the decision is made to move forward, careful attention should be given to streamlining the avenues through which matters can be raised under the conduct framework. For example consider whether both the internal arbitration process and the Councillor Conduct Panel process are both required. This approach would not only address concerns related to councillor conduct more efficiently but also ensure that the overall process is fair, accessible, and transparent.</p>

<p>Councils must not indemnify councillors in relation to the internal arbitration process and the councillor conduct panel process.</p>	<p>Support</p>	<p>The current practice of councils indemnifying councillors for legal expenses related to Internal Arbitration Processes (IAP) or Councillor Conduct Panel (CCP) proceedings has been problematic due to the complex nature of how these matters can be resolved. The proposed restrictions on council indemnification, as outlined, aim to strike a balance between fair legal representation and the efficient handling of councillor conduct processes.</p> <p>Importantly, the proposal does not create an absolute prohibition on council indemnification and for this reason Council supports the proposed reform. It introduces a carefully considered exception that allows councils to indemnify councillors when an arbiter or CCP grants a party leave to have legal representation. This provision acknowledges the necessity of legal representation in specific instances where fairness in the process is contingent upon it. This approach strikes a balance between ensuring due process and preventing unwarranted delays in councillor conduct proceedings.</p> <p>Furthermore, the proposal sensibly does not restrict councils from obtaining legal advice related to proceedings initiated by them through council resolution. This preserves the councils' ability to seek legal guidance on matters they initiate while appropriately addressing concerns about potential misuse of indemnification in cases initiated by councillors.</p> <p>In conclusion, Council supports the proposed reform to restrict council indemnification for legal costs in councillor conduct processes. This balanced approach addresses the concerns surrounding potential misuse of indemnification while maintaining provisions for fair legal representation when deemed necessary by arbiters or CCP. Council believes this reform will contribute significantly to the efficiency and integrity of councillor conduct proceedings.</p>
<p>Broaden the scope of sanctions that may be imposed by an arbiter.</p>	<p>Support</p>	<p>The current limitations within the Local Government (LG) Act, particularly concerning the powers of an arbiter and the transparency of their decisions, highlight the need for comprehensive reforms. The suggested amendments, inspired by recommendations from the Municipal Monitor and IBAC's Operation Sandon Special Report, present a sensible response to the inadequacies identified in the existing framework. Council generally supports the expansion of sanctions that may be imposed by an arbiter.</p> <p>The LG Act currently outlines the sanctions that an arbiter may impose if misconduct is found against a councillor. These current sanctions do not go far enough to deter poor</p>

		<p>behaviour and conduct issues in certain situations. These additional considerations demonstrate a commitment to holding councillors accountable for their actions while allowing for proportionate consequences for misconduct.</p> <p>Council also supports the proposed changes to give the arbiter the power to specify a council meeting which a councillor is prevented from attending and participating in.</p> <p>The current practice of the subsequent tabling of the arbiter and decision at the next council meeting, often impromptu and with limited public notice, diminishes transparency in the arbiter's decision-making process.</p> <p>This modification ensures that the information is presented in a manner that promotes openness and accountability. Furthermore, this power adds an element of flexibility, allowing for efficient resolution while maintaining transparency.</p> <p>In conclusion, the proposed reforms provide a much-needed enhancement to the current councillor conduct proceedings outlined in the LG Act. By addressing the inadequacies in the existing framework, the reforms align with recommendations from tabled reports and enhance the overall integrity and effectiveness of the councillor conduct process.</p> <p>Council supports the introduction of these reforms to ensure a fair, transparent, and accountable local governance system.</p>
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Part 3: Oversight Mechanisms

Suspending or disqualifying individual councillors	Supported	<p>Council supports the proposed reforms that allows the Minister should they be satisfied on the advice of a Municipal Monitor or Commission appointed to the council that an individual councillor is creating a serious risk to the health and safety at the council or is preventing the council from performing its functions that they be suspending or disqualifying individual councillors. Notably the point that sees Council support this reform is that there are assurances provided in that prior to a Municipal Monitor or Commission submitting a report to the Minister recommending the suspension or disqualification of a councillor, they must first provide procedural fairness to the councillor to ensure they're provided an opportunity to respond to the adverse claims.</p> <p>Overall, implementing individual council sanctions is a more effective mechanism for addressing councillor conduct issues. Past instances have demonstrated that the misconduct of one or a few councillors can have severe consequences for the entire council. There should however be consideration for dealing with instances where multiple councillors are suspended or disqualified simultaneously, leading to the inability to achieve a quorum at meetings and thereby disrupting the council's decision-making process.</p> <p>Lastly, Council supports the sanctions that will see the suspended councillor be ineligible to hold the office of mayor or deputy mayor, or to chair a delegated committee of the council, for the remainder of the term. Furthermore, Council supports a disqualification period of up to eight years is deemed essential to ensure that the councillor is appropriately removed from the council for a suitable duration.</p>
Clarify the application of privileges and statutory secrecy to Municipal Monitors and Commissions of Inquiry	Supported	<p>Council supports this proposed reform. In the interest of the matter and investigation the monitor should be provided with all information requested and officers, councillors and witnesses should feel protected and confident in providing that information without consequences.</p>
Give the Chief Municipal Inspector the power to issue infringements for certain offences.	Supported	<p>Council supports this proposed reform. The provision of infringements for failure to comply with legislative requirements is supported however Council notes that in order for this reform to be effective, additional resources is required for the Chief Municipal Inspector to effectively implement.</p>

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**Planning
Panels
Victoria**

**Nillumbik Planning Scheme Amendment C149nill
Nillumbik Shire Heritage Review (Stages A & B)**

Panel Report

Planning and Environment Act 1987

19 December 2023

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 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 Panels Victoria acknowledges the Wurundjeri
Woi Wurrung People as the traditional custodians of the
land on which our office is located. We pay our respects to
their Elders past and present.

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Nillumbik Planning Scheme Amendment C149nill

Nillumbik Shire Heritage Review (Stages A & B)

19 December 2023



Tim Hellsten, Chair



John Roney, Member

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Glossary and abbreviations

Council	Nillumbik City Council
GRZ	General Residential Zone
GWZ	Green Wedge Zone
LDRZ	Low Density Residential Zone
Nillumbik Thematic History	<i>Nillumbik Shire Thematic Environmental History, Revision 2016</i> (Nillumbik Shire Council, 2016)
PE Act	<i>Planning and Environment Act 1987</i>
Planning Scheme	Nillumbik Planning Scheme
Post war Thematic History	<i>Nillumbik Gap Study Stage B – Thematic Environmental History</i> <i>Post-war Update</i> (Trethowan, 2022)
PPN01	<i>Planning Practice Note 1: Applying the Heritage Overlay</i> , June 2023
RCZ	Rural Conservation Zone
Stage A Heritage Review	<i>Nillumbik Shire Heritage Review - Stage A</i> (Context, 2021)
Stage B Heritage Review	<i>Nillumbik Shire Heritage Review - Stage B</i> (Trethowan, 2022)

Overview

Amendment summary	
The Amendment	Nillumbik Planning Scheme Amendment C149nill
Common name	Nillumbik Shire Heritage Review (Stages A & B)
Brief description	The Amendment implements the recommendations of the <i>Nillumbik Shire Heritage Review</i> (Stage A and Stage B) by applying the Heritage Overlay to 63 individual places, one serial listing and one precinct. It includes corrections to existing Heritage Overlay curtilages and removes the Heritage Overlay from properties that have been demolished or will be covered by a new Heritage Overlay
Subject land	Land identified within Arthurs Creek, Christmas Hills, Diamond Creek, Eltham, Eltham North, Hurstbridge, Kangaroo Ground, North Warrandyte, Panton Hill, Plenty, Research, St Andrews, Wattleglen and Yarrambat (see Table 1)
Planning Authority	Nillumbik Shire Council
Authorisation	1 May 2023
Exhibition	22 June to 3 August 2023
Submissions	Number of Submissions: 26 Opposed or seeking changes: 23

Panel process	
The Panel	Tim Hellsten (Chair), John Roney
Directions Hearing	By videoconference, 16 October 2023
Panel Hearing	Nillumbik Shire Council Chambers, Greensborough and online, 15 and 16 November 2023
Site inspections	Unaccompanied, 8 November 2023 Accompanied (10 Diosma Road, Eltham and 61 & 61A York Street, Eltham), 16 November 2023
Parties to the Hearing	Nillumbik Shire Council, represented by Emrys Williams (Senior Strategic Planner) and Leigh Northwood (Manager Strategic Planning and Environment) who called heritage evidence from: <ul style="list-style-type: none"> - Mark Huntersmith of GML Heritage - Dr Aron Paul of Trethowan David Mulholland Bronnie Hattam Julie Fink Brian Hill Frank Rusiovoski, represented by Dominique Trickey of Crossroads Town Planning Robert Fonhof Cathie McRobert

Panel process	Eltham Community Action Group, represented by Sue Dyet (Secretary)
Citation	Nillumbik PSA C149nill [2023] PPV
Date of this report	19 December 2023

Executive summary

Nillumbik Planning Scheme Amendment C149nill (the Amendment) seeks to implement the recommendations of the *Nillumbik Shire Heritage Review: Stage A* (Context, 2021) and *Nillumbik Shire Heritage Review: Stage B* (Trethowan, 2022) prepared for the Nillumbik Shire Council (Council). Council is the planning authority for the Amendment.

The Amendment proposes to amend the Nillumbik Planning Scheme by applying the Heritage Overlay to 63 individual places, one serial listing and one precinct. It includes:

- correcting existing Heritage Overlay mapping curtilages
- removing the Heritage Overlay to properties that have been demolished or will be covered by a modified heritage place description or curtilage
- introducing 66 new or amended statements of significance as incorporated documents
- introducing the Stage A and B Heritage Reviews and two thematic histories as background documents
- making related changes to the Heritage Overlay Schedule.

Key issues raised in submissions included:

- building integrity as a result of alterations, removal of fabric or building condition
- lack of heritage significance
- impacts on future development
- financial impacts associated with maintenance or approval processes
- the content of citations or statements of significance for specific individual places
- the Heritage Overlay curtilage of individual places.

Strategic basis for Amendment

There is a clear strategic policy basis and statutory framework for the Amendment and support for identifying and conserving local heritage places within the *Planning and Environment Act 1987*, Municipal Planning Strategy and Planning Policy Framework.

The introduction of heritage controls must follow an appropriate level of analysis to establish if the threshold of significance is met at the local level. In this instance the Amendment is supported by:

- two municipal wide Heritage Reviews, the most significant reviews in over two decades
- a review of the Nillumbik Thematic Environmental History 2016
- preparation of a Post-war Thematic Environmental History which establish the basis for including a number of former farm, interwar and post-war places.

The methodologies applied to the two Heritage Reviews which underpin the Amendment are appropriately robust, apply established contemporary practice, and are consistent with the guidance contained within *Planning Practice Note 1: Applying the Heritage Overlay* (PPN01).

Building condition and other common issues

Building condition and the extent of building alterations on heritage values has been considered by Council, its experts and the Panel in establishing whether the level of intactness and integrity of a place meets identified heritage thresholds. In some instances, Council has proposed places be removed from the Amendment or the Statement of Significance be amended to clarify what is not significant following further inspections and analysis. This approach is supported by the Panel.

Potential impacts of the Amendment on the ability to develop or alter places, undertake maintenance and associated costs are noted, but are not relevant to establishing whether a place is of local heritage significance. The Heritage Overlay should apply where the threshold for significance is met and there is something to manage. The Heritage Overlay does not prohibit development or alterations but provides an appropriate mechanism to manage change and consider issues, policies and provisions of the Planning Scheme as appropriate.

Curtilage

The Panel considered submissions to reduce the curtilage of the Heritage Overlay and concludes there was no clear basis to depart from the usual practice of applying it to the whole property consistent with PPN01, except in the respect of:

- 14 -16 Warringah Crescent, Eltham where the Heritage Overlay is recommended to be removed from 14 Warringah Crescent, a vacant lot
- 61 and 61A York Street, Eltham where a reduced curtilage is recommended to apply only to 61 York Street (Lot S3 PS320805 north of the common property area).

Prohibited uses

The Amendment proposes to permit prohibited uses for approximately a third of proposed heritage places. For many of the places considered by the Panel the control is unnecessary and not strategically justified. Council should further review its approach to permitting prohibited uses before finalising the Amendment to ensure there is a consistent and clear strategic basis for their application.

Tree controls and outbuilding notice exemptions

The methodology applied by Council for assessing the significance of outbuildings or their contribution to a place, including proposed post-exhibition changes is generally appropriate. The proposed application of the Heritage Overlay 'Tree controls' and 'Outbuilding and fences exemptions' is generally appropriate. The support for tree controls in the Stage B Heritage Review was prefaced on undertaking arborist reports to establish species, age and health. This position was supported by the heritage evidence of Dr Paul but has not been undertaken by Council. Council is encouraged to undertake a final review of the application of tree controls to ensure the identified Heritage Overlay curtilages are appropriate.

Individual places

The Panel supports Council's post-exhibition changes to remove the Heritage Overlay from five places (one forming part of a serial listing) following the further expert analysis undertaken.

The Panel supports application of the Heritage Overlay to the remaining places it has considered in response to submissions. Based on the evidence it considers these places meet the threshold of local significance.

Changes are required to the statements of significance for 15 places to clarify what is not significant, respond to additional information and evidence or correct errors.

Form and content of the Amendment

During the Hearing the Panel raised a number of concerns with Council and its witnesses over the Amendment documentation including:

- consistent errors in the statements of significance

- inconsistencies in the use of incorporated document titles, place descriptions and associated references in the schedules to clauses 43.01 and 72.04.

A number of these errors were corrected in amended statements of significance and citations however some inconsistencies and errors remain. These inconsistencies and errors be addressed. The changes are generally minor and do not substantially change the Amendment. They will however, greatly assist the readability, consistency and application of the documents and the related Planning Scheme provisions.

Recommendations

Based on the reasons set out in this Report, the Panel recommends that Nillumbik Planning Scheme Amendment C149nill be adopted as exhibited subject to the following:

1. **Delete the Heritage Overlay from:**
 - Larch Hill, 2 Hillmartin Lane, Diamond Creek (HO319)
 - 'Greet', 162 Murray Road, Diamond Creek (HO321)
 - 61A York Street, Eltham (HO279)
 - 'Hillside' House, 23 Glen Park Road, Eltham North (HO280)
 - House, 144 Progress Road, Eltham North (HO281)
 - 191 Cherry Tree Road, Hurstbridge (HO285).
2. **Amend the Heritage Overlay Maps to:**
 - delete HO280, HO281, HO319 and HO321
 - delete HO284 from 14 Warringah Crescent, Eltham
 - apply HO279 to 61 York Street, Eltham (Lot S3 PS320805 north of the common property) only
 - delete HO285 from 191 Cherry Tree Road, Hurstbridge.
3. **Amend the Schedule to Clause 43.01 (Heritage Overlay) to:**
 - a) Amend 'Heritage place' descriptions and Statement of Significance titles consistent with the final Statement of Significance titles.
 - b) Delete reference to:
 - Larch Hill, 2 Hillmartin Lane, Diamond Creek (HO319)
 - 'Greet', 162 Murray Road, Diamond Creek (HO321)
 - 61A York Street, Eltham (HO279)
 - 'Hillside' House, 23 Glen Park Road, Eltham North (HO280)
 - House, 144 Progress Road, Eltham North (HO281)
 - 191 Cherry Tree Road, Hurstbridge (HO285).
 - c) Amend the heritage place description and address for:
 - 'Villa Bereguardo 32 Perversi Avenue Diamond Creek' (HO323) to '32-36 Perversi Avenue, Diamond Creek'
 - 'Post Office & General Store' (HO327) to 'Post Office, General Store & Residence'
 - 'House 14-16 Warringah Crescent, Eltham' (HO284) to 'House 16 Warringah Crescent, Eltham'
 - 'Macmahon Ball House and Studio, 61 & 61A York Street, Eltham' (HO279) to 'Macmahon Ball House and Studio, 61 York Street, Eltham'

- d) Amend the 'Tree controls apply?' column for '32-36 Perversi Avenue, Diamond Creek' (HO323) to replace 'Yes – palm trees' with 'No'.
 - e) Amend the 'Prohibited uses permitted?' column for:
 - 32-36 Perversi Avenue, Diamond Creek (HO323) to replace 'Yes' with 'No'
 - 'Tilwinda, 130 Laughing Waters Road, Eltham', (HO302) to replace 'No' with 'Yes'
 - 'Nilgiris, 183 Yan Yean Road, Plenty' (HO330) to replace 'Yes' with 'No'
 - 'Former Farmhouse, 52 Kurra Road, Yarrambat' (HO331) to replace 'Yes' with 'No'.
 - f) Amend the 'Outbuildings or fences not exempt under Clause 43.01-4' column for:
 - 'Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek' (HO309) to replace 'Yes - Former Stables' with 'No'
 - 'Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek' (HO311) to replace 'Yes – Gates' with 'Yes – Road and Cemetery Reserve Gates'.
4. Amend the Schedule to Clause 72.04 (Documents Incorporated In This Planning Scheme) to delete reference to:
- 'Statement of Significance: Larch Hill, 2 Hillmartin Lane, Diamond Creek, July 2022'
 - 'Statement of Significance: 'Greet', 162 Murray Road, Diamond Creek, July 2022'
 - 'Statement of Significance: 'Hillside' House, 23 Glen Park Road, Eltham North, June 2021'
 - 'Statement of Significance: House, 144 Progress Road, Eltham North, June 2021'.
5. Amend the following statements of significance:
- a) 'Statement of Significance: 125, 173 and 191 Cherry Road, Hurstbridge (June 2021)' consistent with the Panel preferred version in Appendix D:1 and with further changes under 'Why is it significant' to include separate paragraphs for Criterion A, D and H.
 - b) 'Statement of Significance: Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek, July 2022' consistent with the Panel preferred version in Appendix D:2.
 - c) 'Statement of Significance: Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek, July 2022' consistent with the Panel preferred version in Appendix D:3.
 - d) 'Statement of Significance: 42 Collins Street, Diamond Creek, July 2022' consistent with the Panel preferred version in Appendix D:4.
 - e) 'Statement of Significance: Villa Bereguardo, 32-34 Perversi Avenue, Diamond Creek, July 2022' consistent with the Panel preferred version in Appendix D:5.
 - f) 'Statement of Significance: Post Office & General Store, 920 Yan Yean Road, Doreen, July 2022' consistent with the Panel preferred version in Appendix D:6.
 - g) 'Statement of Significance: 'Choong House' 10 Diosma Road, Eltham, June 2021' consistent with the Panel preferred version in Appendix D:7.
 - h) 'Statement of Significance: 130 Laughing Waters Road, Eltham, June 2021' to add "historic and" to the description under 'How is it significant?'.
 - i) 'Statement of Significance: Diamond Valley Miniature Railway, 570-576 Main Road, Eltham, June 2021' consistent with the Panel preferred version in Appendix D:8.

- j) 'Statement of Significance: Eltham War Memorial Building Complex, 903-907 Main Road, Eltham, June 2021' to replace the sentence under 'How is it significant?' with "The Eltham War Memorial Buildings, Eltham, are of local historic, representative and social significance to the Shire of Nillumbik."
 - k) 'Statement of Significance: House, 14-16 Warringah Crescent, Eltham, June, 2021' consistent with the Panel preferred version in Appendix D:9 with further changes under 'Why is it significant' to include separate paragraphs for Criterion D and Criterion E.
 - l) 'Statement of Significance: McMahon Ball House and Studio, 61 & 61A York Street, Eltham, June 2021' consistent with the Panel preferred version in Appendix D:10.
 - m) 'Statement of Significance: Souter House, 17 Koorngong Crescent, North Warrandyte, July 2022' consistent with the Panel preferred version in Appendix D:11.
 - n) 'Statement of Significance: Former Farmhouse, 145 River Avenue, Plenty, July 2022' consistent with the Panel preferred version in Appendix D:12.
 - o) 'Statement of Significance: Nilgiris, 183 Yan Yean Road, Plenty, July 2022' consistent with the Panel preferred version in Appendix D:13.
 - p) 'Statement of Significance: Former Farmhouse, 52 Kurrak Road, Yarrambat, July 2022' consistent with the Panel preferred version in Appendix D:14 and to replace the heritage place image with an alternative appropriate image of the place.
6. Review and amend as necessary, all statements of significance to:
- a) apply consistent place descriptions, names and addresses
 - b) ensure the criterion applied under 'How is it significant?' match those in the significance description under 'Why is it significant?'
 - c) separate any combined criterion paragraphs with separate paragraphs for each criterion
 - d) include consistent 'primary source' document title references.
7. Amend the following incorporated documents:
- a) Nillumbik Heritage Review - Stage A (Context, 2021) to include a dated document title page and citation index.
 - b) Nillumbik Heritage Review - Stage B (Trethowan, 2022) to include a citation index.
8. Consolidate the Nillumbik Shire Thematic Environmental History, Revision 2016 (Nillumbik Shire Council, 2016) and Nillumbik Gap Study Stage B - Thematic Environmental History Post-war Update (Trethowan, 2022) into a single background document with addendum.
9. Amend the Schedule to Clause 72.08 (Background documents) to apply consistent references to the Nillumbik Heritage Review - Stage A (Context, 2021) and Nillumbik Heritage Review - Stage B (Trethowan, 2022) and an updated title for the Nillumbik Shire Thematic Environmental History.

1 Introduction

1.1 The Amendment

The Amendment proposes to implement the recommendations of *Nillumbik Shire Heritage Review - Stage A* (Context, 2021) and *Stage B* (Trethowan, 2022).

The Amendment affects land within the suburbs of Arthurs Creek, Christmas Hills, Diamond Creek, Eltham, Eltham North, Hurstbridge, Kangaroo Ground, North Warrandyte, Panton Hill, Plenty, Research, St Andrews, Wattle Glen and Yarrambat within the municipality of Nillumbik Shire Council (Council).

Council is the planning authority for the Amendment.

Specifically, the Amendment makes the following changes to the Nillumbik Planning Scheme (Planning Scheme):

- amend the Schedule to Clause 43.01 (Heritage Overlay) to:
 - apply the Heritage Overlay to 63 individual heritage places, one serial listing and one precinct
 - delete heritage places HO144, HO182, HO213, HO248 and HO250 which have either been demolished or included in other Heritage Overlay places
- correct mapping anomalies and adjust the curtilage for HO49, HO50 and HO112
- amend the Schedule to Clause 72.04 (Incorporated Documents) to insert 66 new or amended statements of significance
- amend the Schedule to Clause 72.08 (Background Documents) to include the following as background documents:
 - *Nillumbik Shire Heritage Review - Stage A* (Context, 2021)(Stage A Heritage Review)
 - *Nillumbik Shire Heritage Review - Stage B* (Trethowan, 2022)(Stage B Heritage Review)
 - *Nillumbik Gap Study Stage B – Thematic Environmental History Post-war Update* (Trethowan, 2022)(Post-war Thematic History)
 - *Nillumbik Shire Thematic Environmental History, Revision 2016* (Nillumbik Shire Council, 2016)(Nillumbik Thematic History).

Table 1 shows details of each place and proposed change.

Table 1 Subject land

Heritage place description and address	Place reference
Individual places	
Methodist Church, 893 Arthurs Creek Road, Arthurs Creek	HO307
Shelter Shed, 900 Arthurs Creek Road, Arthurs Creek	HO308
Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek*	HO309
Park View, 25 Brennans Road, Arthurs Creek	HO310
Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek *	HO311
Sherwood, 110 Deep Creek Road, Arthurs Creek	HO312
Charmwood, 870 Arthurs Creek Road, Arthurs Creek	HO336

Heritage place description and address	Place reference
Christmas Hills War Memorial, cnr Eltham - Yarra Glen Road & Ridge Road, Christmas Hills	HO273
McPherson's Yarra Glenn Station, 75 Wendy Way, Christmas Hills	HO313
Former Felton House, 12 Broad Gully Road, Diamond Creek	HO314
House & Palm, 34 Clyde Street, Diamond Creek	HO315
House, 38 Collins Street, Diamond Creek	HO316
Former Loyal Diamond Creek, Lodge, 42 Collins Street, Diamond Creek*	HO317
'Ghirrawheen', 349 Diamond Creek Road, Diamond Creek	HO318
Larch Hill, 2 Hillmartin Road, Diamond Creek*	HO319
Diamond Creek War Memorial, 28 Main Hurstbridge Road, Diamond Creek	HO320
'Greet', 162 Murray Road, Diamond Creek*	HO321
Windmill House, 25 Nicole Crescent, Diamond Creek	HO322
Villa Bereguardo, 32 Perversi Avenue, Diamond Creek*	HO323
Former Farmhouse, 75-99 Phipps Crescent, Diamond Creek	HO324
Harton Hill, 405 Ryans Road, Diamond Creek	HO325
Oak Tree, 477 Broad Gully Road, Diamond Creek	HO337
Hazelglen Uniting Church, 1070 Yan Yean Road, Doreen	HO326
Post Office & General Store, 920 Yan Yean Road, Doreen*	HO327
Zandic House, 7 Banoon Road, Eltham	HO305
Bell Vue, 2 Batman Road, Eltham	HO274
Choong House, 10 Diosma Road, Eltham*	HO275
Mitchell House, 19 Fordhams Road, Eltham	HO297
Nichols House, 17 Haldane Road, Eltham	HO306
Eucalyptus melliodora (Yellow box), 35 Laughing Waters Road, road reserve, Eltham <i>Amended to extend curtilage to cover the heritage significant tree</i>	HO112
Tilwinda, 130 Laughing Waters Road, Eltham*	HO302
Laughing Water, 220 Laughing Waters Road, Eltham	HO303
Diamond Valley Miniature Railway, 570-576 Main Road, Eltham*	HO276
Former House, 856 Main Road, Eltham	HO277
Eltham War Memorial Building Complex 903-907 Main Road, Eltham*	HO293
Alan Martin House and Studio, 42 and 1/44 Park West Road, Eltham	HO278
House, 14-16 Warringah Crescent, Eltham*	HO284
Macmahon Ball House and Studio, 61 York Street, Eltham*	HO279
'Hillside' House, 23 Glen Park Road, Eltham North*	HO280

Heritage place description and address	Place reference
Welfare Centre, 24 Glen Park Road, Eltham North	HO281
House, 144 Progress Road, Eltham North*	HO282
'Coombe' House 200 Ryans Road, Eltham North*	HO283
Smith Orchard House, 125 Cherry Tree Road, Hurstbridge	HO182
<i>Proposed to be deleted as place has been listed under serial listing HO285</i>	
Moore's Cool Store, 180 Cherry Tree Road, Hurstbridge	HO286
War Memorial Tower, Sandstone building & park, 385 Eltham – Yarra Glen Road, Kangaroo Ground	HO49
<i>Amended to extend curtilage to the property title boundary including the rest of the Kangaroo Ground Reserve and the Kangaroo Ground Tower Car Park</i>	
Garden Hill – timber dwelling & in ground water tanks, 425 Eltham – Yarra Glen Road, Kangaroo Ground	HO50
<i>Amended to extend curtilage to include significant elements</i>	
Stevens House Mudbrick 160 Henley Road, Kangaroo Ground	HO287
'Landfall', 15 Castle Road, North Warrandyte	HO334
Janeba House, 3 Dingley Dell Road, North Warrandyte	HO292
Souter House, 17 Koornong Crescent, North Warrandyte*	HO304
Tarrangower, 30 Koornong Crescent, North Warrandyte	HO301
Carson House – Casa Warrandyte, 33 Koornong Crescent, North Warrandyte	HO300
Dwelling, 28 Osborne Road, North Warrandyte	HO144
<i>To be deleted as place has been demolished/removed</i>	
Wigley House, 35-37 Warrandyte - Kangaroo Ground Road, North Warrandyte	HO298
Queen of the Shire, cnr Research - Warrandyte & Kangaroo Ground - Warrandyte Roads, North Warrandyte	HO299
Panton Hill Hotel, 633 Kangaroo Ground - St Andrews Road, Panton Hill	HO288
Plenty State School 17 Howell Road, Plenty	HO213
<i>To be deleted as place has been demolished/removed</i>	
Plenty Heritage Park, 2-6 Memorial Drive, Plenty	HO335
Former Farmhouse, 145 River Avenue, Plenty*	HO329
Plenty Hall, 109-115B Yan Yean Road, Plenty	HO248
<i>To be deleted and included in HO335</i>	
Church, 171 Yan Yean Road, Plenty	HO250
<i>To be deleted as church has been relocated to 2-6 Memorial Drive, Plenty and the significant elements of HO250 are included in HO335 (Plenty Heritage Park)</i>	
Nilgiris, 183 Yan Yean Road, Plenty*	HO330

Heritage place description and address	Place reference
Circular Adobe House, 57 Thomson Crescent, Research	HO289
St Andrews General Store and Residence, 10 Caledonia Street, St Andrews	HO291
St Andrews Hall, 1 Proctor Street, St Andrews	HO290
Weatherboard Cottage, 631 Heidelberg-Kinglake Road, Wattle Glen	HO296
Yarrambat General Store, 466 Ironbark Road, Yarrambat	HO295
Former Farmhouse, 52 Kurraak Road, Yarrambat*	HO331
Stuchbery Farm, 87 Latrobe Road, Yarrambat	HO332
Farm Complex and Former State School, 651 Yan Yean Road, Yarrambat	HO333
Precinct	
Panton Hill General Store Precinct – comprising 586 & 588 Kangaroo Ground Street, Panton Hill	HO328
Serial listing	
‘Wendouree’ and Canary Island Palms, and Smith Orchard Houses – comprising 125, 127 & 191 Cherry Tree Road, Hurstbridge*	HO285

* Proposed heritage places with submissions

1.2 Background

Council provided a chronology of events leading up to the exhibition and consideration of submissions which is summarised in Table 2.

Table 2 Chronology of events

Date	Event
2013	A review of heritage studies identified 144 potential places to be considered for heritage assessment with initial work commencing on 36 places
2019	A further review was undertaken of places including 38 of the 144 places identified in the 2013 review as appropriate for assessment. 74 properties were identified for inclusion in the Heritage Overlay
Feb 2019	Land owners advised of commencement of heritage place investigations
Oct 2020 – Feb 2021	Council appointed Context (subsequently GML) to undertake the Stage A Heritage Review focusing on 38 places included in the 2013 review and identified as warranting assessments in 2019
Mar – Apr 2021	Full assessment, histories and drafting of Stage A Heritage Review carried out by GML Heritage
29 Jun 2021	Stage A Heritage Review and citations adopted by Council
Oct 2021	Council appointed Trethowan Architects to undertake the Stage B Heritage Review, including Post-war History Gap Analysis and Post-war Thematic History as a Nillumbik Thematic History update
Feb 2022	Trethowan conducted site visits of potential heritage places from the public realm

Date	Event
26 Jul 2022	Stage B Heritage Review and Post-war Thematic History adopted by Council
7 Oct 2022	Council sought authorisation to prepare and exhibit the Amendment under Section 8A of the <i>Planning and Environment Act 1987</i> (PE Act) including a request for interim heritage controls
26 Apr 2023	Amendment C148nill approved to apply the Heritage Overlay to 51 places on an interim basis until 1 October 2024
1 May 2023	Authorisation of Amendment received by Council subject to conditions relating to minor technical drafting matters. Council advised all conditions were satisfied prior to exhibition
22 Jun – 3 Aug 2023	Amendment exhibited. 26 submissions received including two late submissions
Sep 2023	Council undertook further consultation and inspection of submission places
26 Sep 23	Council considered submissions, adopted recommended changes to the exhibited amendment and requested an independent panel to consider submissions

1.3 Submissions and post-exhibition changes

(i) Submissions

Council received 26 submissions to the Amendment including:

- 18 submissions opposing the Amendment with concerns about:
 - building integrity as a result of alterations, removal of fabric or building condition
 - lack of heritage significance
 - content of citations and statements of significance
 - impacts on future development
 - financial impacts associated with maintenance or approval processes
- 8 submissions supported the Amendment or supported it with changes including to:
 - a citation or Statement of Significance
 - the Heritage Overlay curtilage.

In addition, correspondence from Manningham Shire Council, Melbourne Water and Department of Transport was received relating to the Amendment (which were not numbered as submissions) and which did not object to the Amendment.

(ii) Initial post-exhibition changes

Council considered the submissions on 26 September 2023 and proposed changes to the exhibited Amendment following further investigation and input from its heritage consultant as summarised in Table 3. This included:

- removal of the Heritage Overlay from five places because alterations to those places had impacted their intactness and integrity to an extent that they no longer met the threshold for local heritage significance
- changes to citations, statements of significance and in some instances amending the Heritage Overlay curtilage extent.

Table 3 Council's initial proposed post-exhibition changes

Place name and address (HO)	Summary of Council proposed post-exhibition changes
Larch Hill, 2 Hillmartin Road, Diamond Creek (HO319)	Do not apply the Heritage Overlay
'Greet', 162 Murray Road, Diamond Creek (HO321)	Do not apply the Heritage Overlay
House, 144 Progress Road, Eltham North (HO282)	Do not apply the Heritage Overlay
'Hillside' House, 23 Glen Park Road, Eltham North (HO280)	Do not apply the Heritage Overlay
'Wendouree' and Canary Island Palms, and Smith Orchard Houses (HO285)	Do not apply the Heritage Overlay to 191 Cherry Tree Road
Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek (HO309)	Amend Statement of Significance to remove reference to stables and add 'No' to 'outbuildings and fences not exempt' in the Schedule to Clause 43.01
Choong House, 10 Diosma Road, Eltham (HO275)	Review and revise citation and Statement of Significance
Tilwinda, 130 Laughing Waters Road, Eltham (HO302)	Amend Schedule to Clause 43.01 to allow prohibited uses
Diamond Valley Miniature Railway, 570-576 Main Road, Eltham (HO276)	Amend citation and Statement of Significance to add Criterion G, clarify elements of significance and remove references to rolling stock as being significant
Macmahon Ball House and Study 61 & 61A York Street, Eltham (HO279)	Amend citation (to remove certain figures and names) and Statement of Significance and revise curtilage
House, 14-16 Warringah Crescent, Eltham (HO284)	Amend curtilage to apply to 16 Warringah Crescent only
Former Farmhouse, 145 River Avenue, Plenty (HO329)	Amend citation and amend Schedule to Clause 43.01 to allow prohibited uses
183 Yan Yean Road, Plenty (HO330)	Amend citation and Statement of Significance to acknowledge post war alterations and that additions and outbuildings are not significant

(iii) Further post-exhibition changes

Council's Part A submission included:

- amended Heritage Overlay mapping for HO284, HO279, HO285 and for the places to be removed from the Amendment consistent with the changes identified in Table 3
- an amended Heritage Overlay Schedule consistent with the changes identified in Table 3.

During the Hearing Council sought further post-exhibition changes in response to evidence and submissions and to the Panel's identified document errors and inconsistencies. The Panel's preferred versions of statements of significance are based on Council's amended versions of statements of significance or the final versions of citations provided at the Hearing. In summary these included:

- seven amended statements of significance (in shortened form without images and references) produced in the heritage evidence of Mark Huntersmith of GML and Dr Aaron Paul of Trethowan for HO275, HO276, HO279, HO285, HO304, HO329 and HO330
- additional heritage expert prepared and amended statements of significance for HO304, HO309, HO329 and HO330
- additional heritage expert prepared and amended citations HO275, HO327 and HO329
- closing submission versions of citations for HO317, HO323, HO327, HO329, HO330 and HO331 which Council proposed to be used to finalise related statements of significance
- amended citations for four places for which no submissions had been received - HO310, HO312, HO318 and HO325.

The Panel discusses the amended documents in Chapters 5, 6 and 7 of this Report.

As discussed in Chapter 7, many of the Amendment documents included errors in the way which documents were titled and cross referenced in different schedules as well as consistency issues in the content of the exhibited statements of significance. While Council addressed some of these issues in its amended versions, many errors remain. This has meant that Panel has had to spend additional time reviewing the amendment documents to ensure they are consistent and appropriate. Council should undertake a final review all final versions of statements of significance and other Amendment documents to correct these inconsistencies before finalising the Amendment.

1.4 The Panel's approach

Panel assessment and Report

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 site visits, and submissions, evidence and other material presented to it during the Hearing. It has reviewed a large volume of material, and has had to be selective in referring to the more relevant or determinative material in the Report. All submissions and materials submitted have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned.

This Report deals with the issues under the following headings:

- Strategic context
- General issues
- Preliminary considerations
- 'Wendouree' and Canary Island Palms, and Smith Orchard Houses Group
- Individual heritage places
- Form and content.

Documents references used in this Report

The documents forming part of the Amendment included different references to the two Heritage Reviews, the titles and place descriptions within the statements of significance and schedules to clauses 43.01 and 72.04.

For consistency, the Panel has adopted the following references in this Report:

- Stage A Heritage Review for the *Nillumbik Shire Heritage Review - Stage A* (Context, 2021)
- Stage B Heritage Review for the *Nillumbik Shire Heritage Review - Stage B* (Trethowan, 2022)
- the title included in the exhibited Schedule to Clause 72.04 for the statements of significance.

The use of inconsistent terminology in Amendment documents is discussed in Chapter 7.

1.5 Accompanied site inspections

The Panel undertook an unaccompanied inspection from the public realm of all proposed heritage places with submissions.

On the last day of the Hearing, and before Council's closing submission, the Panel undertook an accompanied inspection of two sites which could not be clearly viewed from the public realm – 10 Diosma Road, Eltham and 61 and 61A York Street, Eltham (both Stage A Heritage Review identified properties). The Panel was accompanied by the respective landowner, Ms Northwood representing Council and Mr Huntersmith (Council's heritage expert for Stage A places). No submissions were made during these inspections. The Panel thanks the landowners for accommodating the site visits which greatly assisted the Panel's understanding of those places.

2 Strategic context

2.1 Planning context

This chapter identifies the planning context relevant to the Amendment. Appendix A highlights key imperatives of relevant provisions and policies.

Table 4 Planning context

	Relevant references
Victorian planning objectives	- section 4(1)(d) of the PE Act
Municipal Planning Strategy	- Clause 02.03-5 (Built Environment – Heritage)
Planning Policy Framework	- Clause 11.03-3S (Peri-urban areas) - Clauses 15.01-1R (Urban design), 15.01-5S (Neighbourhood character), 15.03-1S (Heritage conservation)
Other planning strategies and policies	- <i>Plan Melbourne 2017-2050</i> , Outcome 4, Direction 4.4, Policies 4.4.1, 4.4.2, 4.4.3 and 4.4.4 - <i>Heritage Strategy: Identifying and Conserving Nillumbik's Cultural Heritage</i> - <i>Nillumbik Green Wedge Management Plan 2010-2025 Part 2: Delivering the Vision</i>
Planning scheme provisions	- Heritage Overlay
Planning scheme amendments	- Amendment C148nill applied the Heritage Overlay on an interim basis to 51 places
Ministerial directions	- Ministerial Direction section 7(5) (The Form and Content of Planning Schemes) - Ministerial Direction 9 (Metropolitan Strategy) - Ministerial Direction 11 (Strategic Assessment of Amendments)
Planning practice notes	- Planning Practice Note 1: Applying the Heritage Overlay, June 2023 (PPN01)

2.2 Heritage Studies and thematic history methodology

(i) Background

Nillumbik Thematic History

This Nillumbik Thematic History is a revision of the Environmental History included in the *Nillumbik Shire Heritage Study Stage 1, Review, Heritage Survey and Environmental History* (Graeme Butler and Associates, 1996). The Nillumbik Thematic History includes newly researched chapters and reworks the 1996 environmental history to fit within Victoria's Framework of Historic Themes. Key themes include:

- Transforming and managing the land and natural resources, including 'Agriculture, orchards and viticulture'
- Building Nillumbik's workforce, including 'Catering for tourists'

- Building towns and shaping suburbs, including 'early township development', 'Interwar subdivisions and estates' 'Postwar growth and experimentation', 'From green belt to green wedge' and 1960s and 1970s suburbanisation'
- Building community life, including 'Commemorating'.

Stage A Heritage Review

The Stage A Heritage Review assessed 38 places and recommended the Heritage Overlay be applied to 22 places (including one serial listing). The Heritage Overlay (HO269) was applied to one of these places 'Fermanagh' at 1080 Heidelberg-Kinglake Road, Hurstbridge on 26 May 2022 (Nillumbik Planning Scheme Amendment C140nill). The Stage A Heritage Review recommended the assessment of five further places, and subject to a future thematic or typological review, the analysis of four additional places.

The review identified a lack of representation of post-war (c1945-1975) and late 20th century (c1975-1990's) places and recommended municipal-wide typological or gap study.

Stage B Heritage Review

The Stage B Heritage Review assessed 61 places recommended by previous heritage studies including the Stage A Heritage Review and undertook a gap analysis of the Nillumbik Thematic History. The tasks included review of earlier draft citations from 2016 (Samantha Westbrooke Pty Ltd with Dr Peter Mills) and an additional 19 potential places identified in the Stage A Heritage Review.

The aim of the Stage B Heritage Review was to fill gaps in the Heritage Overlay to ensure a range of places that reflect the full range of built heritage in the Shire are protected. Particular attention was given to comparators that illustrated the following, given the relatively large number of places of these types:

- the Eltham Style
- Alistair Knox designs
- post-war houses
- farmhouses or complexes.

The 'Eltham style' of architecture primarily uses mud brick or adobe wall construction coupled with the use of exposed timber structural elements such as posts and beams and timber and/or recycled doors and windows. A subset of the 'Eltham Style' belongs to the design work of Alistair Knox (1912-1986) one of a small number of architects and building designers in Victoria recognised for giving rise to a regional architectural style. Knox's stylistic periods are:

- the first Mud Brick (or earth building) Period (1947-53)
- Modular Houses (1955-c1961)
- the Second Mud brick stage (1964-72).

The review identified:

While significant residential settlement took place in the Shire in the post-war period of the twentieth century, this period remains under represented on the Shire of Nillumbik's Heritage Overlay. Nonetheless there are a few post-war houses on the Heritage Overlay apart from 'Eltham Style' or Knox designs. Post-war houses on the Heritage Overlay have tended to be architect designed and/or associated with significant local figures, particularly artists. In this there is much crossover with elements of the 'Eltham Style'. The emphasis on Robin Boyd designs in the current post-war residential heritage is evident. The history of the Shire in the post-war period suggests that architect designed residences are an important theme in this period of the Shire of Nillumbik's development.

An important part of the Shire of Nillumbik's current Heritage Overlay is devoted to places associated with the farming history of the area, particularly early homesteads or farm complexes.

The review recommended:

- applying the Heritage Overlay to 45 individual places assessed as being of local significance including 19 places identified in Stage A as places of potential cultural significance, but not assessed (labelled Stage 1B properties) and other properties which had citations in need of review (updated to current standards or extant fabric confirmed (labelled Stage 1)
- amending the extent of HO112 as recommended by a qualified arborist
- deleting the former Plenty School at 17 Howell Road (HO213) and former White's Cottage (HO144) from the Heritage Overlay.

Post-war Thematic History

The Post-war Thematic History is intended to be read as an addition to the Nillumbik Thematic History. It includes additional information about post 1975 residential development broadly in the municipality, and expanded content concerning post-war developments in infrastructure, community and recreation, work and education.

(ii) The issue

The issue is whether the Stage A and B Heritage Reviews are appropriately robust to justify the Amendment.

(iii) Evidence and submissions

Submissions 5, 15 and 21 were concerned that the development of the heritage studies and place citations relied on street surveys rather than on site detailed analysis and discussions with owners. In a number of instances (as discussed in Chapter 4) submitters identified that the citations were factually incorrect, inappropriately sourced images or included private information.

Submission 20 stated:

- the heritage consultant had quoted the submitter in relation to other properties without permission
- the assessment process was flawed with junior staff visiting places and misquoting information provided
- a peer review of the Stage B Heritage Review was required
- the assessment seemed to focus on *"pretty houses that had been subject to magazine articles"* yet other potentially notable buildings not examined.

Submission 17 considered the Heritage Reviews and Amendment process to be flawed. The submitter relied on desktop analysis and had not been undertaken in a systematic or holistic manner with the community. The outcome appeared to be a cherry picking exercise coming too late when many places had already been lost in the area. The submitter stated the controls were a disproportionate approach to protect *"the ambience"* of the area.

Submission 11 was critical that the place assessments and listings were not based on clear criteria. The submitter considered there were *"many examples of places which are on the list"* which may not meet the threshold for significance, be rare or possess a special identify or connection with Eltham or reflect *"the preferences and opinions of the local community"*. The submitter suggested

community views should be sought through a poll so that the proposed heritage places were not “arbitrary and without consultation”.

Council submitted the Stage A and B Heritage Reviews had applied appropriate methodologies and the Amendment included an appropriate exhibition and submissions consideration process.

Mr Huntersmith’s evidence set out the methodology for the Stage A Heritage Review which involved:

- a preliminary assessment stage including of the Nillumbik Thematic History and other heritage studies, desktop review and preliminary site inspections
- detailed assessment stage of shortlisted places including:
 - locality and individual place history developed from previous studies from 1992, 1996 and 2001, permit and rates data bases, local histories, newspapers and online collections
 - descriptions and integrity statements for places developed based on site inspections or other sources
 - comparative analysis
 - assessment against PPN01 criteria
 - development of statements of significance consistent with PPN01 and *The Burra Charter: The ICOMOS Charter for Places of Cultural Significance*, 2013
 - consideration of the appropriate use of Heritage Overlay Schedule controls
- internal peer review of citations and statements of significance.

Dr Paul’s evidence on the Stage B Heritage Review methodology was similar to that applied for Stage A but included a review of existing draft citations and updating statements of significance or drafting new ones.

(iv) Discussion

Methodology and applying thresholds

PPN01 does not provide guidance on how to prepare a heritage study or the process for gathering information to develop prepare a citation and Statement of Significance. It does however identify the eight criteria that should be used to assess the heritage value of a place. It also identifies that:

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 Panel considers that the Stage A and B Heritage Reviews are appropriately robust and have been based on contemporary practice including:

- extensive desk top and street view analysis
- onsite inspections where the landowner has agreed
- using a range of information including aerial photographs, permit and rates records and other online resources
- applying PPN01 threshold criteria and including appropriate comparative analysis.

For those places Council proposes to retain in the Amendment and apply the Heritage Overlay to, the Panel considers that the PPN01 criterion have been appropriately applied to establish that the necessary threshold of significance has been reached. However, the Panel has not considered in detail whether this is the case for places for which no submissions were received. Some of the

inconsistencies in documentation identified in Chapter 7 are likely to be found in the statements of significance for these other places.

The Panel observed that one place for which submissions were not received may not have applied PPN01 criteria to establish that the necessary threshold of significance has been achieved. The Amendment proposes to apply the Heritage Overlay to a contemporary sculpture installed in 2015 at the corner of Research-Warrandyte Road and Kangaroo Ground-Warrandyte Road, Warrandyte North, the 'Queen of the Shire' (HO299). Consistent with other places for which no submissions have been received, the Panel makes no recommendations about it, however the Panel has some concerns about whether the place achieves the appropriate threshold level for aesthetic and associative significance. This is because:

- the sculpture is less than 10 years old, when the typical approach to applying the Heritage Overlay is for places to be at least a generation old (25 plus years)
- the comparators:
 - in the Nillumbik Planning Scheme (two) are over 34 years of age
 - include older works of the artist (within Nillumbik and City of Melbourne) which are not in the Heritage Overlay
- the significance of the artist to Nillumbik is not clearly established in the citation or relevant thematic histories.

While the sculpture may have significant artistic merit and local importance this does not necessarily equate to heritage significance. Council is encouraged to review the citation and whether it meets the necessary threshold for local heritage significance at this point in time.

Consultation

As identified in Chapters 5 and 6, Council and its experts have revisited sites (and where in a position to, attending site inspections with landowners), proposed deletion of some places and updated many citations and statements of significance as a result. This is an appropriate and proactive approach.

There is no obligation for Council's to undertake extensive consultation with the community to develop a heritage study. However, community consultation is often undertaken to elicit potential sites by directly engaging with historical societies or similar groups to identify potential sites or historical information. The heritage assessment of a place is however a technical exercise and requires particular expertise and cannot be determined by popular opinion.

While it is not unusual for citations to utilise a range of primary and secondary sources of information, Council has proposed to amend several citations to remove photographs or other personal references to family members. The Panel's recommended approach to citation changes is discussed in Chapter 7.

(v) Conclusions

The Panel concludes:

- The methodology applied in the development of the Stage A and B Heritage Reviews is appropriately robust and consistent with PPN01.
- The Stage A and B Heritage Reviews are appropriate strategic documents on which to prepare heritage controls.
- Council should review whether the 'Queen of the Shire' (HO299) meets the necessary threshold level for heritage significance.

2.3 Strategic justification

(i) Evidence and submissions

Submissions 5, 8 and 11 considered application of the Heritage Overlay would constrain development. This was inconsistent with planning policy including Plan Melbourne which sought to support growth and provision of housing.

Submission 16 identified that heritage considerations needed to be balanced with “*other relevant planning provisions affecting the site and the surrounding urban context*”.

Mr Huntersmith’s evidence was:

The *Planning and Environment Act 1987* obliges municipal councils ‘to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or other of specific cultural value’. The concept of heritage evolves over time, and it is reasonable to undertake a review to identify and protect new places and areas of heritage significance. The loss of heritage buildings is a key concern for many areas of Melbourne and the Heritage Overlay is a recognised mechanism in the Victorian planning system for protecting valued heritage places and precincts.

Council submitted that the Amendment is the first significant amendment to the Heritage Overlay since 2008 and the Thematic History had not been updated since 2016. The Amendment was also necessary because of:

The number of lost heritage properties and the cost of numerous last minute amendments to apply interim protection to individual places that have been identified for investigation is increasing.

It submitted:

Heritage is an important part of the historical and cultural identity of the community. Sharing the local history of the shire and protecting the existing heritage fabric will preserve the stories of the Nillumbik Shire for the community and future generations, creating a place of belonging and enriching the cultural values of the community.

Council concluded the Amendment:

- was supported by the Municipal Planning Strategy and Planning Policy Framework
- fulfilled its statutory obligations as a responsible authority to implement the objectives of the PE Act, the Municipal Planning Strategy and Planning Policy Framework
- would have positive social effects through retaining and protecting places of heritage significance for present and future generations, thereby resulting in a net community benefit.

(ii) Discussion

There is a strong regulatory and policy framework supporting the identification and protection of places of heritage significance, including Plan Melbourne which recognises the need to support housing diversity and respect and protect Melbourne’s heritage. As concluded above, the Stage A and B Heritage Reviews are appropriately robust and support the introduction of heritage controls.

Clause 71.02-3 recognises there will be policy tensions, and in this instance they exist between the protection of heritage places and supporting housing growth.

The Panel considers the Amendment to be a balanced one. It is the first substantial heritage amendment within the Shire of Nillumbik for decades and has not sought to apply widespread

heritage controls but rather recognise and protect representative examples of key phases of the municipality's development.

There was no evidence provided or compelling submissions that application of the Heritage Overlay would compromise other strategic planning outcomes for Nillumbik or Melbourne's broader housing objectives. The Amendment introduces controls to manage identified heritage fabric and allows for future permit applications to consider heritage outcomes in balance with other strategic objectives.

The Amendment will have a positive effect through the retention and protection of heritage for present and future generations within the Shire of Nillumbik, resulting in a net community benefit.

(iii) Conclusions

The Panel concludes the Amendment:

- is supported by, and implements, the relevant sections of the Municipal Strategic Framework and Planning Policy Framework
- is well founded and strategically justified
- will deliver a net community benefit and sustainable development as required by Clause 71.02-3
- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 General issues

This chapter refers to issues which apply across more than one place. Where a submission raised only general issues, it is not referred to in subsequent chapters.

3.1 Building condition, intactness and integrity

(i) The issue

The issue is whether building condition is relevant when assessing the heritage significance of a place.

(ii) Evidence and submissions

Several submissions identified that the condition of buildings (ranging from structural issues, material deterioration or termite damage) impacted the integrity of the place or would require extensive repairs to restore them.

Submission 26 was concerned that their house had been extensively renovated, modernised, and extended, to the point where there was little of the original structure remaining.

Submissions 15 and 16 identified the dwellings on their properties would require substantial restoration due to the extent of additions and highly altered outbuildings. Submission 16 sought an amendment to the Design and Development Overlay to enable “*a considered development of the site that incorporates the restoration of the heritage place*”. This would provide for feasible development and support a practical outcome that was respectful of heritage values “*as well as other relevant planning provisions affecting the site and the surrounding urban context*”.

The evidence of Mr Huntersmith was¹:

The structural condition of a house is not directly relevant to whether a recommendation can be made to include a property in a Heritage Overlay. Only matters of heritage significance are considered. Condition generally is not a consideration unless there is a danger of imminent collapse or if works required to return a building to an acceptable condition will require extensive rebuilding to the point that it has lost its significance.

It is important not to confuse the intactness of a place with the condition of a place. A place may be rundown but still substantially intact and retain its heritage values. Being in poor condition does not disqualify a place from being included in the Heritage Overlay, whereas lack of intactness may do so (depending on the heritage criterion that applies).

Council supported Mr Huntersmith’s observations and submitted it had carefully examined the impact of building changes when assessing the integrity of a place and whether heritage controls were warranted.

(iii) Discussion

In the context of ‘building condition’ there is a key difference between:

- a building that may be structurally or otherwise unsound or at risk of collapse

¹ Document 6 paragraphs 93 and 94 respectively

- a place that may have been extensively altered and where those alterations have impacted its intactness ('wholeness' or lack of alteration) and integrity (the degree to which it meaningfully demonstrates the significance attributed to it).

Structural integrity is generally not an issue unless the heritage fabric is unlikely to exist by the time the Amendment is introduced into the Planning Scheme. Where the condition of a building has changed or would require extensive fabric loss to restore it Council has proposed to delete it from the Amendment or modify outbuilding controls in the Heritage Overlay Schedule (as discussed in Chapters 4 and 6). The Panel is required to consider each property in its current form, even if there is an approved permit to redevelop the site. There is no assurance an owner will act on the permit and if they do, Council can reassess the property through a future heritage review.

The interrelationship between building intactness and integrity on the other hand, is an important consideration for determining whether the threshold for local significance is met. For example, a high level of intactness of place elements (such as architectural details) may be required to demonstrate a high level of integrity for historic, aesthetic or technical significance. A reduction in intactness (through loss of key fabric) could result in a low integrity level for these criteria but still remain high for historical association. The Panel is satisfied that the Stage A and Stage B Heritage Reviews have appropriately considered the issue of building intactness and its impact on integrity of the places proposed to be included in the Heritage Overlay, subject to consideration in the following chapters.

There is no strategic basis to amend other controls that seek to manage other planning considerations such as design. The Heritage Overlay provides a framework to consider heritage significance in a wider context of planning policy.

(iv) Conclusions

The Panel concludes:

- Building condition is not relevant when assessing the heritage significance of an individual place.
- The level of intactness of a place is however, a critical threshold consideration for establishing integrity and heritage significance.

3.2 Development opportunity, building alterations and maintenance

(i) The issue

The issue is whether impact on development opportunity or impact on building alterations and maintenance are relevant when assessing the heritage significance of a place.

(ii) Evidence and submissions

Submission 5 identified that the Heritage Overlay would make it difficult to subdivide the land.

Submission 22 was concerned about the impact of the Heritage Overlay on the:

- ability to modify existing or build new structures to meet safety requirements without impacting their insurance and minimise delays associated with approvals
- status of existing planning permits
- ability to expand and install solar panels
- time associated with making planning permit applications

Submission 14 considered the Heritage Overlay would make it difficult to extend the dwelling or add a second storey. Submission 24 raised a similar concern, stating:

We originally purchased this property with plans to one day extend for our growing family. If a Heritage Overlay is applied that prevents us from being able to extend, the implications for our family are significant.

Submission 20 was concerned the Heritage Overlay would require future alterations or extensions to differentiate between old and new elements. Such a requirement could mean that extending the building using the same roof line and stone wall materials might not be possible, impacting on the building's visual continuity and original design vision. The submission also noted the lack of guidance in the Planning Scheme or other Council documentation to assist owners when designing heritage place alterations.

Mr Huntersmith's evidence was²:

The Heritage Overlay does not prohibit redevelopment (or land subdivision) or architectural innovation, but requires that the identified heritage values are considered as part of the planning permit application process for any development.

...

Heritage controls would require a planning permit for affected places but do not place restrictions on internal works (unless internal controls are proposed) or on-going maintenance. Works to satisfy the Disability Discrimination Act (DDA), Building Code Australia (BCA) and other relevant compliance requirements are generally supported for heritage places but should be undertaken with consideration of their heritage values.

...

All places will require on-going maintenance, whether in the Heritage Overlay or not. The introduction of heritage controls does not mandate a property owner or manager to maintain the property to a particular standard. Further, maintenance requirements are not relevant to considerations for inclusion in the HO.

Council recognised applying the Heritage Overlay introduces a layer of additional planning control for affected properties, including *"properties that may be consolidated or capable of consolidation and bearing the hallmarks of 'development potential'"*. It submitted this was appropriate to ensure the heritage significance of places was recognised, properly documented and appropriately managed.

(iii) Discussion

The Panel agrees with Council that the effect of the Heritage Overlay on future development outcomes is not relevant to establishing whether the building meets the threshold for local significance.

The Heritage Overlay is not a defacto prohibition on demolition or alteration. It does not require maintenance and includes exemptions for some alterations. It does however provide a mechanism to manage the significant heritage fabric of a place and to consider the related decision guidelines and heritage policies through the planning permit application process.

The permit assessment process requires a balanced consideration of other policies consistent with Clause 71.02-3 (Integrated decision making). This might include policies relating to urban consolidation, sustainable development, urban design or environmental performance objectives or other economic and social drivers. This also includes responding to accessibility, health and

² Document 6 paragraphs 103, 216 and 218 respectively

safety considerations. Discretion within this decision making framework allows, in some instances, for buildings to be demolished or partly demolished, and more frequently, altered or adapted. Such scenarios are, however, hypothetical at the Amendment stage of the process which is to identify places of heritage significance and consider whether the Heritage Overlay should be applied, having regard to PPN01.

The Panel notes the Planning Scheme does not contain specific guiding local policy for heritage places or have a Heritage Overlay incorporated plan to reduce the need for permits for more minor alterations or heritage design guidelines to assist applicants. Such guidance may be of value for some of the more contemporary post-war places to guide how alterations might be managed.

(iv) Conclusion

The Panel concludes:

- Issues relating to loss or impact on development opportunity or undertaking building alterations and maintenance are not relevant when assessing the heritage significance of an individual place.

3.3 Financial implications

(i) The issue

The issue is whether property value and financial implications are relevant when assessing heritage significance or when deciding whether to apply the Heritage Overlay.

(ii) Evidence and submissions

Several submissions raised issues about the potential costs associated with the application of the Heritage Overlay including for maintenance, restoration or designing alterations in keeping with identified heritage values. For example, Submission 21 stated:

The application of a Heritage Overlay has considerable financial implications on a landowner so a change to the planning controls should be carried out thoroughly, and result in a fair outcome.

Submission 17 considered it unfair that landowners had the financial burden of protecting heritage for the public benefit without monetary support from Council. Submission 11 identified similar issues and the costs associated with permit fees, engaging heritage consultants as well as loss of property value. Submission 11 called for this burden to be shared through grants, rates offsets, fee waivers or free heritage advice.

Mr Huntersmith's evidence was:

The financial implications and/or concerns about inclusion in the Heritage Overlay are not relevant considerations in the assessment of heritage controls. PPN01 identified the criteria for assessing heritage significance of a heritage place and only refers to matters of a heritage nature.

Council referred to several previous Panel reports relating to the issue of economic impacts and which found the PE Act and Planning Scheme require social and economic matters and the principles of net community benefit and sustainable development to be considered. These related to the interests of the broader community and did not extend to individual impacts. In relying on such findings, it submitted there was an *"inherent economic value to the shire as a whole in preserving heritage character where such character is established from a robust and rigorous*

assessment undertaken” in accordance with PPN01. Any private economic impacts would be offset by the public benefit from the heritage places to the broader community over many generations.

(iii) Discussion

The private financial impact of the Heritage Overlay is not relevant to the primary question of whether a building meets the threshold for local heritage significance. Such considerations are matters for the planning permit stage. Property values are influenced by many factors outside the planning system. In this instance the social and community benefit of applying the Heritage Overlay and protecting important places for future generations outweighs and private economic impacts.

In relation to the suggested provision of financial support to landowners within the Heritage Overlay, the Panel acknowledges that while some Councils and the State government often provide grants or other incentive schemes or support mechanisms to enable restoration of heritage places, this is not relevant to the consideration of this Amendment.

(iv) Conclusion

The Panel concludes:

- Property value and financial implications are not relevant when assessing heritage significance or when deciding whether to apply the Heritage Overlay.

4 Preliminary considerations

Submissions were received about:

- reducing the Heritage Overlay curtilage
- allowing for prohibited uses
- applying heritage controls for trees and outbuildings.

While these issues are discussed in greater detail in Chapters 5, 6 and 7 the purpose of this Chapter is to identify what guidance is provided for these considerations within PPN01, summarise the evidence on these issues and sets out the conclusions which underpins the Panel's general position on their application.

4.1 Heritage Overlay curtilage

(i) The issue

The issue is when is it appropriate to reduce the Heritage Overlay curtilage to less than the whole property.

(ii) Evidence and submission

Submissions sought to reduce the curtilage of the Heritage Overlay for four individual places.

Mr Huntersmith's evidence was that most of the Stage A Heritage Review places are mapped to the title boundaries, the exception being three places on larger land parcels where a reduced curtilage was recommended:

- Christmas Hills War Memorial
- Diamond Valley Miniature Railway
- St Andrews Hall.

Two curtilage reductions were however supported by Mr Huntersmith (10 Diosma Road, Eltham and 61 and 61A York Street, Eltham) as discussed in Chapter 6.

(iii) Discussion

In relation to curtilage, PPN01 states:

The Heritage Overlay applies to both the listed heritage item and its associated land. It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any development, including subdivision, does not adversely affect the setting, context or significance of the heritage item.

The land surrounding the heritage item is known as a curtilage and will be shown as a polygon on the Heritage Overlay map. In many cases, particularly in urban areas and townships, the extent of the curtilage will be the whole of the property for example, a suburban dwelling and its allotment.

There will be occasions where the curtilage and the Heritage Overlay polygon should be reduced in size as the land is of no significance. This has the potential benefit of lessening the number of planning permits that are required with advantages to both the landowner and the responsible authority.

Examples of situations where a reduction in the curtilage and polygon may be appropriate include:

- A homestead on a large farm or pastoral property where it is only the house and/or outbuildings that is important. In most cases with large rural properties, the inclusion of

large areas of surrounding farmland is unlikely to have any positive heritage benefits or outcomes.

- A significant tree on an otherwise unimportant property.
- A horse trough, fountain or monument in a road reservation.
- A grandstand or shelter in a large but otherwise unimportant public park.

Suggested steps in establishing a curtilage include:

- reviewing the heritage study and considering 'What is significant? The curtilage should capture the elements of the place that are significant. *"If there are multiple elements that are widely dispersed on the property, one option may be to have multiple polygons which share the same Heritage Overlay number"*
- ensuring it retains the setting or context of the significant building, structure, tree or feature and includes sufficient land to *"regulate development, including subdivision, in proximity to the significant building, tree or feature"*
- where possible using uncomplicated and easily recognised boundaries, such as a fence line to avoid potential dispute about the land affected
- utilising aerial photos to assist with 'ground truthing' and explain the basis for the reduced curtilage in the heritage study documentation.

The Panel considers there should be a clear reason to depart from the standard practice of applying curtilages to the entire property, particularly in urbanised locations. The more typical exceptions include:

- large properties such as farms where sufficient provision can be made to accommodate an appropriate setting including preservation of key views and associated landscaping features or outbuildings
- for trees where other elements of the place are not important.

Simply avoiding the need for planning permits is not an appropriate basis to reduce a curtilage. Consistent with PPN01 a reduced curtilage should only result from a considered approach that establishes what is significant and represents an appropriate setting, and uses uncomplicated and easily recognised boundaries to avoid uncertainty. This includes the use of fence lines, lot boundaries (where the site consists of multiple parcels for example) or points between distinct changes in boundary lines which are readily apparent, or uniform shaped and measured distances from buildings.

(iv) Conclusion

The Panel concludes:

- There should be a clear reason to depart from the standard practice of applying curtilages to the entire property. A reduced curtilage should only be contemplated through a considered assessment consistent with the guidance in PPN01.

4.2 Prohibited uses

(i) The issues

The issues are:

- when is it appropriate to allow for prohibited uses
- whether Council's approach to permitting prohibited uses is appropriate.

(ii) Background

What is proposed?

The Heritage Overlay Schedule allows the identification of places for which prohibited uses are permitted. The Amendment proposes to permit prohibited uses for 20 individual places (19 originating from the Stage B Heritage Review. These are shown in Table 5 along with associated zones and current land uses where known through the Panel's site inspections, submissions or citations. Three of the places are publicly owned (HO302, HO332 and HO333).

Table 5 Heritage places where prohibited uses permitted controls are proposed by Council

Place	Current use	Zone
(HO307) 893 Arthurs Creek Road, Arthurs Creek	Church	Green Wedge Zone (GWZ)
(HO314) 12 Broad Gully Road, Diamond Creek	Dwelling	General Residential Zone (GRZ)
(HO316) 38 Collins Street, Diamond Creek	Dwelling	GRZ
(HO317) 42 Collins Street, Diamond Creek (Former Lodge)	Dwelling	GRZ
(HO318) 349 Diamond Creek Road, Diamond Creek	Dwelling	Rural Conservation Zone (RCZ)
(HO294) 49-55 Main Street, Diamond Creek	Church	GRZ
(HO322) 25 Nicole Crescent, Diamond Creek (Windmill house)	Dwelling	GRZ
(HO325) 405 Ryans Road, Diamond Creek (Farm complex)	Dwelling	GRZ
(HO323) 32 Perversi Avenue, Diamond Creek	Dwelling	RCZ
(HO 327) 920 Yan Yean Road, Doreen (General Store)	Dwelling and shop/storage (currently vacant)	RCZ
(HO326) 1070 Yan Yean Road, Doreen	Church	GWZ
(HO302) 'Tilwinda' 130 Laughing Waters Road, Eltham	Artists' residency	RCZ
(HO334) 15 Castle Road, North Warrandyte	Dwelling	Low Density Residential Zone (LDRZ)
(HO328) 586 & 588 Kangaroo Ground-St Andrews Road, Panton Hill	Store & residence former Post Office & residence	Township Zone
(HO335) 2-6 Memorial Drive, Plenty (Plenty Heritage Memorial Park)	Memorial park	Public Park and Recreation Zone (PPRZ)
(HO330) 183 Yan Yean Road, Plenty (Farm complex)	Dwelling	LDRZ
(HO295) 466 Ironbark Road, Yarrambat	Unknown/not inspected	LDRZ

Place	Current use	Zone
(HO331) 52 Kurrak Road, Yarrambat (Farm complex)	Dwelling	LDRZ
(HO332) Stuchbery Farm, 87 La Trobe Road, Yarrambat (Farm complex)	Part of Plenty Gorge Park	Public Conservation and Resource Zone
(HO333) 651 Yan Yean Road, Yarrambat (Farm Complex and Former State School)	Unknown/not inspected	PPRZ and Public Conservation and Resource Zone

(iii) Evidence and submissions

Dr Paul considered permitting prohibited uses:

allows additional uses not normally permitted in a given zone, subject to a planning permit; it is most frequently used to give redundant buildings a wider range of future use options to ensure their long-term survival, e.g., purpose-built shops in residential areas.

Council's Part C (Part 2) submission identified the following place characteristics or reasons for allowing prohibited uses:

- *to give the building a wider range of future use options to ensure its long-term survival if necessary.* In some instances, this extended to uses "relating to farming or animals" or "entertainment or amusement" or "education" uses
- complex sites with a number of elements.

Council submitted that applications for prohibited uses would still be assessed by Council.

(iv) Discussion

In relation to prohibited uses PPN01 states:

The provision should only be applied to specific places. For example, the provision might be used for a redundant church, warehouse or other large building complex where it is considered that the normally available range of permissible uses is insufficient to provide for the future conservation of the building.

PPN01 provides specific guidance as to when to use the prohibited uses allowed provisions, including consideration of:

- the nature of the building(s) including the use for which they were built and their ability to be used for other alternative uses which will assist with their ongoing conservation
- the current predominant use of the place and of the neighbouring land
- the existing zoning and the range of more likely permissible uses given the type of building or size of the land.

The Panel is concerned Council's application of the provision lacks an appropriate level of consideration and strategic justification, particularly for places in the GRZ and LDRZ when:

- many of these places are constructed as dwellings and currently used for this purpose (the primary purpose of these zones) and within established residential areas
- the properties are not large enough to support farming uses
- realistic potential prohibited uses have not been identified by Council or the landowner.

The approach of simply permitting prohibited uses for all heritage places in a zone like the RCZ or GWZ which have a more limited number of permitted uses than other zones is not sufficient basis to allow them. While prohibited uses still require a planning permit and the usual assessment

against policy and planning scheme provisions, permitting prohibited uses can have perverse planning outcomes and provide uncertainty for landowners and the community. Accordingly, the provision should only be used following a considered, place by place assessment.

Council has identified RCZ as a candidate for allowing prohibited uses given the extensive range of prohibited uses. In this zone prohibited uses include (but are not limited to):

- Accommodation (other than Bed and breakfast, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential hotel)
- Education centre (other than Primary school and Secondary school)
- Industry (other than Rural industry)
- Intensive animal production
- Office
- Leisure and recreation (other than Informal outdoor recreation)
- Place of assembly (other than Carnival and Circus)
- Retail premises (other than Landscape gardening supplies, Market, Primary produce sales and Restaurant).

However, in half the instances the current use of identified heritage places in the RCZ is as a dwelling. Most of them are not located on large land parcels. There were no reasons provided to suggest that continuing these current or permitted uses (which still permits a range of accommodation uses) is prohibitive to the ongoing conservation of the place.

The approach of simply permitting prohibited uses for all heritage places in a zone like the RCZ or GWZ which are more restrictive than other zones is not sufficient basis to allow them. While prohibited uses still require a planning permit and the usual assessment against policy and planning scheme provisions, permitting prohibited uses can have perverse planning outcomes and provide uncertainty for landowners and the community. Accordingly, the provision should only be used following a considered, place by place assessment.

There are however some clear examples where allowing prohibited uses might be considered:

- a building not designed or easily used as a dwelling, for example a shop, church, hall or warehouse
- a former house in an industrial zone
- a working farm, agricultural or industrial building in a residential zone
- a place located on public land where the zoning (for example PPRZ) is restrictive and may limit uses which provide a community benefit or assist with ongoing maintenance.

There are several examples discussed in Chapter 6 where allowing prohibited uses is consistent with this approach and supported by the Panel. However the Panel is not convinced Council's approach to allowing prohibited uses is sufficiently robust or clearly justified for each heritage place where it is proposed.

(v) Conclusions

The Panel concludes:

- Permitting prohibited uses requires a considered approach and assessment of a range of factors.
- Prior to Council finalising the Amendment it should further review the places not subject to submissions to consider whether prohibited uses should be permitted.

4.3 Tree controls, outbuildings and fences exemptions and solar energy system controls

(i) The issues

The issues are:

- when is it appropriate to apply tree controls, solar energy system controls, outbuilding and fence exemptions
- whether Council's approach to applying tree controls, solar energy system controls and outbuilding and fence exemptions is appropriate.

(ii) Background

The Amendment proposes to amend the Heritage Overlay Schedule to:

- apply tree controls for 12 places (including one place, HO337, where the Heritage Overlay applies to a tree only)
- remove notice exemptions for 'Outbuildings or fences' for 10 places
- apply 'Solar energy system' controls for all proposed places.

(iii) Evidence and submissions

Tree controls

Mr Huntersmith stated that where tree controls (and outbuilding exemptions) were recommended they were appropriately identified in the Heritage Overlay Schedule to provide clear guidance.

Dr Paul's evidence was:

Tree controls are recommended for selected mature trees that particularly enhance the setting of the place and relate directly to its historical or aesthetic significance. An arborist report is recommended to identify the species and age of the trees. The trees of interest are specified in the Heritage Overlay.

Council advised the Panel that despite the Stage B Heritage Review recommendations for arborist reports they had not been undertaken.

Outbuilding and fence exemptions

Dr Paul's evidence was:

It was found during the review of the draft citations that significance had often been proposed for a range of outbuildings, particularly in former farming properties, on the basis that the outbuildings supported the historical significance of the place as a former working farm. The review established that most of these appear to be vernacular and utilitarian farm structures of uncertain age, and unless an outbuilding was established as significant, outbuilding controls were not proposed.

The main issue from a heritage perspective is the weight that should be given to vernacular outbuildings relating to the former use of places as farms or orchards. In my view it would not be proportionate to apply additional outbuilding controls necessitating public notice where these buildings are simply vernacular corrugated iron or asbestos sheds...

Another issue arises in relation to the residual places, former farm complexes, where the significance of individual outbuildings noted in the previous Westbrooke & Mills studies were not able to be reassessed in the Stage B Study. The Stuchberry farm was unable to be inspected, however the photos and description in the 2016 Citation makes the case for the protection of the remnant farm buildings given that these are all that may remain of the historic farm.

In the case of 25 Brennan's Road, it has been suggested in the 2016 Citation that some of the outbuildings may include those 'from an early period' including stables. Similarly, 110 Deep Creek Road is noted as including 'early outbuildings'.

In the case of 870 Arthurs Creek, the 2016 Citation includes a description of the stables, with 'simple gable form with three windows and two doors on the front elevation'.

In all four instances above, Trethowan was not satisfied that there was a factual basis to overturn the original assessment to include additional outbuilding controls given the potential significance of early outbuildings on the historical understanding of these early farm complexes, without having been able to reassess the outbuildings in question ourselves.

Council provided amended citations for several places not subject to submissions where post-exhibition changes were proposed relating to outbuildings including to the Heritage Overlay Schedule:

- Parkview, 25 Brennans Road, Arthurs Creek (HO310)(Document 41) to identify that the 'early buildings and stables' are elements which contribute to the understanding of the place but are not significant
- Sherwood, 110 Deep Creek Road, Arthurs Creek (HO312)(Document 36) to add that the 'early buildings' are elements which contribute to the understanding of the place but are not significant
- 'Ghirrawheen', 349 Diamond Creek Road, Diamond Creek (HO318)(Document 43) to remove outbuilding controls and references in the Statement of Significance because the outbuildings had been severely fire damaged
- Harton Hill Farm, 405 Ryans Road, Diamond Creek (HO325)(Document 44) to: amend the place name (to 'Harton Hill Farm' and removing 'House, Outbuildings and Monterey Cypress Drive'); amend Statement of Significance under 'What is significant?' to identify outbuildings contribute to the understanding of the place and to 'Why is it significant?' under Criterion A (rather than Criterion E), and to switch on outbuilding exemptions.

Solar energy systems

The Diamond Valley Railway Inc. was concerned the Amendment would make it difficult to install solar panels.

The evidence of Mr Huntersmith was that the Heritage Overlay Schedule was amended to include solar energy system provisions after the completion of the Part A Heritage Review and were not included in the individual place assessments.

(iv) Discussion

Tree controls

PPN01 states the following for applying tree controls:

This control is designed to protect trees that are of intrinsic significance, such as trees that are included on the National Trust Heritage Register, or trees that contribute to the significance of a heritage place, for example, trees that contribute to the significance of a garden or area.

The control is not meant to protect trees for their amenity value.

PPN01 is silent on what sort of analysis is required to support the application of tree controls. Trees identified do however need to contribute to the significance of a heritage place. This implies that the same criterion threshold should apply to trees as individual places. This includes a comparative analysis and a reasonable level of evidence about the age and species, who planted them or designed their arrangement for example, particularly when the trees are linked to the

historic, aesthetic or associative significance of the place. This might be done through primary information sources including plans and photographs and aerial images or arborist reports that confirm species and age. It is not sufficient or appropriate to speculate about the provenance, for example if a type of tree was typically planted during the same era as the place, or identify them because they have amenity value.

Other than for the property at 32-36 Perversi Avenue, Diamond Creek, (as discussed in Chapter 6) the Panel considers the Heritage Review citations support the basis for their application and the relevant trees are appropriately identified in the Heritage Overlay Schedule. The Panel however has not viewed all places where tree controls have been proposed or if the identified trees are within the same curtilage as related buildings or in their own curtilage. The Panel is aware that at least one place (HO337) where the Heritage Overlay applies to a single tree the basis of the curtilage is unknown. Council confirmed that the arborist reports recommended in the Stage B Heritage Review have not been undertaken.

Outbuilding and fence exemptions

PPN01 identifies for 'Outbuildings and fences':

The statement of significance for the heritage place should also identify the particular outbuildings and/or fences that are significant under What is significant? and why they are important.

For the places considered by the Panel, the Heritage Review citation methodology supports the basis for the identification of outbuildings and the relevant outbuildings where notice exemptions should not apply are appropriately identified in the Heritage Overlay Schedule. The Panel however has not viewed all places where outbuilding exemptions have been proposed to be removed.

PPN01 is silent on what sort of analysis is required to support the application of outbuilding controls. Like tree controls they do need to contribute to the significance of a heritage place and their identification be based on thorough analysis. The Panel is confident based on the evidence of Dr Paul this has been done and a clear methodology applied to their inclusion.

While the Panel has not considered the proposed citation and Heritage Overlay Schedule changes relating to outbuildings proposed by Council for the four places where no submissions were received, it supports the rationale for those changes being made as discussed in Chapter 7.

Given some of the other inconsistencies in documentation observed by the Panel, a final check of Amendment documents is encouraged by Council to ensure their form and content is appropriate including their application in the Heritage Overlay Schedule.

Solar energy systems

PPN01 is silent on solar energy system controls. The Panel supports Council's approach to applying solar energy system controls for the proposed heritage places so that they require a permit. A considered approach should be adopted when turning off solar energy controls to ensure identified heritage values are not compromised. The Panel was not provided with any substantial reasons why they should be turned off for any of the proposed places. The Heritage Overlay provides the appropriate control to manage the appropriate location of solar energy systems.

(v) Conclusions

The Panel concludes:

- Based on the evidence of Mr Huntersmith, Council should undertake an arboricultural assessment of places where tree controls are proposed to determine the age and health of the trees and to establish an appropriate curtilage.
- Council should review all places where tree controls are proposed to ensure the form and content of statements of significance and the Heritage Overlay Schedule are appropriate before finalising the Amendment.
- Council's approach to applying outbuilding controls is generally appropriate.
- Council's approach to solar energy system controls is appropriate.

5 'Wendouree' and Canary Island Palms, and Smith Orchard Houses Group (HO285)

Exhibited Statement of Significance



Figure 1. 'Wendouree' at 125 Cherry Tree Road, Hurstbridge. (Source: Context 2020)



Figure 2. 173 Cherry Tree Road, Hurstbridge. (Source: Context 2020)

What is significant?

'Wendouree' and Canary Island Date Palms at 125 Cherry Tree Road (built in 1910), and the two Smith Orchard Houses at 173 (c1915) and 191 (c1903) Cherry Tree Road, Hurstbridge, a group of houses associated with generations of the Smith family, is significant.

Elements that contribute to the significance of the place include:

- original single-storey forms and scale (125, 173 and 191);
- original or early timber cladding and corrugated metal roofs (125, 173 and 191);
- M-profile hipped roof and symmetrical double-fronted façade design (125);
- two mature Canary Island Date Palms (*Phoenix canariensis*) in the front garden of no 125;
- asymmetric form with a projecting gabled wing, high-pitch hipped roof with a transverse gable, front verandah inset under the main roof form (173);
- stylistic detailing including the face brick chimney, half-timbering treatment to the gable end, doorway with a sidelight and highlight, and turned timber verandah posts and timber brackets (173); and
- single-storey gable roofed form with an early weatherboard-clad rear wing with skillion roof, as well as the original or early weatherboard cladding to the east elevation (191).

Later changes (especially those applied after the Smith family's ownership) are not significant.

How is it significant?

Wendouree and Canary Island Date Palms at 125 Cherry Tree Road, and the two Smith Orchard Houses at 173 and 191 Cherry Tree Road, Hurstbridge, is of local historical, representative and associative significance to the Shire of Nillumbik.

Why is it significant?

The group of houses built for generations of the Smith family at 125, 173 and 191 Cherry Tree Road, Hurstbridge, are historically significant for its demonstration of the shire's key historical development period. The cluster of properties evidence the hayday of the fruit-growing industry between 1880 and 1910, and the continuation of the smaller-scale orcharding industry into the 1970s. The houses are built of timber and are basic in form and design reflecting the rural origins of the area. The Smith properties had close association with surrounding land, where they operated commercial orchards and other agricultural businesses including poultry farm. The two mature Canary Island Date Palm trees in the front garden of no 125 are good specimens of a very fashionable tree during the first decades of the twentieth century. **(Criterion A and D)**

The group of houses at 125, 173 and 191 Cherry Tree Road, Hurstbridge, is significant for their generational association with the Smith family. Edwin Smith and his wife Louise established orchard and farm from 1877 with 20-acre occupation licence issued under the Amending Land Act 1869. Edwin and Louisa raised their 11 children at the earlier family home 'Beaumont'. Some of their children continued working at the family orchards, settling in new homes built in the vicinity. 'Wendouree' at 125 Cherry Tree Road was built c1910 for George John Smith and his wife Barbara (née Bradley) shortly after their marriage. The c1915 house at 173 Cherry Tree Road was built for Bert Smith and his wife Mabel (née Suttie). Edwin and Violet Smith (née Bartlett) brought up nine children in the house at 191 Cherry Tree Road. The Smiths were among a number of local families who settled in the Hurstbridge/Panton Hill area, taking up a number of occupation licences in the 1860s in close proximity under the names of various family members. Members of the Smith family continued the agricultural operation for over 100 years into the 1970s. **(Criterion A and H)**

(i) The issues

The issues are whether:

- the property at 191 Cherry Tree Road, Hurstbridge should be removed from the 'Wendouree' and Canary Island Palms, and Smith Orchard Houses Group serial listing (HO285)
- the 'Wendouree' and Canary Island Palms, and Smith Orchard Houses Group (HO285) serial listing meets the threshold for historic, representative and associative significance without 191 Cherry Tree Road, Hurstbridge
- the Statement of Significance and citation for the heritage place should be amended.

(ii) Planning Practice Note 1: Applying the Heritage Overlay

In relation to group, thematic and serial listings PPN01 states:

Places that share a common history and/or significance, but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place. Each place that forms part of the group might share a common statement of significance; a single entry in the Heritage Overlay schedule and a single Heritage Overlay number.

(iii) Evidence and submissions

The landowner opposed application of the Heritage Overlay to 191 Cherry Road, Hurstbridge.

The landowner of 191 Cherry Tree Road submitted:

- the house was in extremely poor condition and in a substantially altered form
- key windows and door openings had been replaced and the chimney no longer remained
- subdivision of the land has impacted its setting
- the exterior cladding and roofing materials were dilapidated and need replacing.

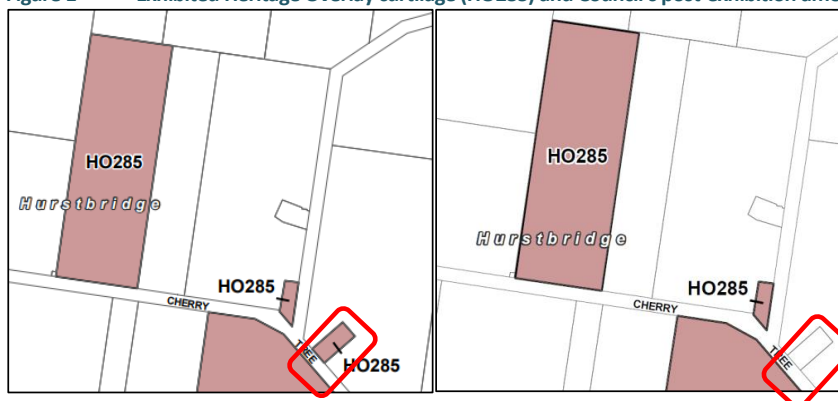
Mr Huntersmith's evidence was limited to 191 Cherry Tree Road. He:

- acknowledged the extent of alterations

- noted the house while legible as an early house, its intactness was greatly diminished by its alterations
- considered extensive remedial work would be required to bring the house back to a fair condition which would involve the removal of extensive fabric, resulting in integrity loss
- agreed the loss of the house's original setting had impacted intactness of the place
- considered while the house has historical value, its significance was better recognised through archival recording and interpretation
- recommended the following changes as part of a revised Statement of Significance:
 - 191 Cherry Tree Road be removed from the Heritage Overlay and the place name revised to *'Wendouree' and Canary Island Date Palms, and Smith orchard house*
 - the place address revised to 125 and 173 Cherry Tree Road, Hurstbridge
 - to delete references to 191 Cherry Tree Road under 'What is significant?' and 'Why is it significant?'.

In response to questions from the Panel, Mr Huntersmith considered the serial listing of the remaining two properties remained appropriate and consistent with PPN01. Council supported the evidence of Mr Huntersmith and his proposed changes to the Statement of Significance and reduction of the curtilage consistent with the revised mapping in Figure 1.

Figure 1 Exhibited Heritage Overlay curtilage (HO285) and Council's post-exhibition amended curtilage



Source: Exhibited Heritage Overlay mapping (left) and Council Part A submission (Attachment 2) amended mapping (right). Images annotated by Panel

The Panel sought clarification from Mr Huntersmith regarding the drafting of the Statement of Significance. It observed that Criterion A is grouped with both Criteria D and Criteria H under the heading 'Why is it significant?'. Mr Huntersmith advised the Panel he considered this was consistent with PPN01 and avoided content duplication. He indicated however they could be separated out. Mr Paul, when asked by the Panel, supported singling out each criterion.

In response to the submission and following further analysis Council observed:

the extent and degree of remedial works required [to the place] would be substantial. A large portion of the significant fabric would need to be replaced in order to bring the house back to fair condition resulting in a loss of the integrity of the house.

Council's post-exhibition changes proposed that 191 Cherry Road be removed from the Amendment.

While Mr Huntersmith's evidence included a list of recommended changes, neither he or Council provided a revised Statement of Significance or citation.

(iv) Discussion

Significance

The Panel's inspection of the three properties forming the exhibited serial listing confirmed:

- the extent of alterations and additions to the earlier structure at 191 Cherry Tree Road consistent with the description in Mr Huntersmith's evidence (Figure 2)
- the level of intactness and integrity of 125 and 173 Cherry Road, consistent with the description in the citation
- their spatial separation.

The Panel accepts that 191 Cherry Tree Road does not meet the threshold for significance because of the impact of changes on its integrity, and it should not be included as part of the serial listing.

The buildings at 125 and 173 Cherry Tree Road are of historical, representative and associative significance.

Figure 2 191 Cherry Tree Road, Hurstbridge



Source: Evidence of Mr Huntersmith (Figure 6.1)(Document 6)

Serial listing

The deletion of 191 Cherry Tree Road reduces the serial listing to two properties. The Panel has considered whether, in these circumstances, it is appropriate for a serial listing to apply to 125 and 173 Cherry Tree Road.

The Panel considers it is appropriate to apply a serial listing to 125 and 173 Cherry Tree Road because the buildings:

- have a common basis of heritage significance and are capable of being managed by a single Statement of Significance
- have well defined characteristics
- are recognisable as a group
- are significant heritage buildings.

Canary Island Date Palms

While no submission objected to the inclusion of the Canary Island Date Palms at 125 Cherry Tree Road as significant elements, the Panel makes the following observations consistent with its conclusions in Chapter 4.

The citation notes:

- 'Wendouree' is visible in the two aerial photographs taken in 1951 and 1987.
- The Canary Island Date Palms existed by 1951, indicating that they were planted between 1918 and 1951, during George and Barbara Smith's ownership.

On this basis, the Panel accepts it is appropriate to include the Canary Island Date Palms as heritage elements because they were planted contemporaneously with the development of the house at 125 Cherry Tree Road.

Statement of Significance and citation changes

PPN01 states:

The importance of the place needs to be justified against the heritage criteria listed above. A separate point or paragraph should be used for each criterion satisfied.

On this basis, the Panel considers the grouping of 'Criteria A and D' and 'Criteria A and H' is inappropriate. Criteria A, D and H should be explained in the Statement of Significance within separate paragraphs relevant to each criterion.

The Panel preferred version of the Statement of Significance is included in Appendix D:1. It includes the:

- changes recommended by Mr Huntersmith
- other minor changes identified by the Panel to improve clarity under 'What is significant?' and removal of the reference to a 'cluster of houses' under 'Why is it significant?'
- a notation that the criterion under 'Why is it significant?' be redrafted into separate paragraphs for each citation.

(v) Conclusions and recommendations

The Panel concludes:

- The property at 191 Cherry Tree Road, Hurstbridge does not achieve the necessary threshold for local significance.
- The remainder of the serial listing achieves the threshold of local historical, representative and associative significance, and it is appropriate to apply the Heritage Overlay to 125 and 173 Cherry Tree Road.
- The citation should be amended consistent with changes to the Statement of Significance.

The Panel recommends:

Delete application of the Heritage Overlay (HO285) to 191 Cherry Tree Road, Hurstbridge.
Amend the 'Statement of Significance: 125, 173 and 191 Cherry Road, Hurstbridge, June 2021' consistent with the Panel preferred version in Appendix D:1 and with further changes under 'Why is it significant' to include separate paragraphs for Criterion A, D and H.

6 Individual heritage places

6.1 Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek (HO309)

Exhibited Statement of Significance



What is significant?

Arthurs Creek Mechanics' Institute located at 906 Arthurs Creek Road, Arthurs Creek. The original form, materials and detailing of the Mechanics Institute with later rear addition and the former stables (1890) are integral to the significance of the site.

Additions and alterations after 1945 are not significant.

How is it significant?

Arthurs Creek Mechanics' Institute is of local historic, aesthetic and social significance to the Shire of Nillumbik.

Why is it significant?

Arthurs Creek Mechanics' Institute is historically significant as an early and important public building in the township of Arthurs Creek since 1887. Constructed in 1887, the Mechanics' Institute demonstrates the heyday of Arthurs Creek in the late 19th century, when there was a much larger population in the area and it played an important role in the townships continuing development. The building is of significance a substantially intact example of a Mechanics' institute constructed in the Shire during the Victorian period. The Mechanics' Institute is a visual reminder of the once more populous township of Arthurs Creek as it developed in the late Victorian period and early twentieth century. The Mechanics' Institute has been the venue for meetings of various clubs and associations and a wide variety of benefit events in the area's community life during that time. This has included its provision of a library and adult education services focussed on the particular needs of the local area. **(Criterion A)**

Arthurs Creek Mechanics' Institute is aesthetically significant as a substantially intact example of a weatherboard Victorian Mechanic's Institute. Key features of its late Victorian style include the all-encompassing gable roof form, timber framed double hung windows and their placement, double doors to the front, gable end decoration and weatherboard cladding. A former stable is located at the rear of the site. **(Criterion E)**

(i) The issues

The issues are whether:

- the Statement of Significance and citation for the place are accurate
- outbuildings should be exempt from notice requirements.

(ii) Evidence and submissions

The Arthurs Creek Community Centre Management Committee which manages the hall (former Mechanics Institute) acknowledged the heritage significance of the building. The submission identified two specific issues relating to the content of the citation.

First, the citation identified there was 'No' incorporated plan, however the submission said the management committee was an Incorporated body. Second, the 'former stables' referred to under 'Outbuildings and fences exempted' have been demolished. The other external structure was a storage shed constructed in 2015. It submitted this section of the Heritage Overlay Schedule should say 'No'.

Dr Paul's evidence was:

- a review of the citation and the submission confirmed *"the supposed early stables building was misidentified in the original citation"*
- the Heritage Overlay Schedule should be amended to replace 'Yes' with 'No' under the 'Outbuildings or fences not exempt under Clause 43.01' column.

Council supported the changes proposed by Dr Paul and provided an updated Statement of Significance during the Hearing (Document 24) which removed references to the outbuildings. An amended citation (Document 47) was provided with Council's Part C (Part 2) submission which included a number of grammatical and criterion corrections identified by the Panel. Council advised that the citation changes would be used to amend the final Statement of Significance.

(iii) Discussion

Significance and outbuilding controls

The Panel inspected the subject land and observed that the former Mechanics Institute Building and grounds were well presented and maintained. It was difficult to establish when the two storage buildings were erected given they have been sympathetically constructed using similar materials and roof forms. The Panel however accepts the evidence of Dr Paul that they were not stables associated with the Mechanics Institute, and there is no need for the usual notice exemptions for outbuildings not to apply.

Statement of Significance

Dr Paul did not provide a copy of an amended Statement of Significance in his evidence but acknowledged the need to remove references to the stables in the Statement of Significance. The Panel identified several errors in the Statement of Significance including (Panel's emphasis):

- reference to Mechanics'
- Heritage Place description reference to 'Arthur's Creek'
- reference to **'social'** significance in 'Why is it significant?' when it is not an attributed criterion under 'How is it significant?' (this is an error repeated in many Stage B Heritage Review statements of significance and is discussed in Chapter 7).

Dr Paul acknowledged these errors which were largely addressed in the amended citation (Document 47) although the Panel notes that the description under 'What is significant?' is expressed differently to the amended Statement of Significance (Document 24). Given the amended citation is more recent the Panel has relied on this content to inform its preferred version of the Statement of Significance. The Panel preferred version includes the removal of extraneous apostrophes under 'Why is it significant?'. The Panel notes the 'Primary source'

citation reference also needs to remove an apostrophe. Changes to the source references are discussed further in Chapter 7.

The reference in the citation to there being no 'incorporated plan' has a different statutory planning control meaning than the Centre Management Committee attributed to it being an incorporated entity. The Amendment does not provide for an incorporated plan that might for example provide for a range of further permit exemptions. The citation appropriately identifies that there is no incorporated plan.

(iv) Conclusion and recommendations

The Panel concludes:

- The Heritage Overlay Schedule should be amended to replace 'Yes - Former Stables' with 'No' in the 'Outbuildings or fences not exempt under Clause 43.01-4'.
- The Statement of Significance should be amended, generally consistent with Council's amended citation (Document 47) and consistent with the Panel preferred version in Appendix D:2.
- The citation should be amended consistent with Council's amended citation (Document 47). The updating of citations is discussed in Chapter 7.

The Panel recommends:

Amend the 'Statement of Significance: Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek, July 2022' consistent with the Panel preferred version in Appendix D:2.

Amend the Schedule to Clause 43.01 Heritage Overlay to replace 'Yes - Former Stables' with 'No' in the 'Outbuildings or fences not exempt under Clause 43.01-4' column for the 'Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek' (HO309).

6.2 Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek (HO311)

Exhibited Statement of Significance



What is significant?

Arthurs Creek Cemetery at 1165 Arthurs Creek Road, Arthurs Creek. The cemetery landscaping, grave sites, chapel, gates and entry tree avenue containing Cypress planted in 1959 and Sugar Gums and Oaks planted in 1963 and the pines to the boundaries and cemetery setting contribute to the significance of the place.

How is it significant?

Arthurs Creek Cemetery is of local historic, aesthetic, social and associative significance to the Shire of Nillumbik.

Why is it significant?

Arthurs Creek Cemetery is historically significant for demonstration of the early settlement of the Arthurs Creek area as well as providing documentary history of the families living in the district from its beginnings until the present day. The cemetery was gazetted in 1867 however the land on which it sits was previously part of the property, Hazel Glen owned by the Reid family. A private cemetery was established when Agnes Reid died in 1847 and was buried on a hill on the property that provided views of the ranges. The cemetery was later to be gazetted on this hilltop location. The cemetery not only demonstrates an early cemetery layout and features but the changing practices and operation of cemeteries illustrated by the initial establishment as a private burial, early, denominational layout, accommodation of multi-faiths and cremations, on site chapel, non-denominational section and bush garden landscape. **(Criterion A)**

Arthurs Creek Cemetery is aesthetically significant as a representative example of a rural cemetery established in the mid-1800s. It provides examples of late Victorian headstones and cast iron cemetery surrounds as well as demonstrating the early denominational layout of a cemetery. The bush garden section for cremated ashes is of aesthetic interest and links to the history of native landscaping in the Shire. The two sets of entry gates, pine boundary planting, entry avenue with Cypress, Sugar Gums and Oaks and picturesque hillside setting contribute to the aesthetic significance of the place. **(Criterion E)**

Arthurs Creek Cemetery is of social significance as an important commemorative site valued by the Arthurs Creek district community **(Criterion G)**.

The Arthurs Creek Cemetery contains graves of prominent families who have had a long association with the district, including the Bassett, Christian, Draper, Murphy, Reid, Sutherland and Smith families. **(Criterion H)**

(i) The issue

The issue is whether the Arthurs Creek Cemetery at 1165 Arthurs Creek Road, Arthurs Creek is of local heritage significance and the Heritage Overlay (HO311) applied.

(ii) Evidence and submissions

The Arthurs Creek Cemetery Trust opposed the Amendment because:

- Council does not have jurisdiction over crown land
- the history and heritage of the cemetery was a focus for the Cemetery Trust and further controls were not in the best interests of the cemetery or community
- the citation contains errors and inaccuracies (although these were not specified).

The evidence of Dr Paul was that it was not unusual for Heritage Overlay to apply to cemeteries at a local level. Dr Paul was unable to advise the Panel about which set of gates (at the road frontage entry or to the cemetery reserve) were significant.

Council's Part C (Part 2) submission confirmed that both sets of gates are significant. An amended citation was provided (Document 37) which included changes under the 'Statement of Significance' section to include both sets of gates under 'What is significant?' and to correct other minor errors.

(iii) Discussion

The Panel is aware that many cemeteries have the Heritage Overlay apply. In response to Panel questions, Dr Paul indicated that the rural setting and number of early graves including those of families associated with key phases of the local district's early development was significant.

In the absence of an understanding of the errors referred to in the submission, the Panel was unable to seek clarification from Dr Paul on whether further changes to the Statement of Significance or citation were required to address them. However, the Panel is satisfied that the citation provides sufficient information to underpin the Statement of Significance and establish that Arthurs Creek Cemetery meets the threshold for historic, aesthetic, social and associative significance. Council's amendments to the citation are appropriate and have been incorporated into the Panel preferred version of the Statement of Significance in Appendix D:3. The Panel preferred version includes additional minor changes to improve clarity by deleting 'representative' from the Criterion E statement. Citation changes are discussed in Chapter 7.

The Panel observes that Clause 43.01 exempts the need for a permit for future burials at the cemetery minimising the impacts of the Amendment on the Cemetery Trust.

(iv) Conclusions and recommendations

The Panel concludes:

- The Arthurs Creek Cemetery is of local historic, aesthetic, social and associative significance and the Heritage Overlay (HO311) should be applied.
- The Statement of Significance should be amended consistent with Council's amended citation (Document 37) and the Panel preferred version of the Statement of Significance in Appendix D:3.
- The 'Outbuildings or fences not exempt under Clause 43.01-4' provisions for Arthurs Creek Cemetery, should be amended to refer to the 'Road and Cemetery Reserve Gates'.

The Panel recommends:

Amend the 'Statement of Significance: Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek, July 2022' consistent with the Panel preferred version in Appendix D:3.

Amend the 'Outbuildings or fences not exempt under Clause 43.01-4' column for 'Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek' (HO311) to replace 'Yes – Gates' with 'Yes – Road and Cemetery Reserve Gates'.

6.3 Larch Hill, 2 Hillmartin Lane, Diamond Creek (HO319)

(i) The issue

The issue is whether Larch Hill at 2 Hillmartin Lane, Diamond Creek should be removed from the Amendment and the Heritage Overlay not be applied.

(ii) Evidence and submissions

Submissions 1 and 19 opposed the Amendment. In response to the submissions, Council reviewed the place and agreed that:

much of the fabric of the house is new. Some original material has been recycled but comprises only a window and verandah posts. The house no longer meets a local threshold in terms of intactness and integrity of the house.

The evidence of Dr Paul was adopted by Council and confirmed its proposed post-exhibition position to no longer apply the Heritage Overlay to 2 Hillmartin Lane, Diamond Creek. He stated:

The 2004 plans indicate that the entire house was rebuilt apart from the chimneys. The replacement house, while substantially similar to the original in overall form and recycling some limited material in terms of a window and some verandah posts, incorporated different and new window openings, new French doors to the front elevation and removed the original doorway entry as well as original verandah deck.

Consequently, the combination of alterations in detail and nearly completely new fabric mean the house no longer meets a threshold of significance in terms of integrity to the original.

(iii) Discussion

The Panel viewed the subject land from the public realm. While the house has an attractive landscape setting and retains the form characteristic to the earlier rural dwelling, the fabric has essentially been replaced. As a result, it has lost much of the original building integrity and does not achieve an appropriate threshold level to be of local heritage significance.

(iv) Conclusion and recommendation

The Panel concludes:

- Larch Hill at 2 Hillmartin Lane, Diamond Creek does not meet the threshold for local heritage significance and should be removed from the Amendment and the Heritage Overlay (HO319) not be applied.

The Panel recommends:

Delete the Heritage Overlay (HO319) from Larch Hill at 2 Hillmartin Lane, Diamond Creek.

6.4 'Greet', 162 Murray Road, Diamond Creek (HO321)

(i) The issue

The issue is whether 'Greet' at 162 Murray Road, Diamond Creek should be removed from the Amendment and the Heritage Overlay not be applied.

(ii) Evidence and submissions

The landowner submission opposed the Amendment.

Dr Paul advised that the site was visited in September 2023 with the owner and he viewed plans of previous alterations and additions. He was of the opinion the house did not meet the threshold of significance in terms of intactness and integrity and observed:

- only two rooms from the 1926 plan are unaltered
- most windows and doors have been altered, including to the front windows
- two of the four sides of the house have been completely changed by glazing at rear and addition to the side
- a new verandah and addition made to the front of the house
- original entry is no longer extant
- it is difficult to discern any original 1890s fabric or original form of the nineteenth century house within the enveloping interwar additions, rendering the section of the citation and statement of significance relating to the nineteenth century redundant
- the form of the interwar house has also been overwhelmed by multiple post-war alterations and additions, including to the front windows and doorways and the addition of the new verandah
- the outbuildings were inspected and were not considered to demonstrate any c.1917 or other notable early fabric.

Council's submission supported the evidence of Dr Paul and confirmed that it no longer proposed to apply the Heritage Overlay to 162 Murray Road, Diamond Creek.

(iii) Discussion

The Panel viewed the subject land from the public realm. While externally the original form of the dwelling can be discerned from the extension, it is was readily apparent that the street facing façade had been reclad to match the extension. The Panel accepts the evidence of Dr Paul that the place has had much of its original fabric removed which has significantly impacted its level of intactness and integrity. The place does not achieve the necessary threshold to establish historic and representative significance.

(iv) Conclusion and recommendation

The Panel concludes:

- 'Greet' at 162 Murray Road, Diamond Creek does not meet the threshold for local heritage significance and should be removed from the Amendment and the Heritage Overlay (HO321) not be applied.

The Panel recommends:

Delete the Heritage Overlay (HO321) from 'Greet' at 162 Murray Road, Diamond Creek.

6.5 'Villa Bereguardo', 32-34 Perversi Avenue, Diamond Creek (HO323)

Exhibited Statement of Significance



What is significant?

The house at 32-34 Perversi Avenue, Diamond Creek, built in 1934 to designs by the architect FW Thomas for Giuseppe and Sicilia Perversi, is significant. Elements that contribute to the significance of the place include its original form, materiality and detailing, the early or original outbuilding to the northeast of the house, and the palm trees.

How is it significant?

The property at 32-34 Perversi Avenue, Diamond Creek is of local historic, aesthetic and technical significance to the Shire of Nillumbik. The property is also significant for its rarity within the Shire.

Why is it significant?

The property at 32-34 Perversi Avenue, Diamond Creek, is historically significant as a house built as a weekend residence for a prosperous Italian family based in Melbourne. Constructed in 1924, the property was initially used for leisure until 1929, when the family relocated to the site as their permanent residence. The house was named Villa Bereguardo after the town in Italy from which the Perversi family came. The presence of the Perversi family demonstrates pre-WW2 Italian migration to the Nillumbik area, and more broadly within Victoria. The house is also historically significant as an example of the increasingly popular use of concrete for residential construction in the early interwar period. **(Criterion A)**

The property at 32-34 Perversi Avenue, Diamond Creek is significant as a rare and substantially intact example of a 1920s residence demonstrating the early use of reinforced concrete in the Shire. Surviving examples of this type of construction from this period are rare, and were usually concentrated around the inner suburbs of Melbourne rather than rural areas, as the Shire of Nillumbik was at the time. **(Criterion B)**

The property at 32-34 Perversi Avenue, Diamond Creek is aesthetically significant for the substantially intact 1920s architect designed concrete house that retains many of its original features including its overall original form with hipped roof, veranda to three sides, and corner wings to the rear. The pavilion form of the house, decorative undulating veranda balustrade, timber fretwork, leadlight windows, chimneys and small gables make it a particularly good example of non-suburban bungalow design in the 1920s. The location of the house on the crest of a hill, facing the valley, and the two palm trees at the front contribute to the aesthetic significance of the site. **(Criterion E)**

(i) The issues

The issues are whether the:

- property at 32-34 Perversi Avenue, Diamond Creek is of local heritage significance and the Heritage Overlay (HO323) be applied
- palm trees should be identified as significant elements of the place and tree controls apply

- curtilage of the Heritage Overlay is appropriate
- prohibited uses permitted provisions are appropriate.

(ii) Evidence and submissions

The landowner accepted the house and outbuilding had historical significance but opposed the extent of the curtilage to the whole property and the identification of the palm trees as significant elements. The submission indicated the three palm trees were not native, two had been moved and one was in poor health and did not contribute to the significance of the place.

Dr Paul's evidence was:

- the house appears substantially intact to its original design that architecturally and aesthetically compares well with other houses of the type in the Heritage Overlay in Nillumbik
- the palm trees contribute to the aesthetic significance of the house as representative plantings of the period that contribute to the grand setting of the house and may also be contemporaneous with the occupation of the house by the Perversi family.

Dr Paul noted:

If it were established that the trees were not contemporaneous with the occupation of the house by the Perversi family, then this would reduce their contribution to the historical significance of the place.

Dr Paul confirmed in response to Panel questions that the place was of historic, rarity and aesthetic significance and not of technical significance as identified under 'What is significant?'.

The Panel questioned Dr Paul regarding the justification for permitting prohibited uses. He stated there was no reason to allow prohibited uses at this place. Council's closing submission supported permitting prohibited uses:

To give the building a wider range of future use options to ensure its long-term survival should it become necessary, including relating to farming or animals. Applications for prohibited uses would still be assessed by Council.

At the Hearing the landowner proposed the curtilage be reduced so that it applied only to the dwelling (and an adjoining 1.2-2.0 metre strip to the southern, eastern and western building edge), original outbuilding and the adjacent portion of the front garden including the larger, healthier palm tree (Figure 3). The landowner submitted the reduced curtilage would allow development of the site balance without the need for a planning permit.

Figure 3 Submitter proposed reduced Heritage Overlay curtilage



Source: Document 29

Council's Part C (Part 2) submission:

- confirmed its position that the curtilage should apply to the entire property to allow for the consideration of the impact on the place of any future additions
- included an amended citation (Document 42) which clarified the inconsistencies between the significance criteria that were applied under 'How is it significant?' and 'Why is it significant?' identified by the Panel. Council advised the revised citation would be used to finalise the Statement of Significance.

(iii) Discussion

Significance

The Panel accepts the evidence of Dr Paul that the house and original outbuilding are highly intact and have a high level of integrity. The citation provides an appropriate basis for establishing the place meets an appropriate threshold for historic, rarity and aesthetic significance.

The amended citation (Document 42) appropriately:

- confirms the place is of historic, rarity and aesthetic significance
- permits prohibited uses (although this was inconsistent with Council's stated position)
- corrects the place address to 32-36 Perversi Avenue.

Palm trees

The Panel accepts the submission of the landowner that at least two of the three palm trees have been relocated, one is not visible from the public realm and one (to the west of the driveway) is in poor health. Although no arborist reports were provided on the health of the trees this condition was not challenged by the Council or Dr Paul's evidence.

While the Panel acknowledges palm trees were an element of inter-war period landscaping (and indeed earlier periods) and they contribute to the setting of the place, it has not been adequately established that the trees were planted at the time the dwelling was constructed or planted by the Perversi family. No documents were provided such as early site plans or aerial photographs that demonstrate their provenance. The Panel is not satisfied that an appropriate threshold has been reached to reasonably conclude the palms contribute to the significance to the place beyond being consistent with the era of the dwelling and that they complement the place. This is not a sufficient basis on which to apply tree controls within a Heritage Overlay.

Curtilage

The reduced curtilage proposed by the landowner provides insufficient land around the dwelling to provide an adequate setting from the north and west (the main façade of the dwelling) given its prominent, elevated location. Given the historic, rarity and aesthetic significance of the place in this instance there is no clear basis for departing from the conventional practice of including the entire property within the curtilage. This provides an appropriate context for the place to be managed but does not prohibit other development on the site subject to a permit. In this regard the Statement of Significance would benefit from identifying the elements of the place that are not significant such as the garage, pool and associated infrastructure and other outbuildings to the rear of the dwelling. As identified in PPN01 it is useful to identify elements that are not of significance under 'What is significant?'.

Prohibited uses

There is no basis for permitting prohibited uses for this place. Despite the current application of the RCZ, the house is located in an established residential neighbourhood. Given the property size, extent of buildings, pool areas and established garden there is limited prospect of the place being used for farming.

(iv) Conclusions and recommendations

The Panel concludes:

- The house at 32-36 Perversi Avenue, Diamond Creek is of local historic, rarity and aesthetic significance and the Heritage Overlay (HO323) should be applied.
- The Heritage Overlay (HO323) should apply to the whole of the property.
- The Statement of Significance be amended, generally consistent with Council's amended citation (Document 42) but further amended consistent with the Panel preferred version (Appendix D:5) to:
 - remove references to the palm trees unless it can be established through aerial photography the trees were part of the early landscape planting by the Perversi family
 - identify the elements of the place that are not significant including later alterations and additions such as the garage, pool and associated infrastructure and other outbuildings to the rear of the dwelling.
- The citation should be amended consistent with the Panel preferred version of the Statement of Significance.
- The Heritage Overlay Schedule should be amended to:
 - not apply tree controls or permit prohibited uses
 - correct the property address as 32-36 Perversi Avenue, Diamond Creek.

The Panel recommends:

Amend the 'Statement of Significance: Villa Bereguardo, 32-34 Perversi Avenue, Diamond Creek, July 2022' consistent with the Panel preferred version in Appendix D:5.

Amend the Schedule to Clause 43.01 (Heritage Overlay) for 'Villa Bereguardo' 32 Perversi Avenue, Diamond Creek' (HO323) to:

- amend the heritage place address to '32-36 Perversi Avenue, Diamond Creek'
- replace 'Yes – palm trees' with 'No' in the 'Tree controls apply?' column
- replace 'Yes' with 'No' in the 'Prohibited uses permitted?' column.

6.6 Post Office and General Store, 920 Yan Yean Road, Doreen (HO327)

Exhibited Statement of Significance



What is significant?

The Doreen Post Office and General Store with attached residence and storeroom at 920 Yan Yean Road, Doreen, is Significant.

Elements that contribute to the significance of the place include:

- The original form of the store with splayed corner to address its siting on the intersection of two major roads
- The original materiality of the building, including brick walls and corrugated iron roof
- Key detailing of the store, including parapet wall with projecting courses, original lettering, and small window above the door on the corner splay
- The original form of the storeroom building
- The original materiality of the storeroom building, including brick walls and corrugated iron roof
- The original form of the attached residence
- The original timber materiality of the attached residence
- Original key details of the residence, including exposed rafters, timber framed windows and chimney

Other buildings on the site are not significant.

How is it significant?

The Doreen Post Office and General Store 920 Yan Yean Road, Doreen is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The Doreen Post Office and General Store is historically significant as an early social centre for the township of Doreen, having functioned as the Post Office since 1902. The period of ownership by the Owens during the 1930s is especially significant, as the family was the longest serving storekeepers, and the current building relates to their occupation. The Post Office and Store also has associations with the tourism history of the Shire. From the late nineteenth the General Store facilitated excursionists from the city en route to the scenic points of interest in the district. It is one of only a few surviving premises that evidence the early township of Doreen and at this key crossroads within the Shire. **(Criterion A)**

The Doreen Post Office and General Store is significant as an example of an interwar brick corner commercial building with earlier attached residence. The prominent corner location on a crossroads is also evocative of the Post Office and Store's role in the centre of social activity in the town. The shop retains its original brick walls, parapet with cornice and lettering, corner entry and shop windows. The residence retains its original roof form, weatherboard walls and front inset veranda. The store on the south side contributes to the site and demonstrates the changing needs and expansion of the commercial aspects of the site. **(Criterion D)**

(i) The issues

The issues are whether the:

- Doreen Post Office and General Store at 920 Yan Yean Road, Doreen, is of local heritage significance and the Heritage Overlay (HO327) should be applied
- Statement of Significance and citation are accurate.

(ii) Evidence and submissions

The submission on behalf of the landowner, supported by heritage advice from Peter Andrew Barrett (dated 2 August 2023). Mr Barrett's advice, including suggested tracked changes to the citation, did not oppose the Amendment and supported permitting prohibited uses, but was concerned:

- about the reliance on street views rather than a detailed on site analysis, considering further detailed assessment should be undertaken before the Heritage Overlay is applied
- the citation was unclear about the significant elements of the place and greater certainty was required to minimise the financial implications of applying the Heritage Overlay.

Dr Paul advised he had undertaken a further inspection of the property and:

- the citation relied upon the exhaustive historical research carried out by Westbrooke and Mills
- despite the brick walls having been altered in recent years (including the painting of a mural on the west wall which is of no significance) they continued to illustrate the original form of the 1932-33 building
- the house dates from the period of John Davis' tenure as postmaster (1905/6-08) and it was during this period that a fire destroyed the original general store which was then rebuilt (the extant house can be dated to this period)
- the shop was extended with the current form dating to the interwar period (1933)
- the portion of the shop and house under the combined Dutch gable date to c1908
- the shop façade and extension under the hipped roof section dates to 1933, while the verandah posts are not original
- while the building has undergone change over time, these changes relate to its evolution as a combined shop and residence at the centre of the community
- its level of integrity is comparable to similar places on the Heritage Overlay and was a historical reminder of the former pattern of settlement and development in the municipality
- the place should be included in the Heritage Overlay
- no changes to the Statement of Significance were necessary.

While Dr Paul's evidence referred to changes to the citation that were not circulated with his evidence. An updated citation was subsequently provided before the commencement of Hearing Day 2 (Document 19) and prior to the landowner's Hearing submission. It included:

- in the name of the place: "*with attached residence*"
- '1908' among the relevant construction dates for the residence
- under 'Historical Context' and 'History' additional wording responding to some of Mr Barrett's comments and suggested changes
- more recent photos of the place
- minor changes against Criterion A and D under 'Assessment against criteria'
- a new 'Statement of Significance' section which:

- clarified the dates for construction of the Post Office and Store (1932-33) and residence (1908) and identified that post-war alterations are not significant under 'What is significant?'
- replaced 'aesthetic' with 'representativeness' under 'How is it significant?'

The landowner was provided with an opportunity to provide a further written submission addressing the revised citation. This was received on 20 November 2023 and sought further changes to address issues of concern including:

- not identifying buildings that are not significant, in particular the outbuildings to the east
- the lack of description of alterations for example, bricked-in sections of the western wall, now covered by the mural, insertion of an air conditioner in one of the smaller above door level windows, replacement of shop windows and that the shop verandah was a later addition
- inconsistencies about the period of construction of the Post Office and Store extension and the storeroom building, which if of a later period may not be significant
- the 'Description & Integrity' section was unclear, poorly constructed and confusing including about construction periods
- the Statement of Significance section did not include the storeroom building in the description, however it is listed as an element that contribute to the significance of the place.

Council's Part C (Part 2) submission included a further revised citation (Document 48 which was further corrected in Document 49) which:

- identified the verandah as postwar additions
- amended the place description to 'Post Office, General Store & Residence'
- under 'Statement of Significance' deleted references to the 'storeroom' building under 'What is significant?' and 'Why is it significant?' under Criterion D.

(iii) Discussion

Significance

The Panel visited the site from the public realm. While alterations to the place are evident, they have not diminished the level of intactness and integrity of the main elements of the place (the house, former Post Office and Store and storeroom, refer Figure 4).

Figure 4 920 Yan Yean Road, Doreen



Source: Stage B Heritage Review citation Figure 1. Green highlight – General Store element, yellow – residence, red – storeroom.

The significant elements of the place are clearly visible and the use of the buildings and their typology readily apparent through building form, materiality and detailing including window forms and early Post Office signage. The Panel agrees that post-war alterations and outbuildings are not significant including the storeroom to the south.

The Panel is satisfied that the place with its collective and related elements meets the threshold for historic and representative significance. This is supported by the detailed analysis contained in the citation including the comparative analysis.

Statement of Significance and citation

The Panel supports updating the Statement of Significance to reflect the proposed changes to the citation including deleting references to the storeroom and clearly identifying the elements of the place that are not significant (other buildings and post-war alterations) under 'What is significant?'. These changes reflect that outbuildings and later alterations such as changes to windows and the verandah addition are not significant. Further description of elements that are not significant are not required in the Statement of Significance.

The description of the place as 'Post Office, General Store & Residence' in the amended citation is appropriate and avoids the argument of which buildings preceded the other or are the attached buildings. The Panel preferred version of the Statement of significance (Appendix D:6) is based on Council's amended citation (Attachment 49) but amended to:

- consistently refer to 'store' as 'general store' to avoid confusion with the storeroom building
- clarify the location of the smaller general store windows above door level
- including 'elements' in the description of buildings not significant.

It is appropriate for the citation to clearly identify the later alterations, elements and additions as part of the 'Description & Integrity' section to assist in the interpretation of what is not significant about the place.

Prohibited uses

The Panel observes that the location of a former shop and storeroom building in the RCZ which prohibits these uses is an appropriate example of where using the prohibited uses permitted control can achieve a sensible planning outcome. The provision recognises the location of the place on the intersection of two main roads and the spatial relationship with the commercial precinct on the opposite corner. It also avoids ongoing uncertainty about existing use rights and enables uses that are consistent with the historic significance of the place to be allowed subject to a permit.

(iv) Conclusions and recommendations

The Panel concludes:

- The Doreen Post Office, General Store and Residence at 920 Yan Yean Road, Doreen, is of local historic and representative significance and the Heritage Overlay (HO327) should be applied.
- The Statement of Significance should be amended, generally consistent with Council's amended citation (Document 49) but further amended to reflect the Panel preferred version in Appendix D:6.
- The citation should be amended:

- generally consistent with amended version provided by Council (Document 49) and the Panel preferred version of the Statement of Significance
- to include further detail about buildings, elements and alterations which are not significant
- correct spelling and grammatical errors.

The Panel recommends:

Amend the ‘Statement of Significance: Post Office & General Store, 920 Yan Yean Road, Doreen, July 2022’ consistent with the Panel preferred version in Appendix D:6.

Amend the Schedule to Clause 43.01 (Heritage Overlay) heritage place description of ‘Post Office & General Store’ (HO327) to ‘Post Office, General Store & Residence’.

6.7 'Choong House', 10 Diosma Road, Eltham (HO275)

Exhibited Statement of Significance



What is significant?

The Choong House and garden, 10 Diosma Road, Eltham, designed by architects Biltmoderne and built between 1985 and 1988 for owner Ken Choong, is significant.

Elements that contribute to the significance of the place include the:

- original sculptural built form and scale, including the distinctive 'spinal wall' and central atrium;
- Mount Gambier limestone walls;
- expanses of glazing and ribbed aluminium panels;
- elements of Gordon Ford's original bush garden landscape design, including the central atrium and courtyard spaces, ponds, volcanic boulders and native plantings; and
- open steel carport, designed by Wood Marsh and built in 1988.

How is it significant?

The Choong House and garden, 10 Diosma Road, Eltham, is of local aesthetic and associative significance to the Shire of Nillumbik

Why is it significant?

The Choong House and garden, 10 Diosma Road, Eltham, is aesthetically significant as particularly well designed and detailed architect-designed house that is carefully sited within a bush garden landscape designed by Gordon Ford. Designed by architects Biltmoderne, the building's sculptural form is expressed in a palette of limestone, aluminium and glass. The use of fluid lines, refined metal and glazing juxtaposes with the house's solid limestone massing; both a reference to and clear break from the 'Eltham style'. The architects also designed furniture for the interiors of the house, showing an integrated approach to all aspects and functions of the site. In recognition of the innovative design, the house won the 1987 RAIA Victorian Merit Award for Outstanding Architecture and was profiled in the media and in books on architecture, including Graham Jahn's *Contemporary Australian Architecture* (published in 1994). The property's aesthetic significance is further enhanced by the bush garden elements including Ford's signature use of ponds, volcanic boulders and native plantings in the various garden spaces, designed to blend with the surrounding natural vegetation on the site, as well as the steel carport, built in 1988 to designs by Wood Marsh (the architectural firm created after Biltmoderne by two of its directors, Roger Wood and Randal Marsh) in a complementary style to the house. **(Criterion E)**

The Choong House is significant as an important early residential commission for the firm of Biltmoderne. The firm were to quickly become Wood Marsh with the departure of founding partner Dale Jones-Evans in 1987, and as such the site is one of only a handful of residences designed by the earlier partnership. It can be read as a formative piece of work that influenced the designs of many of the later commissions by Wood Marsh. The commissioning of Choong House coincided with a period of great recognition for Biltmoderne, where their work was celebrated widely in the architectural community. The firm has since become internationally recognised for their work. **(Criterion H)**

(i) The issues

The issues are whether the:

- Statement of Significance and citation are accurate
- Heritage Overlay curtilage should be amended.

(ii) Evidence and submissions

The landowner supported application of the Heritage Overlay to the place but requested:

- the Statement of Significance should be revised to provide a clear and accurate basis for applying the Heritage Overlay
- the citation be updated to reflect information provided since the Stage A Heritage Review, consistent with a tracked changes version of the draft citation prepared for the landowner by Jim Gard'ner of GJM Heritage including:
 - referring to the remnants of the Gordon Ford landscape design
 - deleting the Eltham Style and furniture references
- reconfigure the curtilage of the Heritage Overlay as recommended by Mr Gard'ner, to protect the elements of the place that are of heritage significance such as the house, carport, and remnants of the Gordon Ford garden and its setting.

Mr Huntersmith's evidence acknowledged the need to correct the Statement of Significance and citation. His evidence supported:

- removing the ponds from the list of elements of Gordon Ford's original bush garden landscape design under 'What is significant?'
- removing references to the 'Eltham style' and architect designed furniture
- making minor editorial changes to the citation.

Mr Huntersmith did not support Mr Gard'ner's recommended curtilage because it did not allow for the full retention of the final stretch of the driveway from the west side of the property to the carport (including its serpentine layout) or provide a sufficient buffer to protect the native landscape setting to both sides of the of driveway and ensure the landscape setting, approach experience and views of the house on approach are protected.

Through cross examination Mr Huntersmith supported a number of additional citation changes recommended by Mr Gard'ner while others received qualified support. An amended citation was subsequently provided to parties during the Hearing (Document 18). The amended citation included:

- the deletion of 'and garden' from the place description
- aspects of the Gard'ner advice and changes made to the 'Statement of Significance' including those identified in his evidence. The changes are summarised in Appendix E.

Through cross examination by the landowner, it emerged that Mr Huntersmith had:

- viewed the Gard'ner advice and reduced curtilage and provided a response to Council on a second dwelling and two lot subdivision application for the property, albeit in his role as Heritage Adviser to Council
- provided advice in response to the Amendment submission to Council that supported a reduced curtilage broadly consistent with that proposed by Mr Gard'ner but including more of the vegetation along the driveway and providing a view to the dwelling (refer Figure 5).

Mr Huntersmith verbally confirmed his support for the reduced curtilage contained in the advice to Council on the property submission.

Figure 5 **Gard’ner and Paul Heritage Overlay curtilage recommendations for 10 Diosma Road, Eltham**



Source: Heritage advice to Nillumbik Council from Dr Paul (GML Heritage) 15/7/22 regarding 10 Diosma Road, Eltham (Document 17). Pink shaded area – curtilage recommended by Jim Gard’ner. Orange line - curtilage extent recommended by Dr Paul. Internal white lines relate to a proposed subdivision.

(iii) Discussion

Statement of Significance

The aesthetic and associative significance of the place or the application of the Heritage Overlay was not disputed by the parties. The main concern for the landowner was ensuring the documents were accurate and appropriately reflected the Gordon Ford landscape elements. The Panel’s accompanied site inspection was helpful in understanding both the level of intactness and integrity of the house and its bush setting but also the different landscape elements. The Panel is satisfied Mr Huntersmith’s amended version of the Statement of Significance and citation appropriately addresses most of the submitter concerns.

Curtilage

The Heritage Overlay curtilage remains as the main issue although the curtilage supported by Mr Huntersmith was ultimately supported by the landowner and aligned with earlier officer advice to Council. The Panel was disappointed that Mr Huntersmith’s earlier advice to Council regarding his response to the Gard’ner reduced curtilage and landowner’s original submission was not set out in his evidence and only became apparent to the Panel through cross examination.

While there was effectively agreement between the landowner and Mr Huntersmith about the alignment of a reduced curtilage, the Panel is of the view that the basis for it has not been adequately justified. The Panel accepts the site is large with parts densely vegetated which at the eastern portion of the site screen or allow only filtered views to the dwelling. Areas to the north of the dwelling are more sparsely vegetated and provide secondary views to the service areas or rear elevations of the dwelling. While it might be possible to reduce the curtilage to exclude areas to the north and east of the parcel there are no obvious features or clear points of references such as fences to establish the curtilage boundary. This is not a good planning outcome as it creates

uncertainty and potential for future dispute. The reduced curtilage is impractical and inconsistent with the guidance in PPN01 and there are no exceptional circumstances to warrant departure from standard heritage practice.

If a reduced curtilage was to apply it could potentially be limited to the most easterly section using observable boundary angle change points. However, the utility of reducing the curtilage for this portion of the property is unclear (other than to avoid the need for permits which may still be required under other overlays that apply to the place), particularly when the remnant bush setting is identified as an element of aesthetic significance.

The exclusion of the end of the driveway's landscaped edges to align with a potential additional lot is not an appropriate basis on which to reduce the curtilage. The reduction of the curtilage consistent with an approved lot may have some merit, however the landowner advised the subdivision application that was previously proposed did not proceed and no specific development proposal was presented to the Panel.

Future vegetation removal, development or subdivision of the parcel is a matter more appropriately dealt with through a permit application which would allow the impacts of the place to be holistically assessed and managed. In this regard the curtilage analysis advice of Mr Gard'ner is an example of how a permit process might determine where future development might occur in consideration of key view lines and the significant elements of the place.

Whether or not Choong House is of State significance is not a relevant consideration for determining local significance or establishing what the curtilage should be. The issue of potential State significance is a matter for a separate Heritage Council assessment process.

(iv) Conclusions and recommendation

The Panel concludes:

- The Heritage Overlay (HO275) should be applied to the whole of the property.
- The Statement of Significance should be amended, generally consistent with Council's amended citation (Document 18) and consistent with the Panel preferred version in Appendix D:7.
- The citation should be amended consistent with Council's amended version (Document 18).

The Panel recommends:

- **Amend the 'Statement of Significance: 'Choong House' 10 Diosma Road, Eltham, June 2021' consistent with the Panel preferred version in Appendix D:7.**

6.8 'Tilwinda', 130 Laughing Waters Road, Eltham (HO302)

(i) The issue

The issue is whether prohibited uses should be permitted for 'Tilwinda' at 130 Laughing Waters Road, Eltham (HO302).

(ii) Evidence and submissions

Parks Victoria's submission did not oppose the Amendment but sought a change to the Heritage Overlay Schedule to allow for prohibited uses.

Parks Victoria submitted:

Parks Victoria acknowledges the importance of having Heritage Overlays on land and buildings that are accurate and enabling for the protection and enhancement of the purpose of the heritage. As a land manager with an extensive estate and a history of managing some of Victoria's best heritage, Parks Victoria understands that the zoning and overlays need to enable the land manager to protect and conserve through a variety of means. Activating these spaces is a way that Parks Victoria can achieve the heritage values into the future.

...

Further to the reasoning here, Schedule 332 at 87 Latrobe Road Yarrambat already has the prohibited uses permitted by using the 'yes' function.

Parks Victoria manages a large number of heritage places across Victoria where zoning prohibits a range of uses that would otherwise enable a viable reuse. PPN1, Applying the Heritage Overlay advises that this provision "should only be applied to specific places. For example, the provision might be used for a redundant church, warehouse or other large building complex where it is considered that the normally available range of permissible uses is insufficient to provide for the future conservation of the building." 130 Laughing Waters Road meets the test provided in the PPN-1.

Council's submission supported allowing prohibited uses but provided no basis for the position despite being requested to do so. Dr Paul's evidence did not address the use of the provision for this place, observing in a more general statement that allowing prohibited uses may support the adaptive reuse of redundant buildings.

(iii) Discussion

Prohibited uses

The Panel understands that 'Tilwinda' is currently used as an artist's retreat and is located within the RCZ. It is not the Panel's role to provide advice as to whether the existing or primary use of the property is a permitted use or has existing use rights.

The Panel considers that, on balance, allowing for prohibited uses is appropriate in this instance. Parks Victoria is the land manager for 'Tilwinda' and it is appropriate to ensure that the place is able to be used for a variety of community type uses that could otherwise be prohibited in the zone. This provides for viable uses and a potential net community benefit. Any prohibited use would still be subject to the usual planning permit process and consideration of other planning policies and the purpose and decision guidelines of the RCZ.

Statement of Significance

The Panel notes the exhibited Statement of Significance does not identify the house as being of 'historic' significance under 'How is it significant?' despite it being an identified criterion under

‘Why is it significant?’ which identify it as being of historic and aesthetic significance. This consistency error is discussed in Chapter 7.2.

(iv) Conclusions and recommendations

The Panel concludes:

- Permitting prohibited uses is supported for this place.
- The Statement of Significance should be amended to add that the place is also of ‘historic’ significance under ‘How is it significant?’.

The Panel recommends:

- **Amend the Schedule to Clause 43.01 (Heritage Overlay) to replace ‘No’ with ‘Yes’ under the ‘Prohibited uses permitted?’ column for ‘Tilwinda’, 130 Laughing Waters Road, Eltham’(HO302).**
- **Amend the ‘Statement of Significance: 130 Laughing Waters Road, Eltham, June 2021’ to add “historic and” to the description under ‘How is it significant?’.**

6.9 Diamond Valley Miniature Railway, 570-576 Main Road, Eltham (HO276)

Exhibited Statement of Significance



What is significant?

The Diamond Valley Miniature Railway, Eltham Lower Park, at part of 570 Main Road, Eltham, a miniature railway complex constructed from 1961, is significant.

Elements that contribute to the significance of the place include:

- the original scale and form of the complex within the natural bush landscape setting;
- Edwardian-style train stations and platforms, workshop and picket fencing;
- other railway elements reflecting the use such as the signal box, turntable and tracks and signage; and
- the rolling stock, which includes privately-owned assets.

Other elements that support the general recreational use of the place contribute to the use of the place but should be open to alteration.

How is it significant?

The Diamond Valley Miniature Railway Eltham Lower Park, at part of 570 Main Road, Eltham, is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

The Diamond Valley Miniature Railway, Eltham Lower Park, at part of 570 Main Road, Eltham is historically significant as an early miniature railway complex built in Victoria. Operating at its current site since 1961, it is important as a popular long-term recreational facility within Nillumbik. It is evidence of the ongoing fascination with railways and their components. It provides physical evidence of a form of leisure activity, and tourism, that emerged during the postwar period and has remained popular as a community recreational complex. **(Criterion A)**

Constructed from 1961, the Diamond Valley Miniature Railway is significant as an early and detailed representative example of a miniature railway complex built in Victoria. It is distinguished as a substantial example that includes a comprehensive complex of buildings and infrastructure elements which are designed to be convincing replicas of an Edwardian railway system and its components. It contains numerous buildings and landscape elements which enhance the experiential qualities of the place. The incorporation of picnic facilities encouraging use, and gatherings, by the public and broader community for events and recreation is also significant. **(Criterion D)**

(i) The issues

The issues are:

- whether the place is of social significance
- whether the Statement of Significance and citation should be amended.

(ii) Evidence and submissions

The Diamond Valley Railway Inc. supported the identification of the place as being of historic and representative significance. It submitted however it had concerns about the impact of the Heritage Overlay including:

- ability to modify existing or build new structures to meet safety requirements without impacting their insurance and minimise delays associated with approvals
- on the status of existing planning permits
- on the ability to expand the current circuit and to install solar panels
- costs and time associated with making planning permit applications, designing new structures sympathetic to the Edwardian-style architecture of the place.

It submitted the “*rolling stock*” should be removed as an element contributing to the significance of the place in the Statement of Significance.

Mr Huntersmith carried out a detailed site inspection of the site in August 2023 with a member of the Diamond Valley Railway Inc. which explained identified:

the strong and special association between the railway complex and members of the Diamond Valley Railway Inc, which is longstanding and continuing. The place has been the gathering place of its members for 62 years. As noted in the submission, the development, maintenance and operation of the railway have been realised by members’ efforts, who devoted their time and resources on a volunteer basis. The extant miniature railway facilities and landscaping features, such as the ‘Avenue of Honour’ that commemorates members who passed, are tangible evidence of this strong attachment. I recommend that the strong social value is acknowledged through the application of Criterion G (social value).

He included an amended Statement of Significance in his evidence which included under ‘What is significant?’ removing ‘rolling stock’ as a significant element and:

- adding the ongoing use of the site as a miniature railway and integration with the landscape setting and its railway operation
- adding the ‘Avenue of Honour’
- clarifying signal box and signals references, gauge scale and scale of the Edwardian-style elements
- adding contributing elements including later railway infrastructure and other operational supporting structures.

These changes were included in a track-change version of the Statement of Significance. Council supported Mr Huntersmith’s recommended changes but was unaware if the Diamond Valley Railway Inc. was aware of his recommendation to add Criterion G. It undertook to advise the submitter before providing its Part C (Part 2) submission although that submission did not refer to that discussion having taken place.

(iii) Discussion

Significance

There was no dispute through submissions or evidence that the Diamond Valley Miniature Railway is of historic and representative significance. On this basis the Panel has not considered whether the threshold for significant against Criterion A and D has been achieved. The Panel supports the methodology applied to preparing the Heritage Reviews and citations which have informed the Statement of Significance.

PPN01 identifies that Criterion G (social) relates to *“Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.”* The Panel is satisfied that based on the evidence of Mr Huntersmith there has been an important and ongoing association between the volunteers who have been operating the miniature railway for over 60 years. This is not reflected in the exhibited Statement of Significance.

The Panel encourages Council to pursue discussions with the Diamond Valley Railway Inc. to discuss the addition of social significance prior to adopting the Amendment and final version of the Statement of Significance.

Changes to Statement of Significance

The Panel supports the changes to the Statement of Significance proposed by Mr Huntersmith to clarify elements of significance and add social significance as set out in its preferred version in Appendix D:8. Proposed changes include, under the heading ‘What is significant?’:

- removing reference to the ‘ongoing use’ of the site as a significant element
- removing the statement *“Other elements that support the general recreational use of the place contribute to the use of the place but should be open to alteration”* which is vague and unclear
- identifying that later railway infrastructure is not significant.

The Panel has observed the Statement of Significance and citation describes the place as ‘part of 570 Main Road’ whereas the place references in the schedules to clauses 43.01 and 72.04 refer to ‘570-576 Main Road’. Council should review the address descriptions and apply the appropriate one.

Other issues

Issues relating to the ability to expand and modernise infrastructure, application costs or status of existing permits are discussed in Chapter 3. They are not a relevant consideration in determining the heritage significance of a place. Solar panel provisions are discussed in Chapter 4. The Panel supports Council’s position not to exempt the need for planning permits for solar panels to ensure any impacts of their siting can be appropriately managed.

(iv) Conclusions and recommendation

The Panel concludes:

- The Diamond Valley Miniature Railway meets the threshold for local social significance, in addition to historic and representative significance.
- The Statement of Significance should be amended consistent with the changes identified in the evidence of Mr Huntersmith and the Panel preferred version in Appendix D:8 including adding ‘social’ to the description of ‘How is it significant?’.
- The place address references should be confirmed to ensure document consistency before finalising the Amendment documentation.
- The citation should be amended consistent with the changes to the Statement of Significance.

The Panel recommends:

Amend the ‘Statement of Significance: Diamond Valley Miniature Railway, 570-576 Main Road, Eltham, June 2021’ consistent with the Panel preferred version in Appendix D:8.

6.10 Eltham War Memorial Building Complex 903-907 Main Road, Eltham (HO293)

Exhibited Statement of Significance



What is significant?

The Eltham Memorial Building Complex at 903-907 Main Road, Eltham, is significant.

The following features / components contribute to the significance of the place:

- Former Infant Welfare Centre building (1950-51);
- War Memorial Gates (1954);
- Eltham Preschool (1956);
- War Memorial Hall (former Children's Library) (1961);
- Stone sundial dedicated to Mrs Ada Lyon;
- Remnant stone rubble garden walls.

The Senior Citizens Centre building is of historical interest only.

How is it significant?

The Eltham War Memorial Buildings, Eltham, are of local historical, architectural (representative), and social significance to the Shire of Nillumbik.

Why is it significant?

The Eltham War Memorial Building Complex is historically significant as a group of community buildings in Nillumbik that incorporated a range of community services and facilities. The complex included infant and child welfare, children's library, senior citizens centre, gates and gardens, and demonstrates the concept of a 'useful' or functional war memorial. The complex evidences the dedicated work by community groups in the postwar period in organising fundraising and managing the construction both of local war memorials and local community facilities across Victoria. The combined community and memorial functions of the Eltham War Memorial complex demonstrate the efficient and pragmatic use of limited resources. While the construction of buildings associated with infant and child welfare was not a rare type of war memorial building, a coordinated complex of several child welfare buildings as a war memorial is rare in Victoria. **(Criterion A)**

The collection of structures comprising the Eltham War Memorial Building Complex are largely intact, highly representative examples of Modernist architect-designed community buildings. Key design elements across the collection of buildings include the overall simplicity of the buildings, the simple box-like built forms with flat (Infant Welfare centre) or low-pitched gable roofs (Preschool and War Memorial Hall) and large expanses of windows. The War Memorial Gates are an excellent representative example of memorial gates for their period. The slate clad pillars, wrought-iron gates and arched wrought iron scroll are all typical landscaping materials used in the 1950s. **(Criterion D)**

The former Infant Welfare Centre is distinguished by its box-like form, which is emphasised through its use

of planar wall surfaces and parapet, and is representative of a modern functionalist approach to design. The Preschool and War Memorial Hall buildings demonstrate characteristics of the 'Melbourne School' of post-war modernist architecture. This is reflected in their use of a steel portal frame to create an internal single span space that is enclosed with a lowpitched gable roof and large non-structural timber framed window walls. **(Criterion D)**

The Eltham War Memorial Building Complex is of social significance for its long and continuing associations with the local Eltham community to remember and honour those who fought in World War II. The site as a whole has played an ongoing role in the civic life of the local Eltham community since 1952, when the Infant Welfare Centre first opened on the site. The Eltham preschool, which has operated from the site since 1956, and the War Memorial Hall (former Children's Library) have served the community for over sixty years for various functions and activities, including the provision of services for children and meetings of local groups. **(Criterion G)**

(i) The issue

The issue is whether the Heritage Overlay curtilage is appropriate.

(ii) Submissions

Submissions 10 and 18 (Eltham Community Action Group) supported application of Heritage Overlay (HO293) without change. The Eltham Community Action Group identified it had sought inclusion of the place on the Victorian Heritage Register. While that application for listing at a state level was not ultimately supported, it relied on its submission to the Heritage Council Victoria in support of local heritage protection.

While not identified in the original submission, Submitter 11 considered that inclusion of the whole place within the Heritage Overlay prevented the redevelopment of part of the site for other community uses.

(iii) Discussion

The Panel supports the inclusion of the Eltham War Memorial Building Complex in the Heritage Overlay. While the buildings themselves are not aesthetically significant, they are of historic value as they are representative of Modernist architect designed community buildings. The places' heritage values also relate to:

- historic significance, particularly as a potentially rare example of a war memorial that incorporates a complex of community buildings funded by the community
- social significance to the local community, for its ongoing use for community use and memorials.

The significance of these elements is well set out in the citation. As identified by Council the application of the Heritage Overlay does not prohibit appropriate future development of the site and there is no need to reduce the curtilage to provide for future development opportunity.

The Statement of Significance should be revised to replace the reference to 'architectural (representative)' significance under the 'How is it significant?' with 'representative' consistent with the PPN01 criterion terminology.

(iv) Conclusions and recommendation

The Panel concludes:

- It is appropriate to include the entire place in the Heritage Overlay as proposed.
- The Statement of Significance should be amended under 'How is it significant?' to read:

"The Eltham War Memorial Buildings, Eltham, are of local historic, representative and social significance to the Shire of Nillumbik."

The Panel recommends:

Amend the 'Statement of Significance: Eltham War Memorial Building Complex, 903-907 Main Road, Eltham, June 2021' to replace the sentence under 'How is it significant?' with:

"The Eltham War Memorial Buildings, Eltham, are of local historic, representative and social significance to the Shire of Nillumbik."

6.11 House, 14-16 Warringah Crescent, Eltham (HO284)

Exhibited Statement of Significance



What is significant?

The house at 14-16 Warringah Crescent, Eltham, a concrete block and timber house built c1975 to a design by Peter Carmichael of Cocks Carmichael, is significant.

Elements that contribute to the significance of the place include:

- original form and scale of the house, designed to embrace the steeply sloping site;
- original materiality of the house, including concrete blocks, concealed flat steel deck roofs and horizontal timber boarding;
- original window and door openings and joinery
- open carport, constructed out of matching concrete blocks and timber; and
- siting on a steeply sloping block of land with the retention of its bush setting.

How is it significant?

The house at 14-16 Warringah Crescent, Eltham, is of local representative and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The house at 14-16 Warringah Crescent, Eltham, is of aesthetic and representative significance as a well-detailed architect-designed house that responds to its sloping bushland block. Designed by architect Peter Carmichael of Cocks Carmichael, the building's form is a carefully composed arrangement of low interlocking angular and rectilinear volumes set over two levels. Materially, the house has a restrained palette of clay-coloured concrete blocks and naturally finished horizontal timber weatherboard cladding. This palette responds chromatically to its landscape setting. The pursuit of complex and abstract geometry marks a distinct break from the 'Eltham Style' while the use of a natural palette of materials and low-lying forms maintains links with the earlier style. The property's aesthetic significance is further enhanced by the purposeful retention of its bush setting. **(Criteria D and E)**

(i) The issues

The issues are whether the:

- House at 14-16 Warringah Crescent, Eltham is of local heritage significance and the Heritage Overlay (HO284) should be applied
- Heritage Overlay curtilage should be reduced to apply to 16 Warringah Crescent, Eltham only
- Statement of Significance and citation are accurate.

(ii) Evidence and submissions

The landowner of 14 and 16 Warringah Crescent, Eltham opposed the Amendment because of the nature of changes to Warringah Crescent which had diminished the heritage character of the area and that the Amendment was *“too little, too late”*. The submission requested that if the Amendment was to proceed, it should not apply to the vacant parcel at 14 Warringah Crescent which was purchased after the construction of the house.

The evidence of Mr Huntersmith was:

The subject house, a concrete block and timber house built c1975 to a design by Peter Carmichael of Cocks Carmichael, is assessed to be of local representative and aesthetic significance to the Shire of Nillumbik as a well-detailed house that responds to its sloping bushland block.

He considered it a notable example of the style and period that retains its original material palette and materiality, is highly intact and compared well (better than most) to its comparators.

Mr Hammersmith’s research confirmed that the dwelling at 14 Warringah was constructed in 1973-74 before purchase of 16 Warringah Crescent. He considered the ‘bushscape’ at 16 Warringah provided an adequate setting and that the Heritage Overlay curtilage should exclude 14 Warringah Crescent.

Council provided an amended curtilage map (Figure 6) with its Part A submission.

Figure 6 Exhibited Heritage Overlay curtilage (HO284) 14 and 16 Warringah Crescent, Eltham and Council’s post-exhibition amended curtilage



Source: Exhibited Heritage Overlay mapping and Council Part A submission (Attachment 7)

(iii) Discussion

Significance

The Panel had some concern that the bar of significance threshold was potentially being set too low with references to an architect designed house on a sloping block. However, following its

inspection of the place from the public realm, the Panel accepts the evidence of Mr Huntersmith that the house demonstrates a high level of intactness and integrity to its original design and setting. It represents a marked departure from the 'Eltham Style' and is a good example of an architectural style of the period identified as important in the development of Eltham and identified in the thematic environmental histories. Notably the historic significance criterion has not sought to be applied.

The Panel considers that the statements for Criteria D and E should be separated out under 'Why is it significant?' to provide greater clarity about the reasons for significance. This should be done in such a way that does not introduce new material or material that is not within the citation.

Curtilage

The Panel supports the reduction in curtilage so the Heritage Overlay only applies to 16 Warringah Crescent. The reduced curtilage provides sufficient contextual bush setting for the house and views to it from the street, and relates to the lot as it existed when the house was first constructed.

Other issues

As discussed in Chapter 3 issues associated with maintenance and the need for permits for alterations and financial impacts are not a basis for determining whether a place is of heritage significance or not.

(iv) Conclusions and recommendations

The Panel concludes:

- 16 Warringah Crescent, Eltham is of local representative and aesthetic significance and the Heritage Overlay (HO275) should be applied.
- The curtilage of the Heritage Overlay (HO275) should be reduced to apply to 16 Warringah Crescent, Eltham only.
- The Statement of Significance should be amended consistent with the Panel preferred version in Appendix D:9 to:
 - remove references to 14 Warringah Crescent
 - redraft the statement under 'Why is it significant' to provide separate paragraphs for Criterion D and Criterion E.
- The Heritage Overlay Schedule should be amended to reflect the amended heritage place address.
- The citation should be amended consistent with the changes to the Statement of Significance.

The Panel recommends:

Amend the curtilage of the Heritage Overlay (HO284) to apply to 16 Warringah Crescent, Eltham only.

Amend the Schedule to Clause 43.01 (Heritage Overlay) to amend the heritage place description and address for 'House 14-16 Warringah Crescent, Eltham' (HO284) to 'House 16 Warringah Crescent, Eltham'.

Amend the 'Statement of Significance: House, 14-16 Warringah Crescent, Eltham, June, 2021' consistent with the Panel preferred version in Appendix D:9 and with further changes under 'Why is it significant' to include separate paragraphs for Criterion D and Criterion E.

6.12 Macmahon Ball House and Study, 61 and 61A York Street, Eltham (HO279)

Exhibited Statement of Significance



What is significant?

The Macmahon Ball House and Study at 61 York Street, Eltham, comprising of a study built in 1948 to a design by Alistair Knox, a pise section with attic floor constructed c1948 to a design by John Harcourt, and an extension built in 1959 to another design by Alistair Knox, all for the owner Professor (William) Macmahon Ball, is significant.

Elements that contribute to the significance of the place include:

- 1948 mudbrick study, inclusive of its mudbrick walls, chimney gable roof and original window and door openings and joinery;
- c1948 pise portion of the house, inclusive of steep gable roof form, dormer window, chimney and original window and door openings and joinery; and
- 1959 main portion of the house, inclusive of its original built form, shallow gable roof, vertical timber wall linings and horizontal base boards, and original window and door openings and joinery.

The mudbrick 1950 pottery ('The Pottery') with contemporary extension and the bush setting also contribute to the significance of the place.

How is it significant?

The Macmahon Ball House and Study at 61 York Street, Eltham, is of local historic, representative, and associative significance to the Shire of Nillumbik

Why is it significant?

The Macmahon Ball House and Study at 61 York Street, Eltham, are of historical significance to the Shire of Nillumbik. Like many properties associated with other local artists and intellectuals houses in the area, the property was developed in stages as needs arose and finances became available, using simple building forms and materials. The buildings show the development of the site as the residence for prominent professor of political science, diplomat, author, journalist and radio broadcaster William Macmahon Ball who lived at the property between 1945 until his death in 1986. The complex of buildings provides important evidence of the collaborative work of key building designers active in Eltham in the postwar period, namely Alistair Knox and John Harcourt. In this way the buildings on the site are significant for their contribution to the ongoing understanding of the history of the Shire of Nillumbik and particularly Eltham as a centre for artists, writers, and intellectuals after World War II (**Criterion A**).

The mudbrick study at 61 York Street, Eltham, is an important example of the early work of designer and builder Alistair Knox in the suburb. The building is predated only by the English House in Lower Plenty (now Shire of Banyule), and is the first example in Eltham of the earlier building forms and materials that would inform much of Knox's later career as a well-known and prolific local designer and builder. Between 1946 and 1986 Knox designed over 1000 houses, and a number of churches, schools and other buildings in

Nillumbik. Knox built approximately 350 of these himself, and he is best remembered for his use of mudbrick throughout many of these sites. Knox was integral in the development of the recognisably regional 'Eltham style' of architecture and landscape practice. Builder John Harcourt also contributed to the complex as a builder of the c1948 pottery studio (likely at today's 61A York Street). Harcourt, along with Alistair Knox and Peter Glass, played a significant role in the development of the 'Eltham style' of architecture and design and were associated with the development of the Australian bush garden aesthetic. **(Criterion D)**

The site is significant to the Shire of Nillumbik for its associations with William Macmahon Ball (1901-1986), prominent professor of political science, diplomat, author, journalist and radio broadcaster. Ball lived at the site for 41 years from 1945 until his death in 1986. In 1946 Ball was appointed British Commonwealth member of the allied Council for Japan and was Australia's delegate in the Japanese peace negotiations. Ball wrote innumerable articles and book reviews while living at 61 York Street presumably working on many of these from his desk in his mudbrick study. **(Criterion H)**

(i) The issues

The issues are whether the:

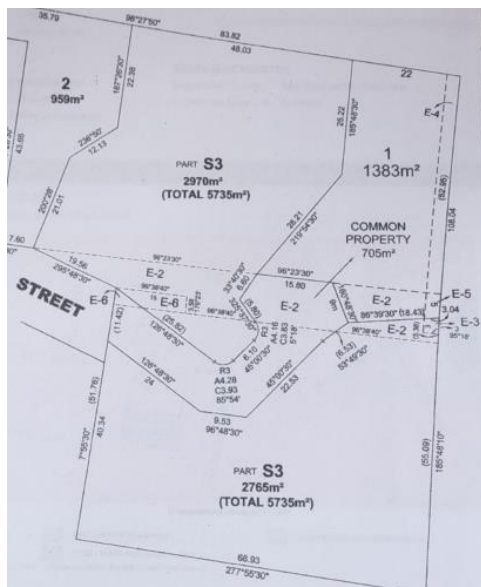
- Macmahon Ball House and Study, 61 York Street, Eltham is of local heritage significance and the Heritage Overlay (HO279) should be applied
- Statement of Significance and citation are accurate
- Heritage Overlay curtilage should be reduced.

(ii) Evidence and submissions

Submission 5 set out the land ownership arrangements for the family members occupying 61, 61A and 71 York Street, Eltham which included (refer Figure 7):

- the Macmahon Ball House and Study located at 61 York Street (the northern portion of Lot S3 PS320805)
- the pottery located at 61A York Street (the southern portion of Lot S3 PS320805)
- a common property driveway area separating the two portions of Lot S3 and providing access to 71 York Street (Lot 1 PS320805).

Figure 7 Plan of subdivision PS320805 61, 61A and 71 York Street, Eltham



Source: Document 12

The submission from the part owner of the property did not support the application of the Heritage Overlay to the entire property and submitted that it should be limited to the early Harcourt building (excluding the 1959 extension which has been partly demolished or renovated) and the Macmahon Ball Study. It was submitted:

- the curtilage extent did not reflect the subdivision of the land that created 61 and 61A York Street and provided access to 71 York Street
- the citations and statements of significance should reflect the current conditions and remove interior photographs that were incorrectly identified or taken without consent
- the Heritage Overlay would make future amenity upgrades to make the place more habitable difficult.

Submitter 5 (related to the current owners) and who accesses their property across 61 York Street (common property area), supported inclusion of part of the place in the Heritage Overlay ('Mac's old study' and the 'pise' portion of the house). The submission however opposed application of the Heritage Overlay to the entire property because of:

- the poor condition of the pottery and the house, and nature of alterations and additions (including the 1980's house extensions, use of different roof materials, the location of services, solar panels, water tank and air conditioner) which impact the integrity of the place
- the cramped and uncomfortable dwelling amenity
- issues relating to the accuracy or appropriateness of the citation and Statement of Significance content including:
 - building extension timing and descriptions
 - attributions to Alistair Knox
 - incorrect names or inclusion of former resident names without consent (raising issues of privacy)
 - incorrectly attributing associative significance to the place
 - its reliance on secondary historic sources and street inspection.

The evidence of Mr Huntersmith was:

During the Stage A assessment, the site was inspected from the public domain only, which is not unusual, especially for individual houses. The assessment considered the intactness and integrity of the place based on the findings from the inspection and contemporary aerial photographs.

Following a more recent site visit he recommended that the citation be amended to account for the following changes:

- the 1980s building in the breezeway between the c1948 'pise' house and the 1959 Knox extension
- the 1980s demolition of the original entry to the house, the building of a new entry hall and link joining the 1959 Knox extension to the 1948 Knox mudbrick study
- recladding of the roof to the c1948 pise house with corrugated metal
- the location of the 1950 pottery building was confirmed and found to have a high level of intactness and integrity.

Mr Huntersmith considered the alterations were sympathetic to the 1959 Knox extension using similar materials and architectural details. While the joining of the 1959 Knox house to the c1948 'pise' house and 1948 mudbrick study in the 1980s with a breezeway had impacted the intactness of the place, the 'pise' house and mudbrick study remain legible (1959 Knox extension less so).

The two earlier buildings were of ‘primary’ significance for their association with Knox and Harcourt as early examples of what would evolve into a recognised regional ‘Eltham Style’. During the late 1950s and early 1960s Knox developed an ‘experimental house’ using a purer Modernist idiom. The 1959 extension falls into this period of Knox’s mid-career work and while of interest was of ‘secondary’ significance.

Mr Huntersmith’s evidence included an amended Statement of Significance which:

- included only the mudbrick study (1948), pise house (c1948) and the mudbrick pottery (1950) as early examples of the ‘Eltham style’
- deleted reference to the 1959 Knox extension.

In relation to the Heritage Overlay curtilage Mr Huntersmith observed:

After visiting the site, it is agreed that the largely vacant land to the south of the shared driveway and the driveway itself could be excluded from the curtilage of the proposed HO. This approach aligns with the PPN01 guidance,...

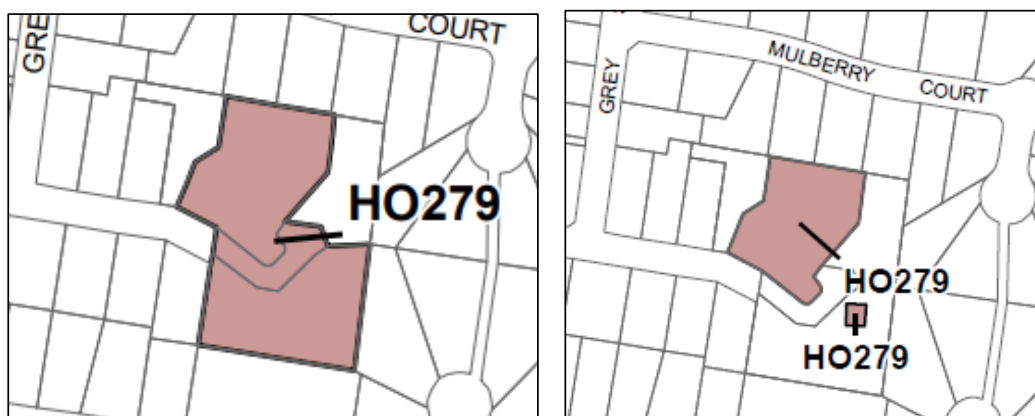
In this instance, the upper portion of the land to the north of the shared driveway provides sufficient curtilage to ensure that the setting and context of the heritage place are retained. The inclusion of a larger area of surrounding land is unlikely to have any positive heritage benefits or outcomes. It is proposed to place a second polygon over the 1959 pottery with a three-metre (to the north and south) and five-metre (to the west) buffer zone.

Mr Huntersmith’s other recommended changes included:

- amending the place name to ‘The Macmahon Ball house (pise section), study and pottery’
- amending the place address to ‘61 and 61A York Street, Eltham’
- minor changes to the place citation to:
 - replace cover images (Figures 1 and 2) with GML photographs
 - reflect information about the pottery
 - remove personal names and Figures 15, 16 and 17.

Council supported Mr Huntersmith’s proposed changes and provided a revised Heritage Overlay map with a reduced curtilage (Figure 8).

Figure 8 Exhibited Heritage Overlay curtilage (HO279) and Council’s post-exhibition amended curtilage



Source: Exhibited Heritage Overlay mapping (left image) and Council Part A submission (Attachment 2)(right image)

(iii) **Discussion**

Significance

The significance of Alistair Knox is well set out in evidence, citations and the Nillumbik thematic histories. He is generally regarded as Victoria's foremost mud brick house designer of the twentieth century and was one of the early main proponents of environmental design. He designed approximately 300 mud brick houses, most of which were constructed in two periods - the period before 1955, and the period broadly after 1964. Mud brick buildings, of which the Study on this property is the second he designed, were an innovative response to the shortages of building materials in the years that immediately following World War 2.

There was general agreement between Council, Mr Huntersmith and submitters that the 1948 mudbrick study and c1948 'pise' portion of the house were significant. Despite some alterations, repairs and façade deterioration these elements are substantially intact and have a high level of integrity. The citation and evidence provides a sufficient basis to conclude that despite later additions which are not significant, these elements meet the threshold for historic, representative and associative significance.

The changes proposed to the Statement of Significance and citation by Mr Huntersmith are generally appropriate. However, the Panel is not satisfied that pottery building meets the threshold for significance. While the pottery is contemporaneous with the 1948 elements and shares the same materiality and contributes in part to the setting, it has been largely subsumed into the later dwelling to the point where it is overwhelmed by it. The dwelling while using sympathetic materials and form contrasts the simpler form of the pottery which was partially demolished to accommodate it. The pottery appears now to be an extension to the dwelling and has lost its stand alone outbuilding quality. The building roof has been entirely replaced by colorbond roofing and guttering. There remains some doubt it was ever used as a pottery. Even if the building was used as a pottery or artist studio, it is difficult to appreciate it for this purpose as it now exists.

Curtilage

On the basis that the Panel considers the pottery is not a significant element, it should not be included in the Heritage Overlay curtilage. The Panel supports the reduction of curtilage so that it extends only to 61 York Street (the portion of Lot S3 to the north of the common property). While the Panel acknowledges this curtilage still retains the later carport structure and other outbuildings, these areas are important for protecting the setting of the significant place elements and views to them from within the site.

Statement of Significance

The Statement of Significance should be amended consistent with the Panel preferred version in Appendix D:10 to:

- remove references to the pottery including the involvement of John Harcourt in its construction
- remove the statement under Criterion H suggesting Ball's writing took place while *"presumably working on many of these from his desk in his mudbrick study"*. This is speculative and should not be attributed to the threshold for significance without some substantiation.

(iv) Conclusions and recommendations

The Panel concludes:

- The Macmahon Ball House and Study at 61 York Street, Eltham is of local historic, representative and associative significance and the Heritage Overlay (HO279) should be applied.
- The former pottery building does not achieve the necessary threshold for heritage significance.
- The Statement of Significance as amended by Council is generally appropriate subject to the removal of the pottery as a significant element, and other changes consistent with the Panel preferred version in Appendix D:10.
- The Heritage Overlay curtilage should be reduced to the mapped extent proposed by Council for 61 York Street (north of the common property on PS320805) and the separate mapped polygon for the pottery identified in Figure 8 deleted.

The Panel recommends:

Amend the curtilage of the Heritage Overlay (HO275) so that it applies to 61 York Street, Eltham (Lot S3 PS320805 north of the common property) only.

Amend the 'Statement of Significance: Mcmahon Ball House and Studio, 61 & 61A York Street, Eltham, June 2021' consistent with the Panel preferred version in Appendix D:10.

Amend the Schedule to Clause 43.01 (Heritage Overlay) to amend the heritage place description and address to 'Macmahon Ball House and Studio, 61 York Street, Eltham'.

6.13 'Hillside', 23 Glen Park Road, Eltham North (HO280)

(i) The issue

The issue is whether 'Hillside' at 23 Glen Park Road, Eltham North should be removed from the Amendment and the Heritage Overlay not be applied.

(ii) Evidence and submissions

The landowner submission opposed the Amendment based on the extensive changes made to the dwelling and the removal of all orchard plantings.

In response to the submission Council reviewed the place and agreed:

the extent and degree of remedial works required [to the place] would be substantial, due to the deterioration of the structural timber and exterior cladding.
the overall impact of the compounded building alterations diminishes the place's integrity
...we agree that this place does not meet the threshold for local significance.

Mr Huntersmith said:

- I agree that the physical fabric of the house evidences its development in stages. The eastern and central rooms appeared to have been built at the same time or close together. The western room and the rear portion comprising the kitchen and bathroom appear to have been built later, likely dating from the postwar period. (The lean-to had been identified as a postwar addition in the GML assessment, based on evidence available through historical aerial photographs.)
- Further alterations to the exterior are also noted. These include changes to the fenestration (infill of doorways) and the front verandah.
- While the house is legible as an early house in the area, its intactness has been diminished due to the stages of change introduced to the building.

Council's submission confirmed its proposed post-exhibition position to no longer apply the Heritage Overlay to 'Hillside' House. Council advised that an application for demolition was received on 11 May 2023 and a decision was pending.

(iii) Discussion

The Panel viewed 'Hillside' from the public realm. It observed alterations to the building consistent with Mr Huntersmith and agrees those changes have compromised the integrity of the place.

(iv) Conclusion and recommendation

The Panel concludes:

- 'Hillside' at 23 Glen Park Road, Eltham North does not meet the threshold for local heritage significance and should be removed from the Amendment and the Heritage Overlay (HO280) should not be applied.

The Panel recommends:

Delete the Heritage Overlay (HO280) to 'Hillside' at 23 Glen Park Road, Eltham North.

6.14 House, 144 Progress Road, Eltham North (HO282)

(i) The issue

The issue is whether the house at 144 Progress Road, Eltham North should be removed from the Amendment and the Heritage Overlay not be applied.

(ii) Evidence and submissions

Submission 13 opposed the Amendment. In response to submissions Council reviewed the place and agreed:

the overall impact of the compounded building alterations diminishes the place's integrity
...we agree that this place does not meet the threshold for local significance.

Mr Huntersmith's evidence was:

At the time of the Context assessment, the house was believed to be a 'fine' example that is exemplar of the development phase of Nillumbik when it became a more sought-after suburban area. The house was among one of the houses designed by an up-and-coming architect that featured better than typical attributes of its type.

During the review of the submission and recent site images (provided by the Nillumbik Shire Council) and preparation of this response, I noted the following alterations, in addition to the changes noted in the citation:

- demolition of an external blockwork partition wall;
- bagging rendering and painting to the original exposed concrete blocks;
- skylights on the primary (northern) roof plane;
- polycarbonate roof sheeting over the sloping path to the front door;
- levelling and replacement pavement along the front footpath; and
- some replacement doors and windows.

While some of these changes are reversible and are maintenance works, the overall impact of the compounded alterations diminishes the place's integrity.

Council confirmed its proposed post-exhibition position to no longer apply the Heritage Overlay to the house at 144 Progress Road, Eltham North.

(iii) Discussion

The Panel inspected the house at 144 Progress Road. It agrees that the extent of building changes has compromised the level of intactness and integrity of the place, and application of the Heritage Overlay is not warranted.

(iv) Conclusion and recommendation

The Panel concludes:

- The house at 144 Progress Road, Eltham North Greet does not meet the threshold for local heritage significance and should be removed from the Amendment and the Heritage Overlay (HO282) should not be applied.

The Panel recommends:

Delete the Heritage Overlay (HO282) from 144 Progress Road, Eltham North.

6.15 'Coombe House', 200 Ryans Road, Eltham North (HO283)

Exhibited Statement of significance



What is significant?

The Coombe House at 200 Ryans Road, Eltham North, a single-storey timber-framed and clad interwar bungalow built c1933 for Elsie and George Coombe, is significant.

Elements that contribute to the significance of the place include:

- original asymmetrical bungalow form and scale;
- transverse gable roof form, with front verandah;
- remaining brick chimney;
- canted bay window with flat roof and exposed rafters; and
- deep setback, garden setting and elevated position above the roadway.

The outbuildings, front fence and rear extensions are not significant.

How is it significant?

The Coombe House at 200 Ryans Road, Eltham North, is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

The Coombe House at 200 Ryans Road, Eltham North, is historically significant as a house built in the Glen Park Estate area of Eltham North during the 1930s, demonstrating the uptake of properties during the interwar period. Although the Glen Park Estate had been subdivided prior to World War I, the interruptions resulting from the outbreak of war, the Depression, and a lack of services, meant that the land was not rapidly developed. The subject site is important as one of the earliest surviving houses from this initial development period of the Glen Park Estate area of Eltham. **(Criterion A)**

The house at 200 Ryans Road is also 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. The house displays elements of the bungalow style, including a main gabled roof form with an intersecting transverse gable to the principal façade and projecting bay with a flat roofed canted bay window. 200 Ryans Road is also representative of the type of housing being built in formerly rural areas surrounding Melbourne, as they rapidly suburbanised during the interwar period. **(Criterion D)**

(i) The issue

The issue is whether Coombe House at 200 Ryans Road, Eltham North is of local heritage significance and the Heritage Overlay (HO283) should be applied.

(ii) Evidence and submissions

The landowner submission opposed the Amendment because of the extent of changes to the house including renovations and extensions to *“to the point there is little of the original structure remaining”*. The application of the Heritage Overlay was anticipated to make future development difficult.

Mr Huntersmith’s evidence:

- confirmed *“the physical description and integrity statement are still warranted. I note that the elements that contribute to significance and those that are not significant are clearly stated in the statement of significance”*
- considered the house *“remains clearly legible as a 1930s house that represents the particular class of place; it is an example of 1930s bungalow types which reflect the frugal economic context of their construction period in their simple forms and restrained detailing.”*
- considered Criterion A and D were met.

In response to Panel questions, Mr Huntersmith confirmed the dwelling was one of only two remaining houses built in the Glen Park Estate in the 1930s, with the other place recommended to be removed from the Amendment given issues associated with intactness and integrity.

(iii) Discussion

The Panel agrees with Mr Huntersmith that the house at 200 Ryans Road remains as described in the citation and Statement of Significance despite alterations which are generally not visible from the street. The identified elements of significance are highly legible and highly intact. The comparative analysis provides an appropriate basis for establishing that thresholds for local historic and representative significance are met to an appropriate level.

Issues associated with impacts on the ability to develop are discussed in Chapter 3. They are not relevant to establishing whether a place is of heritage significance.

(iv) Conclusion

The Panel concludes:

- The property at 200 Ryans Road, Eltham North is of local historic and representative significance and the Heritage Overlay (HO283) should be applied.

6.16 'Souter House', 17 Koornong Crescent, North Warrandyte (HO304)

Exhibited Statement of Significance



What is significant?

The residence and its landscaped setting.

How is it significant?

17 Koornong Crescent is socially and aesthetically significant to the Shire of Nillumbik.

Why is it significant?

17 Koornong Crescent is historically significant as a good example of a residence that marks the early phase of the post-war residential development in the Shire, in this case around the former Koornong School site in the 1950s and chosen by a war veteran for their home. The house demonstrates the change in living requirements and lifestyle that differed from the previous pre-war farming communities in the Nillumbik Shire. **(Criterion A)**

The residence is of aesthetic and architectural significance to the Nillumbik Shire as an example of a local residence displaying the early influence of the Melbourne Regional Style. The house demonstrates characteristic features such as the flat roof, broad eaves, window walls, incorporation of timber cladding and rockwork, and the particular plan elongated to sit the curve of the terrain. The stone elements of the residence were constructed by the McAuley Brothers, a local stonemason. **(Criterion E)**

(i) The issue

The issue is whether Souter House at 17 Koornong Crescent, North Warrandyte is of local heritage significance and the Heritage Overlay (HO304) should be applied.

(ii) Evidence and submissions

The landowner submission opposed the Amendment because of:

- the size of the 1970s extension and other post 1950s extensions and renovations which impact its intactness
- potential impacts on future alterations and extensions and lack of Council guidance.

Dr Paul's evidence was:

- the additions and alterations were acknowledged in the citation, and it is considered that they are sympathetic and have not detracted from or overwhelmed the original house, which is still extant and distinguishable
- future sympathetic additions that 'further' the original intent of the design could be considered under the Heritage Overlay

- changes should be made to the Statement of Significance under 'Why is it significant?' Criterion E to delete references to the stone elements of the residence constructed by the McAuley Brothers and to correct minor grammatical errors
- the citation should be reviewed to correct or remove reference to personal communication with the owner.

An amended Statement of Significance with tracked changes was provided with Dr Paul's evidence. A further updated version was provided at the Hearing (Document 23) which corrected the inconsistency in the attributed criterion under 'Why is it significant?' and 'How is it significant?'. Council adopted the evidence of Dr Paul including his recommended changes.

In its closing submission, Council:

- provided an amended citation which appears to have reintroduced elements of the exhibited version not included in Dr Paul's evidence
- submitted the use of the word 'good' to describe the house under Criterion A was appropriate and refers to the place being a comparatively good example.

(iii) Discussion

The Panel agrees with the evidence of Dr Paul that the additions to the dwelling have not diminished the level of intactness or integrity of the dwelling. The visible alternations including carport have been undertaken in a sympathetic manner and do not overwhelm the house or prevent a clear understanding of the original house form. The House compares well with other comparators.

The Panel supports the corrections made by Dr Paul and Council to the later updated citation Statement of Significance content in Document 39. However, the Statement of Significance should be further amended:

- under 'How is it significant?' to replace the phrase "*is historically and aesthetically significant to...*" with "*... is of historic and aesthetic significance to ..*" to ensure it is consistent with the majority of the exhibited statements of significance
- under 'Why is it significant?' delete the word 'good' under Criterion A, and delete "*and architectural*" and correct the spelling of 'elongated' under Criterion E.

Issues of future dwelling extensions are discussed in Chapter 3 and are not relevant to determining the heritage significance of a place.

(iv) Conclusions and recommendation

The Panel concludes:

- The property at 17 Koornong Crescent, North Warrandyte is of local historic and aesthetic significance and the Heritage Overlay (HO304) should be applied.
- The Statement of Significance be amended to generally consistent with the amended citation (Document 39) and with the further changes in the Panel preferred version in Appendix D:11.

The Panel recommends:

Amend the 'Statement of Significance: Souter House, 17 Koornong Crescent, North Warrandyte, July 2022' consistent with the Panel preferred version in Appendix D:11.

6.17 Former Farmhouse, 145 River Avenue, Plenty (HO329)

Exhibited Statement of Significance



What is significant?

The interwar bungalow farmhouse at 145 River Avenue, Plenty is significant to the Shire of Nillumbik. The original form, materials and detailing of the farmhouse and its rural setting contribute to the significance of the place.

How is it significant?

145 River Avenue, Plenty is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

145 River Avenue, Plenty is historically significant as an example of the early developers within a small-holder subdivision, the Plenty River Estate. The property contains a surviving intact example of a brick interwar farmhouse. **(Criterion A)**

145 River Avenue, Plenty is significant as a substantially intact brick interwar farmhouse, which retains its original form and main features including the all-encompassing main hipped roof, timber framed windows, front gable-roofed wing and front verandah with brick balustrade and pillars. The residence was constructed in the 1920s and demonstrates developing architectural ideas around suburban bungalows, and a transition away from Edwardian-era design. **(Criterion D)**

(i) The issues

The issues are whether:

- former farmhouse at 145 River Avenue, Plenty is of local heritage significance and the Heritage Overlay (HO329) should be applied
- Statement of Significance and citation are accurate
- prohibited uses should be permitted.

(ii) Evidence and submissions

The landowner identified that the place citation and Statement of Significance incorrectly:

- described it as a brick bungalow when in fact it was weatherboard (and suffering from termite damage)
- stated the attributed Californian Bungalow styling was an addition.

Dr Paul's evidence was:

The original citation described the house as a brick house and included photographs from the public realm. Closer inspection confirms that the house is weatherboard with brick verandah rather than entirely in brick. Minor alterations noted were infill of side timber verandah. Most doors and windows are original.

It is my opinion that the house remains substantially intact to its original design and continues to compare well against comparable weatherboard small-holder properties as an adoption of the suburban bungalow idiom in the rural context. The detailing, including shingles under the gable and the brick and render porch with square columns distinguish this among weatherboard examples of the type in terms of the adoption of a suburban bungalow style in the rural context.

Dr Paul's evidence included an amended Statement of Significance (Document 21) which:

- identified elements that were not significant (post-war verandah additions and outbuildings)
- replaced references to 'brick' with 'weatherboards'.

In response to Panel questions, Dr Paul advised that while the comparators for the place were timber the place still compared favourably with places of a similar era and style. A revised citation was provided during the Hearing (Document 20) which reflected proposed changes to the Statement of Significance and updated the comparative analysis.

Council's Part C (Part 2) submission included a further revised citation (Document 38) which made changes to clarify materiality, alterations (including to the verandah) and place comparators.

Council's post exhibition changes proposed prohibited uses be permitted although it did not identify the basis for this approach.

The Panel questioned Dr Paul about permitting prohibited uses and he advised that although the citation did not recommend prohibited uses be permitted, it provided the option for holiday accommodation.

(iii) Discussion

Significance

The Panel accepts the evidence of Dr Paul that the house compares favourably with relevant comparators. Alterations to the building are relatively minor and it remains substantially intact. The proposed amendments to the Statement of Significance and citation are supported as they clarify what is not of significance, provide a better basis for comparative analysis and more accurately reflect materiality.

Prohibited uses

Council did not articulate a reason for proposing to apply the prohibited uses permitted provisions in response to the submission, and the submission did not seek it. Permitting prohibited uses is not supported by the exhibited citation or the written evidence of Dr Paul. While he did suggest that it would allow for holiday accommodation, the heritage or strategic basis for this remains unclear. It is unclear to the Panel whether holiday accommodation would be prohibited in the RCZ1, given a range of accommodation related uses are permitted within the zone. The property is located within the RCZ1 and characterised by lots of approximately 1 hectare, and located close to a LDRZ node. The use of the subject and surrounding land is characterised as rural residential rather than farming. In this instance there is no clear basis for supporting prohibited uses.

(iv) **Conclusions and recommendation**

The Panel concludes:

- The former farmhouse at 145 River Avenue, Plenty is of local historic and representative significance and the Heritage Overlay (HO329) should be applied.
- The Statement of Significance should be amended consistent with the changes recommended by Dr Paul (Document 21) as shown in the Panel preferred version in Appendix D:12.
- The amended citation (Document 20 and later updated in Document 38) is appropriate.
- Prohibited uses should not be permitted for 145 River Avenue, Plenty.

The Panel recommends:

Amend the 'Statement of Significance: Former Farmhouse, 145 River Avenue, Plenty, July 2022' consistent with the Panel preferred version in Appendix D:12.

6.18 'Nilgiris', 183 Yan Yean Road, Plenty (HO330)

Exhibited Statement of Significance



What is significant?

Nilgiris at 183 Yan Yean Road, Plenty is significant to the Shire of Nillumbik. The original form, materials and detailing of the farmhouse and its rural setting contribute to the significance of the place.

How is it significant?

Nilgiris at 183 Yan Yean Road, Plenty is of local representative significance to the Shire of Nillumbik.

Why is it significant?

Nilgiris is significant as a representative example of the farm properties established during the development of Plenty in the 1920s after the major subdivisions in the early twentieth century. It is significant as an example of a War Service Home erected in the 1920s. It is an example of a successful poultry farm established and operated from the 1930s by John Edgcumbe, a returned serviceman. It is an important example of the once-common farming practice of poultry farming in the area. **(Criterion A)**

Nilgiris is significant as a representative example of a 1920s weatherboard bungalow. It demonstrates the shift in architectural tastes and influences from suburban Melbourne. **(Criterion D)**

(i) **The issues**

The issues are whether:

- Nilgiris at 183 Yan Yean Road, Plenty is of local heritage significance and the Heritage Overlay (HO330) should be applied

- the Statement of Significance and citation are accurate
- prohibited uses should be permitted.

(ii) Evidence and submissions

The submission on behalf of the landowners opposed the Amendment considering:

- the place was compromised by substantial alterations to the dwelling and to outbuildings which post-date farming use
- only two outbuildings associated with the former farming use remain and which are either highly altered or in dilapidated condition.

Dr Paul's evidence was:

Site inspection on 5/9/23 confirmed the main house is extant, with large single storey addition to rear. The other three main sides are substantially intact. Front façade retains distinctive interwar period verandah with piers, doorways and box windows within. Two side windows have been altered and gable decoration removed.

It is my opinion that the house remains substantially intact to its appearance as an interwar War Service home on the principal front and side elevations.

The house continues to compare well to its comparators in terms of a predominantly weatherboard interwar bungalow in the municipality. It is further distinguished by its broad and enclosed front verandah with brick piers that runs the length of the front façade under the single roof form.

The addition itself is to the rear and does not detract from or overwhelm the other principal elevations when viewed from the front. The original house is still evident and retains its historical identity forward of the addition. From this perspective, the addition is sympathetic and has not extinguished the historical and aesthetic significance of the place that can still be identified through its remaining original fabric and form of the principal volume of the original house.

The outbuildings are mostly vernacular. It is acknowledged from the site visit that, as per the Submission, that only the former egg incubator room retains some integrity to its original design relating to the house and that this is in poor condition.

He recommended the changes to:

- the Statement of Significance:
 - under 'What is significant?' to add:

Post-war additions and alterations are not significant.

The former egg incubator shed contributes to the historical understanding of the place.

Other outbuildings are not significant.
 - under 'Why is it significant?' to consolidate the two Criterion A statements
- the citation to identify:
 - later alterations and additions as not significant
 - the egg incubator room is contributory but in poor condition, while other outbuildings are not significant
 - further updates to the description.

An amended 'short form' Statement of Significance was provided during the Hearing (Document 22) which included these alterations and the addition of historic significance under 'How is it significant?' consistent with the criterion identified under 'Why is it significant?'.

In response to Panel questions, Dr Paul indicated while the incubator was in a dilapidated condition, it contributed to an understanding of the site, was not a vernacular outbuilding and remained readable to its former use. In relation to dwelling alterations, he advised the verandah

infill had not impacted earlier dwelling front façade elements or verandah space and was potentially an interwar or early post war alteration.

Council's Part C (Part 2) submission was supported by an amended citation (Document 40) which included additional information about the condition of the egg incubator room and dwelling alterations.

In relation to its support for switching on prohibited uses permitted provisions, Council submitted it was:

To give the building a wider range of future use options to ensure its long-term survival should it become necessary, including relating to farming or animals. Applications for prohibited uses would still be assessed by Council.

(iii) Discussion

The Panel accepts the evidence of Dr Paul that the dwelling, despite the verandah alterations and rear alterations retains its integrity and the earlier building can be readily distinguished. The verandah alterations have been undertaken in a way that enables the verandah post elements to be clearly read and remain prominent. They have not impacted on the dwelling front façade or verandah space. The amended Statement of Significance appropriately identifies the post-war additions and alterations are not significant.

In relation to the incubator structure, the Panel accepts that while in a dilapidated condition, it represents a remnant element associated with the site's former poultry farming activity and contributes to an understanding of the place. The Panel notes outbuilding exemption provisions have not been proposed.

The Panel has based its preferred version of the Statement of Significance (Appendix D:13) on the updated version provided by Dr Paul (Document 22) and the revised citation (Document 40).

The Panel does not support permitting prohibited uses for this property. The property and adjoining places are located in the LDRZ and generally used for low density residential purposes rather than actively used for agriculture or other related commercial purposes. Given the purpose of the LDRZ and what has been identified as significant (the house and setting) there appears no strategic basis or heritage benefit for allowing for prohibited uses.

(iv) Conclusions and recommendations

The Panel concludes:

- Nilgiris at 183 Yan Yean Road, Plenty is of local historic and representative significance and the Heritage Overlay (HO330) should be applied.
- The Statement of Significance should be amended consistent with the changes recommended by Dr Paul (Document 22), the amended citation (Document 40) as shown in the Panel preferred version in Appendix D:13.
- Prohibited uses provisions are not justified and should not be applied.

The Panel recommends:

Amend the 'Statement of Significance: Nilgiris, 183 Yan Yean Road, Plenty, July 2022' consistent with the Panel preferred version in Appendix D:13.

Amend the Schedule to Clause 43.01 (Heritage Overlay) for 'Nilgiris, 183 Yan Yean Road, Plenty' (HO330) to replace 'Yes' with 'No' in the 'Prohibited uses permitted?' column.

6.19 Former Farmhouse, 52 Kurrak Road, Yarrambat (HO331)

Exhibited Statement of Significance

Panel Note: Incorrect place image used in exhibited document

What is significant?

52 Kurrak Road, Yarrambat is significant to the Shire of Nillumbik. The original 1920s weatherboard residence including its form, materials and detailing contribute to the significance of the place. The setting of the place including its relationship to the road and the driveway separating the house from the outbuildings contribute to the significance of the place.

The corrugated iron outbuildings are not significant.

Later fabric, including the front fence and alterations to the house, are not significant.

How is it significant?

52 Kurrak Road, Yarrambat is of local historic significance to the Shire of Nillumbik

Why is it significant?

2 Kurrak Road, Yarrambat is historically significant as a representative surviving example of the interwar farmstead group connected with orcharding and poultry farming activity in the Shire of Nillumbik. The farmhouse is a modest example of the period and retains its original form and main features including footprint, weatherboard cladding and return verandah. It is also historically significant for the ongoing connection to the Marshall family since the 1920s. The Marshalls were one of the early orcharding and poultry farming families associated with the significant interwar agricultural theme of the area. **(Criterion A)**

The farm complex at 52 Kurrak Road, Yarrambat is significant as a representative farm house from the 1920s (interwar period) in the Shire. The farmhouse is an example of the period farmhouse in the Shire and retains its original form and main features including weatherboard cladding and return verandah at the front. **(Criterion D)**

(i) The issues

The issues are whether:

- the former farmhouse at 52 Kurrak Road, Yarrambat is of local heritage significance and the Heritage Overlay (HO331) should be applied
- prohibited uses should be permitted.

(ii) Evidence and submissions

The landowner submission identified that *“substantial work is needed to restore the dwelling on the site in a manner that protects the site’s heritage values.”* To ensure that restoration was feasible, it requested Schedule 2 to the Design and Development Overlay be amended to enable the site to be developed holistically and allow *“a considered development of the site that incorporates the restoration of the heritage place”*. This, it was submitted, would avoid substantial cost to future development.

Dr Paul’s evidence was:

... the house is intact but in poor condition. Photographs were taken within the site and the visit confirmed the outbuildings are vernacular and not significant. No remnant orchard plantings are on site. Tree and outbuildings controls are not recommended.

Poor condition alone is not generally accepted to be a matter for consideration in assessing significance. In this instance, enough original fabric and the original form and details are

extant to enable restoration and replacement of fabric sympathetically where necessary in order to maintain the place's legibility as a former farmhouse. The house represents well the common form, materiality and detailing of weatherboard farmhouses in the municipality, such as the closest comparator at 14-26 Browns Lane, Plenty (HO270), which suffered from similar extent of dilapidation.

In response to Panel questions, Dr Paul accepted the Statement of Significance:

- had used the wrong place image (183 Yan Yean Road, Plenty) and should use the main citation image
- had not identified the place was of representative significance under 'How is it significant?'.

Council's Part C (Part 2) submission included a revised citation (Document 46) which added that the place was of representative significance consistent with the application of Criterion D under 'Why is it significant?'

Dr Paul's evidence around the curtilage was:

- The curtilage is currently drawn around the property boundaries. As the property is not particularly extensive, this is appropriate to provide a setting to the place
- and,
- Some reduction in curtilage around the house itself, as occurred at 14-26 Browns Lane, could also be acceptable.

Council submitted that changes to the curtilage were not supported.

In response to requested changes to the Design and Development Overlay, Council submitted this was not strategically justified.

In related to prohibited use provisions, Council supported application to the property:

To give the building a wider range of future use options to ensure its long-term survival, including relating to farming or animals. Applications for prohibited uses would still be assessed by Council.

(iii) Discussion

Significance

The landowner submission did not dispute the attributed heritage significance of the place although this was subject to changes to other Planning Scheme controls to support development. The Panel accepts the evidence of Dr Paul and supports the Heritage Review methodology that supports the citation and Statement of Significance.

Curtilage

The evidence around the proposed Heritage Overlay curtilage was inconsistent and unclear. Council did not propose changes to the curtilage. The Panel considers the exhibited curtilage is acceptable as it includes the significant elements and an appropriate context for the place. While there may be some basis for considering a reduction consistent with comparable places (such as 14-26 Browns Lane) this should not be done without some deliberative consideration including analysis against PPN01. An amended curtilage was not put to the Panel for consideration. It is not appropriate to make a recommendation about reducing the curtilage without a considered position from Council and its expert.

Prohibited uses

While the Panel acknowledges the property contains outbuildings associated with its former use as a farm, the Panel does not support permitting prohibited uses for this property. The outbuildings are not identified as significant. The property and adjoining places are located in the LDRZ and generally used for low density residential purposes rather than actively used for agriculture or other related commercial purpose. Given the purpose of the LDRZ and what has been identified as significant (the house and setting) there appears no strategic basis or heritage benefit in allowing for prohibited uses.

Other issues

The Panel has addressed issues around development and financial impacts in Chapter 3. They are not a basis for determining whether a place is of heritage significance.

Regarding the Design and Development Overlay, the Panel agrees with Council that amending another planning control without proper strategic consideration of the wider strategic implications is not appropriate or within the scope of the Amendment.

(iv) Conclusions and recommendations

The Panel concludes:

- The former farmhouse at 52 Kurrak Road, Yarrambat is of local historic and representative significance and the Heritage Overlay (HO331) should be applied.
- The 'Statement of Significance: 52 Kurrak Road, Yarrambat (July, 2022)' should be amended generally consistent with the amended citation (Document 46) and consistent with the Panel preferred version (Appendix D:14) and to include an alternative image of the place.
- The curtilage of HO331 should not be amended without a considered analysis by Council's heritage consultants including whether any reduction is consistent with PPN01.
- Prohibited uses provisions are not justified and should not be applied.

The Panel recommends:

Amend the 'Statement of Significance: Former Farmhouse, 52 Kurrak Road, Yarrambat, July 2022' consistent with the Panel preferred version in Appendix D:14 and to replace the heritage place image with an alternative appropriate image of the place.

Amend the Schedule to Clause 43.01 (Heritage Overlay) for 'Former Farmhouse, 52 Kurrak Road, Yarrambat' (HO331) to replace 'Yes' with 'No' in the 'Prohibited uses permitted?' column.

7 Form and content

7.1 Form and content of Amendment documents

(i) The issue

The issue is whether the following Amendment documents and provisions are appropriately drafted:

- statements of significance
- background documents including citations and thematic histories
- schedules to clauses 43.01, 72.04 and 72.08.

(ii) Discussion

Statements of significance

The Panel has identified several inconsistencies with the form and content of the individual statements of significance particularly those derived from *Nillumbik Shire Heritage Review Stage A* which included:

- multiple criteria applied together:
 - 'Wendouree' and Canary Island, Palms and, Smith Orchard Houses (combines Criterion A and D, and A and H) as discussed in Chapter 5
 - 42 and 1/44 Park Road, Eltham (HO278) (combines A and H)
 - 180 Cherry Tree Road, Hurstbridge (HO286)(combines A and B)
- the consistency between the significance criterion applied under 'How is it significant?' and 'Why is it significant?'. For example, attributing aesthetic significance under 'How is it significant?' when it is not a criterion applied under 'Why is it significant?'
- consistent referencing of the Heritage Reviews including document titles, dates ('June, 2021' or '(June, 2021)') and in the primary source review and citation references
- statement of significance titles inconsistent with titles, descriptions and addresses and dates referenced in Schedule to Clause 43.01 under 'Heritage place' and the Schedule to Clause 72.04 (refer to examples in Table 6, Panel underlined to identify inconsistencies).

Table 6 Examples of inconsistencies in description of heritage places in exhibited documents

	Heritage Place example (HO279)	Heritage Place example (HO276)
Schedule to Clause 43.01	MacMahon Ball House and <u>Studio</u> 61 York Street, Eltham Statement of Significance: Macmahon Ball House and Studio, 61 York Street, Eltham, June 2021	Diamond Valley Miniature Railway 570 – 576 Main Road, Eltham Statement of Significance: Diamond Valley Miniature Railway 570 – 576 Main Road, Eltham
Schedule to Clause 72.04	Statement of Significance: Macmahon Ball House and Studio, 61 & <u>61A</u> York Street, Eltham, June 2021	Statement of Significance: Diamond Valley Miniature Railway 570 – 576 Main Road, Eltham, June 2021
Statement of Significance	Statement of Significance: 61 & 61A York Street, Eltham	Statement of Significance: <u>part of</u> <u>570</u> Main Road, Eltham

	Heritage Place example (HO279)	Heritage Place example (HO276)
Citation	61 & 61A York Street, Eltham - Macmahon Ball House and <u>Study</u>	<u>Part of 570</u> Main Road, Eltham - Diamond Valley Miniature Railway'

PPN01 states:

The title of the statement of significance must be specified in the schedule to the overlay.
The title of the statement must also be listed in the schedule to Clause 72.04.

While some of these inconsistencies in titles, descriptions and references have been corrected in the amended statements of significance and citations provided by Council, elements of them still persist. In reviewing the Amendment documents, the Panel has observed these inconsistencies are not limited to the statements of significance for places with submissions. It is not the role of the Panel to review every Statement of Significance and match them against both Heritage Review citations however this work should be done and errors corrected before the Amendment is finalised.

Council should review all proposed statements of significance to ensure:

- under 'How is it significant?' ensure the statement correlates with the criterion applied under 'Why is it significant?'. This section should also use the correct criterion name for example historic (rather than 'historically'), representative (rather than 'architectural (representative)'), aesthetic (rather than 'aesthetically') and social (rather than 'socially')
- under 'Why is it significant?' separate out the criterion paragraphs that attribute significance to multiple criterion into separate paragraphs for each criterion. This should be done in a manner that relies on material within the citation rather than introducing new material or reasons
- their titles, place descriptions and addresses and dates are consistent with the references to be applied in Schedule to Clause 43.01 under 'Heritage place' and in the Schedule to Clause 72.04.

Citations

While the citations are only background documents and not relied on for decision making, where possible these same inconsistencies should be corrected to ensure the controls remain clear and their context properly understood. This is good practice particularly for descriptions of elements that are significant or not significant.

The Panel has summarised Council's proposed key changes citations relevant to submissions in Appendix E. The Panel broadly supports these changes but observes some of the amended citations still contain spelling errors and will require further review to ensure consistency with the amended statements of significance.

It is not necessary to remove the citations for places that have since been demolished or are no longer to have the Heritage Overlay applied. This is because these places provide a basis for comparative analysis and reflect existing conditions at the time of review and may assist landowners with future alterations or for recording or interpretation.

Background documents

The Amendment includes different titles assigned to the four background documents. As identified in Tables 7 and 8 (including Panel underlined to identify inconsistencies) the titles and in some instances the dates are different across different Planning Scheme schedule references.

Table 7 Heritage Review titles applied in Amendment documents

Amendment documents	Stage A Heritage Review	Stage B Heritage Review
Background document title	In form of memo from Context with subject title: <i>Shire of Nillumbik Advisory Consultant Services: Nillumbik Shire Stage A Places – Key Findings</i> and dated 7 June 2021	<i>Draft Nillumbik Heritage Review: Stage B, Trethowan, April 2022</i>
statements of significance	<i>Nillumbik Shire Stage A Heritage Review</i>	<i>Nillumbik Shire Stage B Heritage Review</i>
Clause 72.08	Nillumbik Shire Heritage <u>Study</u> - Stage A (<u>Context</u> , 2021)	Nillumbik Shire Heritage <u>Study</u> - Stage B (Trethowan, 2022)

Table 8 Thematic History titles applied in Amendment documents

Amendment documents	2016 Thematic History	Post-war Thematic History
Background document title	Nillumbik Shire Thematic Environmental History, Revision 2016 (Nillumbik Shire Council, 2017)	<i>Nillumbik Gap Study Stage B, Thematic Environmental History Post-war Update</i> , Trethowan, June 2022
Clause 72.08 Explanatory Report	Nillumbik Shire Thematic Environmental History, Revision 2016 (Nillumbik Shire Council, 2016)	<i>Nillumbik Gap Study Stage B - Thematic Environmental History Post-war Update</i> (Trethowan, 2022)

These inconsistencies should be resolved to ensure each document has one consistent title throughout the Planning Scheme so the controls remain clear and their context properly understood and avoid the risk of confusion.

Consistency and ability to readily find the citations within the Heritage Reviews would be aided by:

- a front cover with clear title and date for the Stage A Heritage Review
- an index for citations in each Heritage Review.

The Nillumbik Thematic History has not been introduced into the Planning Scheme as a background document since its original development in 2016. The subsequent reviews of it by Trethowan including the Post-war Thematic History are effectively updated municipal wide content and should be read together. It is therefore unnecessary to introduce two separate documents into the Nillumbik Planning Scheme. The two thematic histories should be consolidated with the Post-war document an addendum to avoid having to reformat the original document. The Panel suggests a new document title be applied for example:

'Nillumbik Shire Thematic Environmental History including Post-war addendum (Nillumbik Shire Council, 202#)'.

(iii) Conclusions and recommendations

The Panel concludes:

- All statements of significance should be reviewed to ensure:
 - the significance description under 'How is it significant?' correlates with the criterion applied under 'Why is it significant?'
 - any consolidated criterion paragraphs are separated into paragraphs for each criterion

- their titles, place descriptions and addresses are consistent with the references to be applied in Schedule to Clause 43.01 and 72.04.
- The schedules to clauses 43.01 and 72.04 are updated to reflect any amended Statement of Significance titles, dates, place descriptions and addresses.
- The Stage A Heritage Review should be amended to include a dated document title page and citation index.
- The Stage B Heritage Review should be amended to include a citation index.
- All citations should be reviewed to ensure they are consistent with the final versions of statements of significance and include the final changes agreed by Council or identified by the Panel in its individual place conclusions.
- The Nillumbik Thematic History and Post-war Thematic History should be consolidated into a single document with addendum and renamed accordingly. The Schedule to Clause 72.08 should be amended to reflect the new title.

The Panel recommends:

Before finalising the Amendment, review all statements of significance and amend, as necessary, to:

- **apply consistent place descriptions, names and addresses**
- **ensure the criterion applied under 'How is it significant?' match those in the significance description under 'Why is it significant?'**
- **separate any combined criterion paragraphs with separate paragraphs for each criterion**
- **include consistent 'primary source' document title references.**

Amend the Schedule to Clause 43.01 (Heritage Overlay) to ensure 'Heritage place' descriptions and statement of significance titles are consistent with the final versions of the statements of significance.

Amend Schedule to Clause 72.08 (Background documents) to apply consistent references to the Nillumbik Heritage Review - Stage A (Context, 2021) and Nillumbik Heritage Review - Stage B (Trethowan, 2022).

Amend the Nillumbik Heritage Review - Stage A (Context, 2021) to include a dated document title page and citation index.

Amend the Nillumbik Heritage Review Stage B (Trethowan, 2022) to include a citation index.

Consolidate the Nillumbik Shire Thematic Environmental History, Revision 2016 (Nillumbik Shire Council, 2016) and Nillumbik Gap Study Stage B - Thematic Environmental History Post-war Update (Trethowan, 2022) into a single background document with addendum, and amend the Schedule to Clause 72.08 accordingly.

7.2 Places to be deleted from the Heritage Overlay

(i) Discussion

For the reasons set out in Chapters 5 and 6, the Panel concludes:

- the Heritage Overlay not be applied to:
 - 'Larch Hill', 2 Hillmartin Lane, Diamond Creek
 - 'Greet', 162 Murray Road, Diamond Creek

- 'Hillside' House, 23 Glen Park Road
- 144 Progress Road, Eltham North
- the Heritage Overlay curtilage not be applied to:
 - 14 Warringah Crescent, Eltham
 - 61A York Street (southern portion of Lot S3 PS320805) and associated common property, Eltham
 - 191 Cherry Tree Road, Hurstbridge.

These conclusions require consequential changes to:

- the Heritage Overlay Schedule to either remove their identification (for those places to be abandoned) or to correct property descriptions and addresses (for those places where a portion of the site are to be removed)
- remove them entirely or partially from the Planning Scheme Heritage Overlay maps
- remove the related Statement of Significance references from the Schedule to Clause 72.04 (for those places to be abandoned).

(ii) Recommendations

The Panel recommends:

Amend the Schedule to Clause 43.01 (Heritage Overlay) to delete reference to:

- Larch Hill, 2 Hillmartin Lane, Diamond Creek (HO319)
- 'Greet', 162 Murray Road, Diamond Creek (HO321)
- 61A York Street, Eltham (HO279)
- 'Hillside' House, 23 Glen Park Road, Eltham North (HO280)
- House, 144 Progress Road, Eltham North (HO281)
- 191 Cherry Tree Road, Hurstbridge (HO285).

Amend Heritage Overlay (HO) Maps to:

- delete HO280, HO281, HO319 and HO321
- remove HO284 from 14 Warringah Crescent, Eltham
- apply HO279 only to 61 York Street, Eltham (Lot S3 PS320805 north of the common property area)
- remove HO285 from 191 Cherry Tree Road, Hurstbridge.

Amend the Schedule to Clause 72.04 (Documents Incorporated In This Planning Scheme) to delete reference to:

- 'Statement of Significance: Larch Hill, 2 Hillmartin Lane, Diamond Creek, July 2022'
- 'Statement of Significance: 'Greet', 162 Murray Road, Diamond Creek, July 2022'
- 'Statement of Significance: 'Hillside' House, 23 Glen Park Road, Eltham North, June 2021'
- 'Statement of Significance: House, 144 Progress Road, Eltham North, June 2021'.

7.3 Other heritage places

(i) Discussion

The Former Loyal Diamond Creek Lodge (MUIOOF), 42 Collins Street, Diamond Creek (HO317)

The former Loyal Diamond Creek Lodge, 42 Collins Street, Diamond Creek is proposed to be individually listed on the basis that it meets the threshold criteria for local significance (historic, rarity and aesthetic significance). The landowner submission supported the inclusion of the place in the Heritage Overlay. The significance of the place was not identified in the heritage evidence or submission of Council. Accordingly, the Panel has not considered whether the place has local heritage significance. The Panel did however view the site and as discussed elsewhere in this report supports the methodology applied in the Stage B Heritage Review which identified it.

An amended citation was provided by Council with its Part C (Part 2) submission (Document 45) in response to Panel questions to:

- replace the incorrect attribution of social significance under 'How is it significant?' with 'rarity'
- clarify the rarity criterion description to the place, so that the threshold for rarity was not set to low, with the following change:

'The building is the only surviving ~~Loyal Diamond Creek Lodge~~ Manchester Unity Independent Order of Oddfellows known to exist in the Nillumbik Shire. (Criterion B)'

The Panel supports these changes and has included them in the Panel preferred version of the statements of significance in Appendix D:4.

Other places

As identified in Chapter 4 Council provided amended citations for four places which included outbuilding information and changes to the Statement of Significance content for each place:

- 'Park View', 25 Brennans Road East, Arthurs Creek (HO310)
- 'Sherwood', 110 Deep Creek Road, Arthurs Creek (HO312)
- 'Ghirrawheen', 349 Diamond Creek Road, Diamond Creek (HO318)
- 'Harton Hill', 405 Ryans Road, Diamond Creek (HO325).

No submissions were received to these places. The Panel has therefore not considered whether each place meets the threshold for local heritage significance or if the outbuildings have been appropriately identified for inclusion or deletion as significant elements. As identified in Chapter 4, the Panel considers the methodology adopted by Dr Paul for deleting or including outbuildings appropriately robust. It is appropriate to update references to outbuildings which have since been destroyed by fire.

(ii) Conclusions and recommendation

The Panel concludes:

- The 'Statement of Significance: 42 Collins Street, Diamond Creek, July 2022' should be amended consistent with the revised citation (Document 45).
- The proposed citation changes for HO310, HO312, HO318 and HO325 appear logical and considered. The Panel makes no recommendations about these places because they were not the subject of submissions. If Council progresses with the citation changes the

‘Outbuilding or fences’ column of the Heritage Overlay Schedule will need to be amended for each place. Council will need to work with the Department of Transport and Planning to satisfy itself adequate notice has been given for anything not exhibited.

The Panel recommends:

Amend the ‘Statement of Significance: 42 Collins Street, Diamond Creek, July 2022’ consistent with the Panel preferred version in Appendix D:4.

Appendix A Submitters to the Amendment

No	Submitter
1	Rodney Holland
2	Pam O'Connor
3	Parks Victoria
4	Brian and Helen Hill
5	Bronnie Hattam
6	Brodie Legg & Olivia Tymms
7	Arthurs Creek Cemetery Trust
8	Michael Ellis
9	Cathie McRobert
10	Jill Chan
11	David Mullholland
12	Timothy Cunningham
13	Vaughan and Jenny Mitchell
14	Robert Fonhof
15	Cameron and Annemarie Webb
16	L & S Realty Holdings P/L
17	Julie Fink
18	Eltham Community Action Group
19	Michelle Holland
20	Andrew and Vy Costen
21	Frank Rusitovoski
22	Diamond Valley Railway Inc
23	Arthurs Creek Mechanics Institute Inc
24	Jose Marques
25	Eltham District Historical Society
26	Nick and Janet Shilo

Appendix B Document list

No.	Date	Description	Provided by
1	18 Oct 23	Panel Directions and Hearing Timetable (version 1)	Planning Panels Victoria (PPV)
2	19 Oct 23	Nillumbik Shire Thematic Environmental History Revision 2016	Nillumbik Shire Council (Council)
3	23 Oct 23	Submitter location maps with aerial images and suggested site inspection route as required by Panel Direction 5	Council
4	2 Nov 23	Updated Panel Directions, Distribution List and Hearing Timetable (version 2)	PPV
5	3 Nov 23	Part A submission including Attachments 1 - 7	Council
6	3 Nov 23	Mark Huntersmith expert witness statement	Council
7	3 Nov 23	Dr Aron Paul expert witness statement including Appendix B (Revised Statements of Significance)	Council
8	6 Nov 23	Updated directions and Hearing Timetable (version 3)	PPV
9	6 Nov 23	Bronnie Hattam submission	Ms Hattam
10	9 Nov 23	Updated Timetable (version 4)	PPV
11	14 Nov 23	Part B submission	Council
12	14 Nov 23	Ms Hattam submission attachments (3)	Ms Hattam
13	15 Nov 23	Council officer recommendation 26 September 2023 regarding 10 Diosma Road, Eltham	Ms McRobert
14	15 Nov 23	Aerial photos, 10 Diosma Road, Eltham	Ms McRobert
15	15 Nov 23	Photos of house and surrounds, 10 Diosma Road, Eltham	Ms McRobert
16	15 Nov 23	Attachments (4) to Submission 9	Council
17	15 Nov 23	Heritage advice to Nillumbik Council from Dr Paul (GML Heritage) 15 July 2022 regarding 10 Diosma Road, Eltham	Ms McRobert
18	16 Nov 23	Revised citation (with tracked changes) for HO275 – 10 Diosma Road, Eltham (GML)	Council
19	16 Nov 23	Revised citation (with tracked changes) for HO327 – 920 Yan Yean Road, Doreen (Trethowan)	Council
20	16 Nov 23	Revised citation (with tracked changes) for HO329 – 145 River Avenue, Plenty (Trethowan)	Council
21	16 Nov 23	Revised Statement of Significance for HO329 – 145 River Avenue, Plenty (Trethowan)	Council
22	16 Nov 23	Revised Statement of Significance for HO330 – 183 Yan Yean Road, Plenty (Trethowan)	Council
23	16 Nov 23	Revised Statement of Significance for HO304 – 17 Koornong Crescent, North Warrandyte (Trethowan)	Council

No.	Date	Description	Provided by
24	16 Nov 23	Revised Statement of Significance for HO309 – Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek (Trethowan)	Council
25	16 Nov 23	Email sent to Submitter 9 detailing GML recommendations prior to Council Meeting of 26 September 2023	Council
26	16 Nov 23	GML Response to Submissions recommendations (noting amended curtilage for Submitter 5)	Council
27	16 Nov 23	Submission – McRobert, including attachments: <ul style="list-style-type: none"> - Addendum to submission - PowerPoint presentation slides - Images illustrating Gordon Ford landscaping soon after construction (duplicate of Document 15) - Draft Peer review and preliminary advice 22 September 2021 prepared by GJM Heritage for Ms McRobert regarding heritage citation and Statement of Significance - Peer review and preliminary advice 24 September 2021 prepared by GJM Heritage for Ms McRobert regarding heritage citation and Statement of Significance - Revised citation including Statement of Significance (showing Tracked changes) prepared by GJM Heritage - Email from Council officers to Ms McRobert regarding officer recommendation associated with Amendment C149nill proposed to be presented to Council meeting 26 September 2023 (duplicate of Document 13) - Extract from email 26 September 2023 (aerial photo) setting out Council heritage adviser recommendations regarding heritage curtilage - Heritage advice 15 July 2022 prepared by GML heritage for Council regarding Permit Application 1230/2021/03P (duplicate of Document 17) - Draft heritage advice 31 March 2023 prepared by GJM Heritage for Harwood Andrews regarding Permit Application 1230/2021/03P (VCAT P1368/2022) - Draft 2 heritage advice 31 March 2023 prepared by GJM Heritage for Harwood Andrews regarding Permit Application 1230/2021/03P (VCAT P1368/2022) - Email from Heritage Victoria to Ms McRobert 16 November 2022 	Ms McRobert
28	16 Nov 23	Submission – Mr Hill	Mr Hill
29	16 Nov 23	Aerial photo with proposed revised Heritage Overlay curtilage for 32-36 Perversi Avenue, Diamond Creek	Mr Fonhoff
30	17 Nov 23	Council Part C submission (Part 1)	Council
31	17 Nov 23	Email – Further Panel Directions regarding distribution of final submissions	PPV

No.	Date	Description	Provided by
32	20 Nov 23	Written response to amended citation	Ms Trickey, Crossroads Town Planning for Mr Rusiovoski
33	21 Nov 23	Copy of written submission - Eltham Community Action Group	Eltham Community Action Group
34	27 Nov 23	Submission (typed version of submission presented verbally) – Ms Fink	Ms Fink
35	27 Nov 23	Council Part C submission (Part 2)	Council
36	27 Nov 23	Revised citation (with tracked changes) for Sherwood 110 Deep Creek Road, Arthurs Creek	Council
37	27 Nov 23	Revised citation (with tracked changes) for Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arturs Creek	Council
38	27 Nov 23	Revised citation (with tracked changes) for 145 River Avenue, Plenty	Council
39	27 Nov 23	Revised citation (with tracked changes) for Souter House 17 Koornong Crescent, North Warrandyte	Council
40	27 Nov 23	Revised citation (with tracked changes) for 183 Yan Yean Road, Plenty	Council
41	27 Nov 23	Revised citation (with tracked changes) for Park View 25 Brennans Road East, Arthurs Creek	Council
42	27 Nov 23	Revised citation (with tracked changes) for 32-36 Perversi Avenue, Diamond Creek	Council
43	27 Nov 23	Revised citation (with tracked changes) for Ghirrawheen 349-361 Diamond Creek Road, Diamond Creek	Council
44	27 Nov 23	Revised citation (with tracked changes) for Harton Hill Farm 405 Ryans Road, Diamond Creek	Council
45	27 Nov 23	Revised citation (with tracked changes) for Former Loyal Diamond Creek Lodge of the Manchester Unity Independent Order of Oddfellows, 42 Collins Street, Diamond Creek	Council
46	27 Nov 23	Revised citation (with tracked changes) for 52 Kurrak Road, Yarrambat	Council
47	27 Nov 23	Revised citation (with tracked changes) for Arthurs Creek Mechanics Institute 906 Arthurs Creek Road, Arthurs Creek	Council
48	27 Nov 23	Revised citation (with tracked changes) for Post Office, General Store & residence, 920 Yan Yean Road, Doreen	Council
49	28 Nov 23	Corrected revised citation (with tracked changes) for Post Office, General Store & residence, 920 Yan Yean Road, Doreen	Council

Appendix C Planning context

C: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 implement section 4(1)(a), (d), (e) and (g) of the *Planning and Environment Act 1987* (the PE Act) to:

- provide for the fair, orderly, economic and sustainable use and development of land
- conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value
- balance the present and future interests of all Victorians.

Municipal Planning Strategy

The Amendment supports:

- **Clause 02.03-5** (Built environment – Heritage) which seeks to:
 - Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.

Planning Policy Framework

The Amendment supports:

- **Clause 11.03-3S** (Peri-urban areas) by managing growth to protect and enhance identified values including through identification and protection of cultural heritage
- **Clause 15.01-1R** (Urban design) which seeks to create a distinctive and liveable city with quality design and amenity
- **Clause 15.01-5S** (Neighbourhood character) which seeks to recognise, support and protect neighbourhood character, cultural identity, and sense of place
- **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.

C:2 Other relevant planning strategies and policies

i) Plan Melbourne

Minister's Direction No. 9 – Metropolitan Strategy requires planning authorities to have regard to the Metropolitan Planning Strategy, Plan Melbourne in preparing an amendment. *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. The following are relevant to the Amendment:

- **Outcome 4:** Melbourne is a distinctive and liveable city with quality design and amenity
 - **Direction 4.4:** Respect Melbourne’s heritage as we build for the future
 - **Policy 4.4.1:** Recognise the value of heritage when managing growth and change
 - **Policy 4.4.2:** Respect and protect Melbourne’s Aboriginal cultural heritage
 - **Policy 4.4.3:** Stimulate economic growth through heritage conservation
 - **Policy 4.4.4:** Protect Melbourne’s heritage through telling its stories.

ii) Nillumbik Heritage Strategy 2011

The *Heritage Strategy: Identifying and Conserving Nillumbik’s Cultural Heritage* (Nillumbik Shire Council, 2011) seeks to ensure the protection of heritage places by identifying, assessing and documenting important heritage places and to consider and act on, best practice in their conservation.

iii) Nillumbik Green Wedge Management Plan

A number of the places included in the Amendment are located outside of the Urban Growth Boundary. The *Nillumbik Green Wedge Management Plan 2010-2025 Part 2: Delivering the Vision* (Nillumbik Shire Council 2011) identifies 10 principles and key actions. One of these principles observes that the green wedge’s landscape and cultural heritage are irreplaceable resources for the local and metropolitan community that need to be conserved and enhanced.

iv) The Nillumbik Council Plan 2021-2025

The Amendment is consistent with the *Nillumbik Council Plan 2021 – 2025*, which among other objectives, seeks to celebrate and prioritise the protection of our heritage, arts and culture, places and spaces by focusing on the diversity of experiences that have shaped our shared history. The Council Plan also notes as a priority action to “Undertake a heritage review of the ‘Stage 2’ potential heritage sites of significance”.

C:3 Planning scheme provisions

The Heritage Overlay purposes are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified 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.

The Heritage Overlay requires a planning permit to demolish, subdivide, build or carry out works. The Heritage Overlay enables its Schedule to specify additional controls for specific trees, painting

previously unpainted surfaces, internal alterations and an incorporated plan (which may exempt buildings and works and other changes from requiring a planning permit). The Schedule may also identify if a place can be considered for uses that are otherwise prohibited, subject to a planning permit.

C:4 Ministerial Directions, Planning Practice Notes and guides

Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction 9 (Metropolitan Strategy)
- Ministerial Direction (The Form and Content of Planning Schemes pursuant to section 7(5) of The Act) – referred to as Ministerial Direction 7(5) in this Report.

That discussion is not repeated here.

Planning Practice Note 1 (Applying the Heritage Overlay), June 2023

Planning Practice Note 1 (PPN01) 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).

Practitioner's Guide

A Practitioner's Guide to Victorian Planning Schemes Version 1.5, April 2022 (Practitioner's Guide) sets out key guidance to assist practitioners when preparing planning scheme provisions. The guidance seeks to ensure:

- the intended outcome is within scope of the objectives and power of the PE Act and has a sound basis in strategic planning policy

- a provision is necessary and proportional to the intended outcome and applies the Victoria Planning Provisions in a proper manner
- a provision is clear, unambiguous and effective in achieving the intended outcome.

Appendix D Panel preferred versions of statements of significance

The following Panel versions of statements of significance are based on the amended versions of statements of significance or citations provided by Council during the Hearing (and referred to by Document number) in Chapters 5, 6 and 7 of this Report, with further changes shown as:

Added by the Panel

~~Deleted~~ by the Panel

Panel note: Additional changes required (refer to Report recommendations)
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D:1 Statement of Significance: 'Wendouree' and Canary Island Date Palms and Smith orchard house

What is significant?

'Wendouree' (built in 1910) and Canary Island Date Palms at 125 Cherry Tree Road (~~built in 1910~~), and the Smith orchard house at 173 (c1915) Cherry Tree Road, Hurstbridge, a pair of houses associated with generations of the Smith family, is significant.

Elements that contribute to the significance of the place include:

- original single-storey forms and scale (125 and 173);
- original or early timber cladding and corrugated metal roofs (125 and 173);
- M-profile hipped roof and symmetrical double-fronted façade design (125);
- two mature Canary Island Date Palms (*Phoenix canariensis*) in the front garden of no 125;
- asymmetric form with a projecting gabled wing, high-pitch hipped roof with a transverse gable, front verandah inset under the main roof form (173);
- stylistic detailing including the face brick chimney, half-timbering treatment to the gable end, doorway with a sidelight and highlight, and turned timber verandah posts and timber brackets (173).

Later changes (especially those applied after the Smith family's ownership) are not significant.

How is it significant?

'Wendouree' and Canary Island Date Palms at 125 Cherry Tree Road, and the Smith orchard house at 173 Cherry Tree Road, Hurstbridge, is of local historical, representative and associative significance to the Shire of Nillumbik.

Why is it significant?

The houses built for generations of the Smith family at 125 and 173 Cherry Tree Road, Hurstbridge, are historically significant for its demonstration of the shire's key historical development period. The ~~cluster of~~ properties evidence the heyday of the fruit-growing industry between 1880 and 1910, and the continuation of the smaller-scale orcharding industry into the 1970s. The houses are built of timber and are basic in form and design reflecting the rural origins of the area. The Smith properties had close association with surrounding land, where they operated commercial orchards and other agricultural businesses including poultry farm. The two mature Canary Island Date Palm trees in the

front garden of no 125 are good specimens of a very fashionable tree during the first decades of the twentieth century. (Criteria A and D)

The pair of houses at 125 and 173 Cherry Tree Road, Hurstbridge, ~~is~~ are significant for their generational association with the Smith family. Edwin Smith and his wife Louise established orchard and farm from 1877 with 20-acre occupation licence issued under the Amending Land Act 1869. Edwin and Louisa raised their 11 children at the earlier family home 'Beaumont'. Some of their children continued working at the family orchards, settling in new homes built in the vicinity. 'Wendouree' at 125 Cherry Tree Road was built c1910 for George John Smith and his wife Barbara (née Bradley) shortly after their marriage. The c1915 house at 173 Cherry Tree Road was built for Bert Smith and his wife Mabel (née Suttie). Edwin and Violet Smith (née Bartlett) brought up nine children in a nearby house at 191 Cherry Tree Road (since altered). The Smiths were among a number of local families who settled in the Hurstbridge/Panton Hill area, taking up a number of occupation licences in the 1860s in close proximity under the names of various family members. Members of the Smith family continued the agricultural operation for over 100 years into the 1970s. (Criteria A and H)

Panel note: Criterion to be separated out into separate criterion paragraphs

D:2 Statement of Significance: Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek

What is Significant?

Arthurs Creek Mechanics Institute located at 906 Arthurs Creek Road, Arthurs Creek. The original form, materials and detailing of the Mechanics Institute are integral to the significance of the site.

Additions and alterations after 1945 are not significant.

How is it significant?

Arthurs Creek Mechanics Institute is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

Arthurs Creek Mechanics Institute is historically significant as an early and important public building in the township of Arthurs Creek since 1887. Constructed in 1887, the Mechanics Institute demonstrates the heyday of Arthurs Creek in the late 19th century, when there was a much larger population in the area and it played an important role in the townships continuing development. The building is of significance a substantially intact example of a Mechanics institute constructed in the Shire during the Victorian period. The Mechanics Institute is a visual reminder of the once more populous township of Arthurs Creek as it developed in the late Victorian period and early twentieth century. The Mechanics Institute has been the venue for meetings of various clubs and associations and a wide variety of benefit events in the area's community life during that time. This has included its provision of a library and adult education services focussed on the particular needs of the local area. (Criterion A)

Arthurs Creek Mechanics Institute is aesthetically significant as a substantially intact example of a weatherboard Victorian Mechanic's Institute. Key features of its late Victorian style include the all-encompassing gable roof form, timber framed double hung windows and their placement, double doors to the front, gable end decoration and weatherboard cladding. (Criterion E)

D:3 Statement of Significance: Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek

What is Significant?

Arthurs Creek Cemetery at 1165 Arthurs Creek Road, Arthurs Creek. The cemetery landscaping, grave sites, chapel, matching Arthurs Creek Road and cemetery reserve gates and entry tree avenue containing Cypress planted in 1959 and Sugar Gums and Oaks planted in 1963 and the pines to the boundaries and cemetery setting contribute to the significance of the place.

How is it significant?

Arthurs Creek Cemetery is of local historic, aesthetic, social and associative significance to the Shire of Nillumbik.

Why is it significant?

Arthurs Creek Cemetery is historically significant for demonstration of the early settlement of the Arthurs Creek area as well as providing documentary history of the families living in the district from its beginnings until the present day. The cemetery was gazetted in 1867 however the land on which it sits was previously part of the property, Hazel Glen owned by the Reid family. A private cemetery was established when Agnes Reid died in 1847 and was buried on a hill on the property that provided views of the ranges. The cemetery was later to be gazetted on this hilltop location. The cemetery not only demonstrates an early cemetery layout and features, but also the changing practices and operation of cemeteries illustrated by the initial establishment as a private burial site with, early denominational layout, accommodation of multi-faiths and cremations, on site chapel, non-denominational section and bush garden landscape. (Criterion A)

Arthurs Creek Cemetery is aesthetically significant as an [representative](#) example of a rural cemetery established in the mid 1800s. It provides examples of late Victorian headstones and cast cast-iron cemetery surrounds as well as demonstrating the early denominational layout of a cemetery. The bush garden section for cremated ashes is of aesthetic interest and links to the history of native landscaping in the Shire. The two sets of entry gates, pine boundary planting, entry avenue with Cypress, Sugar Gums and Oaks and picturesque hillside setting contribute to the aesthetic significance of the place. (Criterion E)

Arthurs Creek Cemetery is of social significance as an important commemorative site valued by the Arthurs Creek district community. (Criterion G)

The Arthurs Creek Cemetery contains graves of prominent families who have had a long association with the district, including the Bassett, Christian, Draper, Murphy, Reid, Sutherland and Smith families. (Criterion H)

D:4 Statement of Significance: Former Loyal Diamond Creek Lodge (MUIOOF), 42 Collins Street, Diamond Creek

What is Significant?

The former Loyal Diamond Creek Lodge located at 42 Diamond Creek Road, Diamond Creek. The original form, materials and detailing of the meeting room and hall building contribute to the significance of the place.

How is it significant?

The former Loyal Diamond Creek Lodge located at 42 Diamond Creek Road, Diamond Creek is of local historic, rarity and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The former Loyal Diamond Creek Lodge is of historical significance as an example of a Manchester Unity Independent Order of Oddfellows meeting place. The Manchester Unity Independent Order of Oddfellows (MUIOOF), had its origins in Manchester, England. It was established in Melbourne in 1840 when Augustus Greeves, a member of the MUIOOF in England, migrated to Australia. By the late nineteenth century, MUIOOF had an extensive network of lodges in metropolitan and country Victoria. The Diamond Creek Lodge held its first meeting in 1870 with 15 foundation members. The small block on which the building sits, was purchased in 1906 by Richard Wadeson, Andrew Burgess Herbert and Patrick John Sheahan, all orchardists of Diamond Creek, for the purpose of establishing a meeting room for the Loyal Diamond Creek Lodge Manchester Unity Independent Order of Oddfellows. At least from 1908, the building on the site was used for meetings and lectures and operated as such until 1949. (Criterion A)

The building is the only surviving Manchester Unity Independent Order of Oddfellows known to exist in the Nillumbik Shire. (Criterion B)

The former Loyal Diamond Creek Lodge is of aesthetic significance as the former Loyal Diamond Creek Lodge is a substantially intact picturesque Edwardian weatherboard building retaining its original form of two intersecting gable wings and original fine timberwork details such as the timber framed double hung windows, gable end louvred vents and the decorative gable end bargeboards with finials. (Criterion E)

D:5 Statement of Significance: Villa Bereguardo, 32-36 Perversi Avenue, Diamond Creek

What is Significant?

The house at 32-36⁴ Perversi Avenue, Diamond Creek, built in 19³24 to designs by the architect FW Thomas for Giuseppe and Sicilia Perversi, is significant. Elements that contribute to the significance of the place include its original form, materiality and detailing, and the early or original outbuilding to the northeast of the house, ~~and the palm trees~~.

Later alterations and additions including the garage, pool and associated infrastructure and other outbuildings to the rear of the dwelling are not significant.

How is it significant?

The property at 32-36⁴ Perversi Avenue, Diamond Creek is of local historic and aesthetic significance to the Shire of Nillumbik. The property is also significant for its rarity within the Shire.

Why is it significant?

The property at 32-36⁴ Perversi Avenue, Diamond Creek, is historically significant as a house built as a weekend residence for a prosperous Italian family based in Melbourne. Constructed in 1924, the property was initially used for leisure until 1929, when the family relocated to the site as their permanent residence. The house was named Villa Bereguardo after the town in Italy from which the Perversi family came. The presence of the Perversi family demonstrates pre-WW2 Italian migration to the Nillumbik area, and more broadly within Victoria. The house is also historically significant as an example of the increasingly popular use of concrete for residential construction in the early interwar period. (Criterion A)

The property at 32-36⁴ Perversi Avenue, Diamond Creek is significant as a rare and substantially intact example of a 1920s residence demonstrating the early use of reinforced concrete in the Shire. Surviving examples of this type of construction from this period are rare, and were usually concentrated around the inner suburbs of Melbourne rather than rural areas, as the Shire of Nillumbik was at the time. (Criterion B)

The property at 32-36⁴ Perversi Avenue, Diamond Creek is aesthetically significant for the substantially intact 1920s architect designed concrete house that retains many of its original features including its overall original form with hipped roof, veranda to three sides, and corner wings to the rear. The pavilion form of the house, decorative undulating veranda balustrade, timber fretwork, leadlight windows, chimneys and small gables make it a particularly good example of non-suburban bungalow design in the 1920s. The location of the house on the crest of a hill, facing the valley, ~~and the two palm trees at the front~~ contributes to the aesthetic significance of the site. (Criterion E)

D:6 Statement of Significance: Post Office, General Store & Residence, 920 Yan Yean Road, Doreen

What is Significant?

The Doreen Post Office and General Store (1932-33) with attached residence (1908) ~~and storeroom~~ at 920 Yan Yean Road, Doreen, is ~~S~~significant.

Significant elements include:

- The original form of the ~~General S~~store with splayed corner to address its siting on the intersection of two major roads
- The original materiality of the building, including brick walls and corrugated iron roof
- Key detailing of the ~~General Store store~~, including parapet wall with projecting courses, original lettering, and small windows above ~~the door level on the corner splay~~
- The original form of the attached residence
- The original timber materiality of the attached residence
- Original key details of the residence, including exposed rafters, timber framed windows and chimney.

Other buildings ~~and elements~~ on the site are not significant.

Post-war alterations are not significant.

How is it significant?

The Doreen Post Office and General Store 920 Yan Yean Road, Doreen is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

The Doreen Post Office and General Store is historically significant as an early social centre for the township of Doreen, having functioned as the Post Office since 1902. The period of ownership by the Owens during the 1930s is especially significant, as the family was the longest serving storekeepers, and the current building relates to their occupation. The Post Office and ~~General~~ Store also has associations with the tourism history of the Shire. From the late nineteenth the General Store facilitated excursionists from the city en route to the scenic points of interest in the district. It is one of only a few surviving premises that evidence the early township of Doreen and at this key crossroads within the Shire. (Criterion A)

The Doreen Post Office and General Store is significant as an example of an interwar brick corner commercial building with earlier attached residence. The prominent corner location on a crossroads is also evocative of the Post Office and ~~General~~ Store's role in the centre of social activity in the town. The ~~General Store shop~~ retains its original brick walls, parapet with cornice and lettering, corner entry and ~~upper shop~~ windows. The residence retains its original roof form, weatherboard walls and front inset veranda. (Criterion D)

D:7 Statement of Significance: 'Choong House' 10 Diosma Road, Eltham

What is significant?

The Choong House, 10 Diosma Road, Eltham, designed by architects Biltmoderne and built between 1985 and 1988 for owner Ken Choong, is significant.

Elements that contribute to the significance of the place include the:

- original external built form, including the distinctive 'spinal wall' and central atrium;
- original materiality including the use of limestone walls, expanses of glazing and ribbed aluminium panels;
- elements of Gordon Ford's original landscape design to the front entry, central atrium and courtyard spaces; and
- open steel carport, designed by Wood Marsh and built in 1988.

How is it significant?

The Choong House, 10 Diosma Road, Eltham, is of local aesthetic and associative significance to the Shire of Nillumbik.

Why is it significant?

The Choong House ~~and garden~~, 10 Diosma Road, Eltham, is aesthetically significant as particularly well designed and detailed architect-designed house that is carefully sited within a bush garden landscape. Designed by architects Biltmoderne, the building's sculptural form is expressed in a palette of limestone, aluminium and glass. The use of fluid lines, refined metal and glazing juxtaposes with the house's solid limestone massing. In recognition of the innovative design, the house won the 1987 RAIA Victorian Merit Award for Outstanding Architecture and was profiled in the media and in books on architecture, including Graham Jahn's Contemporary Australian Architecture (published in 1994). The property's aesthetic significance is further enhanced by the bush garden elements designed by Gordon Ford including ~~ponds~~, volcanic boulders and native plantings in the various garden courtyard spaces and around the front entry, designed to blend with the surrounding natural vegetation on the site. The steel carport, built in 1988 to designs by Wood Marsh (the architectural firm created after Biltmoderne by two of its directors, Roger Wood and Randal Marsh) is complementary in style to the house. (Criterion E)

The Choong House is significant as an important early residential commission for the firm of Biltmoderne. The firm were to become Wood Marsh with the departure of founding partner Dale Jones-Evans in 1987, and as such the site is one of only a handful of residences designed by the earlier partnership. It can be read as a formative piece of work that influenced the designs of many of the later commissions by Wood Marsh. The commissioning of Choong House coincided with a period of great recognition for Biltmoderne, where their work was celebrated widely in the architectural community. The firm has since become internationally recognised for their work. (Criterion H)

D:8 Statement of Significance: Diamond Valley Miniature Railway, 570-576 Main Road, Eltham

What is significant?

The Diamond Valley Miniature Railway, Eltham Lower Park, at part of 570 Main Road, Eltham, a miniature railway complex constructed from 1961, is significant.

Elements that contribute to the significance of the place include:

- ~~ongoing use of the site as a miniature railway and~~ integration of the [miniature railway](#) built elements within the landscape setting, as well as its railway operation and construction largely based on that of the Victorian Railways;
- the original scale (as a 184 mm (7½") gauge railway) and form of the complex within the natural bush landscape setting;
- Edwardian-style train stations and platforms (half full size), William G Pert railway workshop and picket fencing and their scales;
- key 1960s railway infrastructure including two reinforced concrete pipe tunnels, and triple arched viaduct bridge);
- other railway elements reflecting the use such as the B signal box and signals and their scale (1/4 full size);
- turntable and tracks and signage; and
- row of trees planted along the tracks and known as the 'Avenue of Honour'.

~~Other elements that support the general recreational use of the place contribute to the use of the place but should be open to alteration.~~

Other later railway infrastructure (including the steel-framed overhead pedestrian bridge, Chelsworth Bridge, Meadmore Junction platform, Pine Creek platform, Gnome's Home Garden Shed, and sanctuary carriage storage) and the elements that support the general recreational use (including the Nillumbik workshop and clubrooms and gazebo) ~~also~~ contribute to the character of the place as a historical miniature railway complex [but are not significant to the place](#).

How is it significant?

The Diamond Valley Miniature Railway Eltham Lower Park, at part of 570 Main Road, Eltham, is of local historic, ~~and~~ representative [and social](#) significance to the Shire of Nillumbik.

Why is it significant?

The Diamond Valley Miniature Railway, Eltham Lower Park, at part of 570 Main Road, Eltham is historically significant as an early miniature railway complex built in Victoria. Operating at its current site since 1961, it is important as a popular long-term recreational facility within Nillumbik. It is evidence of the ongoing fascination with railways and their components. It provides physical evidence of a form of leisure activity, and tourism, that emerged during the postwar period and has remained popular as a community recreational complex. (Criterion A)

Constructed from 1961, the Diamond Valley Miniature Railway is significant as an early and detailed representative example of a miniature railway complex built in Victoria. It is distinguished as a substantial example that includes a comprehensive complex of buildings and infrastructure elements which are designed to be convincing replicas of an Edwardian railway system and its components. It contains numerous buildings and landscape elements which enhance the

experiential qualities of the place. The incorporation of picnic facilities encouraging use, and gatherings, by the public and broader community for events and recreation is also significant. (Criterion D)

The Diamond Valley Railway is socially significant to the Shire of Nillumbik. It is an important recreational facility that has a continuing presence in Eltham and districts, having carried over 4,230,000 passengers since its inception in 1960. It has social significance for its connections with Diamond Valley Railway Inc, a membership-based and volunteer-managed organisation, which has maintained a program of installing and updating miniature railway infrastructure and facilities since inception. Both historical and more recent upgrades to the complex enhance the ongoing connection of the place with Diamond Valley Railway Inc, as demonstrated by the strong and active efforts of members to maintain the facilities. Its community connections are demonstrated in its longstanding use and active membership base. The 'Avenue of Honour' tree planting that commemorates past members is a tangible link to those who had and continue to have a connection with the railway and their families and friends. (Criterion G)

Panel note: Place address references to ‘part of 570 Main Road’ to be clarified

D:9 Statement of Significance: 16 Warringah Crescent, Eltham

What is significant?

The house at ~~14~~-16 Warringah Crescent, Eltham, a concrete block and timber house built c1975 to a design by Peter Carmichael of Cocks Carmichael, is significant.

Elements that contribute to the significance of the place include:

- original form and scale of the house, designed to embrace the steeply sloping site;
- original materiality of the house, including concrete blocks, concealed flat steel deck roofs and horizontal timber boarding;
- original window and door openings and joinery;
- open carport, constructed out of matching concrete blocks and timber; and
- siting on a steeply sloping block of land with the retention of its bush setting.

How is it significant?

The house at ~~14~~-16 Warringah Crescent, Eltham, is of local representative and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The house at ~~14~~-16 Warringah Crescent, Eltham, is of aesthetic and representative significance as a well-detailed architect-designed house that responds to its sloping bushland block. Designed by architect Peter Carmichael of Cocks Carmichael, the building's form is a carefully composed arrangement of low interlocking angular and rectilinear volumes set over two levels. Materially, the house has a restrained palette of clay-coloured concrete blocks and naturally finished horizontal timber weatherboard cladding. This palette responds chromatically to its landscape setting. The pursuit of complex and abstract geometry marks a distinct break from the 'Eltham Style' while the use of a natural palette of materials and low-lying forms maintains links with the earlier style. The property's aesthetic significance is further enhanced by the purposeful retention of its bush setting. (Criteria D and E)

Panel note: Criterion to be separated out into separate criterion statements

D:10 Statement of Significance: Macmahon Ball House and Study, 61 York Street, Eltham

What is significant?

The Macmahon Ball house (pise section), study ~~and pottery~~ at 61 York Street, Eltham, comprising of a study built in 1948 to a design by Alistair Knox, ~~and~~ a pise section with attic floor constructed c1948 to a design by John Harcourt, ~~and a mudbrick pottery built in 1950 to another design by Alistair Knox, all~~ for the owner Professor (William) Macmahon Ball, is significant.

Elements that contribute to the significance of the place include:

- 1948 mudbrick study, inclusive of its mudbrick walls, chimney gable roof and original window and door openings and joinery; ~~and~~
- c1948 pise portion of the house, inclusive of steep gable roof form, dormer window, chimney and original window and door openings and joinery; ~~and~~
- ~~1950 mudbrick pottery, inclusive of its mudbrick walls, chimney, gabled roof and original window and door openings and joinery.~~

~~The contemporary extension to the pottery is not significant.~~

How is it significant?

The Macmahon Ball house (pise section) ~~and~~, study ~~and pottery~~ at 61 York Street, Eltham, is of local historic, representative, and associative significance to the Shire of Nillumbik.

Why is it significant?

The Macmahon Ball house (pise section) ~~and~~, study ~~and pottery~~ at 61 York Street, Eltham, are of historical significance to the Shire of Nillumbik. Like many properties associated with other local artists and intellectuals houses in the area, the property was developed in stages as needs arose and finances became available, using simple building forms and materials. The buildings show the development of the site as the residence for prominent professor of political science, diplomat, author, journalist and radio broadcaster William Macmahon Ball who lived at the property between 1945 until his death in 1986. The complex of buildings provides important evidence of the collaborative work of key building designers active in Eltham in the postwar period, namely Alistair Knox and John Harcourt. In this way the buildings on the site are significant for their contribution to the ongoing understanding of the history of the Shire of Nillumbik and particularly Eltham as a centre for artists, writers, and intellectuals after World War II (Criterion A).

The mudbrick study (1948) ~~and pottery (1950)~~ at 61 York Street, Eltham, ~~is an~~ ~~are~~ important examples of the early work of designer and builder Alistair Knox in the suburb. The mudbrick study is predated only by the English House in Lower Plenty (now Shire of Banyule), and is the first example in Eltham of the earlier building forms and materials that would inform much of Knox's later career as a well-known and prolific local designer and builder. Between 1946 and 1986 Knox designed over 1000 houses, and a number of churches, schools and other buildings in Nillumbik. Knox built approximately 350 of these himself, and he is best remembered for his use of mudbrick throughout many of these sites. Knox was integral in the development of the recognisably regional 'Eltham style' of architecture and landscape practice. ~~Builder John Harcourt also contributed to the complex as a builder of the c1948 pottery studio (likely at today's 61A York Street). Harcourt, along with~~ Alistair Knox and Peter Glass, played a significant role in the development of the 'Eltham style'

of architecture and design and were associated with the development of the Australian bush garden aesthetic. (Criterion D)

The site is significant to the Shire of Nillumbik for its associations with William Macmahon Ball (1901-1986), prominent professor of political science, diplomat, author, journalist and radio broadcaster. Ball lived at the site for 41 years from 1945 until his death in 1986. In 1946 Ball was appointed British Commonwealth member of the allied Council for Japan and was Australia's delegate in the Japanese peace negotiations. Ball wrote innumerable articles and book reviews while living at 61 York Street ~~presumably working on many of these from his desk in his mudbrick study.~~ (Criterion H)

D:11 Statement of Significance: Souter House, 17 Koornong Crescent, North Warrandyte

What is significant?

The residence and its landscaped setting.

How is it significant?

17 Koornong Crescent is [of local](#) ~~socially~~, [historic](#) and [aesthetic](#) ~~aesthetically~~ significance ~~significant~~ to the Shire of Nillumbik.

Why is it significant?

17 Koornong Crescent is historically significant as ~~a good~~ [an](#) example of a residence that marks the early phase of the postwar residential development in the Shire, in this case around the former Koornong School site in the 1950s and chosen by a war veteran for their home. The house demonstrates the change in living requirements and lifestyle that differed from the previous pre-war farming communities in the Nillumbik Shire. (Criterion A)

The residence is of aesthetic ~~and architectural~~ significance to the Nillumbik Shire as an example of a local residence displaying the early influence of the Melbourne Regional Style. The house demonstrates characteristic features such as the flat roof, broad eaves, window walls, incorporation of timber cladding and rockwork, and the particular plan ~~belonged~~ to suit the curve of the terrain. (Criterion E).

D:12 Statement of Significance: 145 River Avenue, Plenty

What is significant?

The interwar bungalow farmhouse at 145 River Avenue, Plenty is significant to the Shire of Nillumbik. The original form, materials and detailing of the farmhouse and its rural setting contribute to the significance of the place.

The post-war infill addition to the side verandah is not significant.

Outbuildings are not significant.

How is it significant?

145 River Avenue, Plenty is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

145 River Avenue, Plenty is historically significant as an example of the early developers within a small-holder subdivision, the Plenty River Estate. The property contains a surviving intact example of an interwar farmhouse. (Criterion A)

145 River Avenue, Plenty is significant as a substantially intact interwar farmhouse, which retains its original form and main features including the all-encompassing main hipped roof, weatherboard walls, timber framed windows, front gable-roofed wing and front verandah with brick balustrade and pillars. The residence was constructed in the 1920s and demonstrates developing architectural ideas around suburban bungalows, and a transition away from Edwardian-era design. (Criterion D)

D:13 Statement of Significance: Nilgiris, 183 Yan Yean Road, Plenty

What is significant?

Nilgiris at 183 Yan Yean Road, Plenty is significant to the Shire of Nillumbik. The original form, materials and detailing of the farmhouse and its rural setting contribute to the significance of the place.

Post-war additions and alterations are not significant.

The former egg incubator shed contributes to the historical understanding of the place.

Other outbuildings are not significant.

How is it significant?

Nilgiris at 183 Yan Yean Road, Plenty is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

Nilgiris is significant as a farm property established during the development of Plenty in the 1920s after the major subdivisions in the early twentieth century. It is significant as an example of a War Service Home erected in the 1920s. It is an example of a successful poultry farm established and operated from the 1930s by John Edgcumbe, a returned serviceman. It is an important example of the once-common farming practice of poultry farming in the area. (Criterion A)

Nilgiris is significant as a representative example of a 1920s weatherboard bungalow. It demonstrates the shift in architectural tastes and influences from suburban Melbourne. (Criterion D).

D:14 Statement of Significance: Former Farmhouse, 52 Kurrak Road, Yarrambat

What is significant?

52 Kurrak Road, Yarrambat is significant to the Shire of Nillumbik. The original 1920s weatherboard residence including its form, materials and detailing contribute to the significance of the place. The setting of the place including its relationship to the road and the driveway separating the house from the outbuildings contribute to the significance of the place.

The corrugated iron outbuildings are not significant.

Later fabric, including the front fence and alterations to the house, are not significant.

How is it significant?

52 Kurrak Road, Yarrambat is of local historic and representative significance to the Shire of Nillumbik

Why is it significant?

2 Kurrak Road, Yarrambat is historically significant as a surviving example of the interwar farmstead group connected with orcharding and poultry farming activity in the Shire of Nillumbik. The farmhouse is a modest example of the period and retains its original form and main features including footprint, weatherboard cladding and return verandah. It is also historically significant for the ongoing connection to the Marshall family since the 1920s. The Marshalls were one of the early orcharding and poultry farming families associated with the significant interwar agricultural theme of the area. (Criterion A)

The farm complex at 52 Kurrak Road, Yarrambat is significant as a representative farm house from the 1920s (interwar period) in the Shire. The farmhouse is an example of the period farmhouse in the Shire and retains its original form and main features including weatherboard cladding and return verandah at the front. (Criterion D)

Panel note: Replace exhibited place image with an alternative image of the heritage place

Appendix E Council proposed citation changes

Place	Summary of changes proposed by Council
Arthurs Creek Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek (HO309)	<ul style="list-style-type: none"> - amend 'Description and integrity' to refer identify the more recent construction of sheds and outbuildings - amend provisions for outbuildings - amend the Statement of Significance
Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek (HO309)	<ul style="list-style-type: none"> - Identifying the marching road and cemetery reserve gates - minor grammatical corrections including under criteria assessment Criterion E correcting spelling of 'cast-iron' - amend the Statement of Significance
The former Loyal Diamond Creek Lodge, 42 Collins Street, Diamond Creek (HO317)	<ul style="list-style-type: none"> - amend place title to 'Former Loyal Diamond Creek Lodge of the Manchester Unity Independent Order of Oddfellows (MUIOOF) - amend criteria assessment under Criterion B to add no other examples 'of the MUIOOF Lodge' - amend the Statement of Significance
Villa Bereguardo, 32-36 Perversi Avenue, Diamond Creek (HO323)	<ul style="list-style-type: none"> - correct place address as 32-36 Perversi Avenue - amend the Statement of Significance
Post Office and General Store, 920 Yan Yean Road, Doreen (HO327)	<ul style="list-style-type: none"> - amend title and place name to 'Post Office, General Store & Residence' - add '1908' as an additional construction date - amend 'Historical context' to clarify stopping place purpose for local sightseeing - minor corrections to 'History' - amend 'Description & integrity' to reference verandah as post-war addition, remove Figure 2, correct title of Figure 3, add more recent images - amend criteria assessment to identify earlier construction of the residence (Criterion A) and as a legible example of early twentieth century shop attached to an earlier residence - amend the Statement of Significance
Choong House, 10 Diosma Road, Eltham (HO275)	<ul style="list-style-type: none"> - delete 'and garden' from the place description - amending 'History' to: <ul style="list-style-type: none"> - clarify the Gordon Ford landscape elements - include a quote from architect Roger Wood - delete references to subdivision and Ford's death - changes to the 'Description' section to clarify landscape, design and material elements and remove reference to the 'Eltham style' - minor clarifying changes to the 'Integrity' and 'Comparative Analysis' sections - amend the Statement of Significance

Place	Summary of changes proposed by Council
145 River Avenue, Plenty (HO329)	<ul style="list-style-type: none"> - amend 'Description and integrity' to refer to the predominantly weatherboard bungalow and that an original entry and verandah has been infilled - amend the comparative analysis to reflect materiality and include additional comparator – '40 Greys Harps Road, Hurstbridge' (HO261) and delete 'Orchard House, 25 Cottles Bridge Strathewan Road, Cottlesbridge' (HO190) - amend the Statement of Significance
Nilgiris, 183 Yan Yean Road, Plenty (HO330)	<ul style="list-style-type: none"> - amend 'Description and integrity' to refer to the condition of the egg incubator room and enclosed verandah and rear addition - amend the comparative analysis description to identify the broad enclosed verandah with brick piers - amend the Statement of Significance
Souter House, 17 Koornong Crescent, North Warrandyte (HO304)	<ul style="list-style-type: none"> - delete content from 'History' including Figure 3 image - delete two references - amend the Statement of Significance
52 Kurrak Road, Yarrambat (HO331)	<ul style="list-style-type: none"> - amend place name to 'Farmhouse, 52 Kurrak Road, deleting 'House, Farm, Fmr Golden Wealth Trotting Stud' - amend the Statement of Significance

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Attachment 2 – Recommended Changes to Amendment C149nill, Heritage Review

1. The Planning Panel Report for Amendment C149 recommends that the Amendment be adopted as exhibited subject to the following:
 - Delete the Heritage Overlay from:
 - Larch Hill, 2 Hillmartin Lane, Diamond Creek (HO319)
 - 'Greet', 162 Murray Road, Diamond Creek (HO321)
 - 61A York Street, Eltham (HO279)
 - 'Hillside' House, 23 Glen Park Road, Eltham North (HO280)
 - House, 144 Progress Road, Eltham North (HO281)
 - 191 Cherry Tree Road, Hurstbridge (HO285).
 - Amend the Heritage Overlay Maps to:
 - delete HO280, HO281, HO319 and HO321
 - delete HO284 from 14 Warringah Crescent, Eltham
 - apply HO279 to 61 York Street, Eltham (Lot S3 PS320805 north of the common property) only
 - delete HO285 from 191 Cherry Tree Road, Hurstbridge.
 - Amend the Schedule to Clause 43.01 (Heritage Overlay) to:
 - a) Amend 'Heritage place' descriptions and Statement of Significance titles consistent with the final Statement of Significance titles.
 - b) Delete reference to:
 - Larch Hill, 2 Hillmartin Lane, Diamond Creek (HO319)
 - 'Greet', 162 Murray Road, Diamond Creek (HO321)
 - 61A York Street, Eltham (HO279)
 - 'Hillside' House, 23 Glen Park Road, Eltham North (HO280)
 - House, 144 Progress Road, Eltham North (HO281)
 - 191 Cherry Tree Road, Hurstbridge (HO285).
 - c) Amend the heritage place description and address for:
 - 'Villa Bereguardo 32 Perversi Avenue Diamond Creek' (HO323) to '32-36 Perversi Avenue, Diamond Creek'
 - 'Post Office & General Store' (HO327) to 'Post Office, General Store & Residence'
 - 'House 14-16 Warringah Crescent, Eltham' (HO284) to 'House 16 Warringah Crescent, Eltham'
 - 'Macmahon Ball House and Studio, 61 & 61A York Street, Eltham' (HO279) to 'Macmahon Ball House and Studio, 61 York Street, Eltham'
 - d) Amend the 'Tree controls apply?' column for '32-36 Perversi Avenue, Diamond Creek' (HO323) to replace 'Yes – palm trees' with 'No'.
 - e) Amend the 'Prohibited uses permitted?' column for:

Attachment 2 – Recommended Changes to Amendment C149nill, Heritage Review

- 32-36 Perversi Avenue, Diamond Creek (HO323) to replace 'Yes' with 'No'
 - 'Tilwinda, 130 Laughing Waters Road, Eltham', (HO302) to replace 'No' with 'Yes'
 - 'Nilgiris, 183 Yan Yean Road, Plenty' (HO330) to replace 'Yes' with 'No'
 - 'Former Farmhouse, 52 Kurrak Road, Yarrambat' (HO331) to replace 'Yes' with 'No'.
 - 893 Arthurs Creek Road, Arthurs Creek (HO307) to replace 'Yes' with 'No'
 - 12 Broad Gully Road, Diamond Creek (HO314) to replace 'Yes' with 'No'
 - 38 Collins Street, Diamond Creek (HO316) to replace 'Yes' with 'No'
 - 42 Collins Street, Diamond Creek (Former Lodge) (HO317) to replace 'Yes' with 'No'
 - 349 Diamond Creek Road, Diamond Creek (HO318) to replace 'Yes' with 'No'
 - 49-55 Main Street, Diamond Creek (HO294) to replace 'Yes' with 'No'
 - 25 Nicole Crescent, Diamond Creek (Windmill house) (HO322) to replace 'Yes' with 'No'
 - (HO334) 15 Castle Road, North Warrandyte
 - 586 & 588 Kangaroo Ground-St Andrews Road, Panton Hill (HO328) to replace 'Yes' with 'No'
 - 466 Ironbark Road, Yarrambat (HO295) to replace 'Yes' with 'No'
- f) Amend the 'Outbuildings or fences not exempt under Clause 43.01-4' column for:
- 'Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek' (HO309) to replace 'Yes - Former Stables' with 'No'
 - 'Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek' (HO311) to replace 'Yes – Gates' with 'Yes – Road and Cemetery Reserve Gates'.
 - 'Ghirrawheen', 349 Diamond Creek Road, Diamond Creek (HO318) to replace 'Yes - Garage' with 'No'.
 - Harton Hill Farm, 405 Ryans Road, Diamond Creek (HO325) to replace 'Yes' with 'No'.
- Amend the Schedule to Clause 72.04 (Documents Incorporated In This Planning Scheme) to delete reference to:
 - 'Statement of Significance: Larch Hill, 2 Hillmartin Lane, Diamond Creek, July 2022'
 - 'Statement of Significance: 'Greet', 162 Murray Road, Diamond Creek, July 2022'

Attachment 2 – Recommended Changes to Amendment C149nill, Heritage Review

- 'Statement of Significance: 'Hillside' House, 23 Glen Park Road, Eltham North, June 2021'
- 'Statement of Significance: House, 144 Progress Road, Eltham North, June 2021'.
- Amend the following statements of significance:
 - a) 'Statement of Significance: 125, 173 and 191 Cherry Road, Hurstbridge (June 2021)' consistent with the Panel preferred version in Appendix D:1 and with further changes under 'Why is it significant' to include separate paragraphs for Criterion A, D and H.
 - b) 'Statement of Significance: Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek, July 2022' consistent with the Panel preferred version in Appendix D:2.
 - c) 'Statement of Significance: Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek, July 2022' consistent with the Panel preferred version in Appendix D:3.
 - d) 'Statement of Significance: 42 Collins Street, Diamond Creek, July 2022' consistent with the Panel preferred version in Appendix D:4.
 - e) 'Statement of Significance: Villa Bereguardo, 32-34 Perversi Avenue, Diamond Creek, July 2022' consistent with the Panel preferred version in Appendix D:5.
 - f) 'Statement of Significance: Post Office & General Store, 920 Yan Yean Road, Doreen, July 2022' consistent with the Panel preferred version in Appendix D:6.
 - g) 'Statement of Significance: 'Choong House' 10 Diosma Road, Eltham, June 2021' consistent with the Panel preferred version in Appendix D:7.
 - h) 'Statement of Significance: 130 Laughing Waters Road, Eltham, June 2021' to add "historic and" to the description under 'How is it significant?'.
 - i) 'Statement of Significance: Diamond Valley Miniature Railway, 570-576 Main Road, Eltham, June 2021' consistent with the Panel preferred version in Appendix D:8.
 - j) 'Statement of Significance: Eltham War Memorial Building Complex, 903-907 Main Road, Eltham, June 2021' to replace the sentence under 'How is it significant?' with "The Eltham War Memorial Buildings, Eltham, are of local historic, representative and social significance to the Shire of Nillumbik."
 - k) 'Statement of Significance: House, 14-16 Warringah Crescent, Eltham, June, 2021' consistent with the Panel preferred version in Appendix D:9 with further changes under 'Why is it significant' to include separate paragraphs for Criterion D and Criterion E.
 - l) 'Statement of Significance: McMahon Ball House and Studio, 61 & 61A York Street, Eltham, June 2021' consistent with the Panel preferred version in Appendix D:10.

Attachment 2 – Recommended Changes to Amendment C149nill, Heritage Review

- m) 'Statement of Significance: Souter House, 17 Koorong Crescent, North Warrandyte, July 2022' consistent with the Panel preferred version in Appendix D:11.
 - n) 'Statement of Significance: Former Farmhouse, 145 River Avenue, Plenty, July 2022' consistent with the Panel preferred version in Appendix D:12.
 - o) 'Statement of Significance: Nilgiris, 183 Yan Yean Road, Plenty, July 2022' consistent with the Panel preferred version in Appendix D:13.
 - p) 'Statement of Significance: Former Farmhouse, 52 Kurrak Road, Yarrambat, July 2022' consistent with the Panel preferred version in Appendix D:14 and to replace the heritage place image with an alternative appropriate image of the place.
 - q) Statements of Significance for the following places in relation to removing Prohibited Use & Outbuilding controls:
 - 893 Arthurs Creek Road, Arthurs Creek
 - 12 Broad Gully Road, Diamond Creek
 - 38 Collins Street, Diamond Creek
 - 42 Collins Street, Diamond Creek (Former Lodge)
 - 349 Diamond Creek Road, Diamond Creek
 - 49-55 Main Street, Diamond Creek
 - 25 Nicole Crescent, Diamond Creek (Windmill house)
 - 15 Castle Road, North Warrandyte
 - 586 & 588 Kangaroo Ground-St Andrews Road, Panton Hill
 - 466 Ironbark Road, Yarrambat
 - Parkview, 25 Brennans Road, Arthurs Creek
 - Sherwood, 110 Deep Creek Road, Arthurs Creek
 - Harton Hill Farm, 405 Ryans Road, Diamond Creek
- Review and amend as necessary, all statements of significance to:
- a) apply consistent place descriptions, names and addresses
 - b) ensure the criterion applied under 'How is it significant?' match those in the significance description under 'Why is it significant?'
 - c) include consistent 'primary source' document title references.
- Amend the following incorporated documents:
- a) Nillumbik Heritage Review - Stage A (Context, 2021) to include a dated document title page and citation index.
 - b) Nillumbik Heritage Review - Stage B (Trethowan, 2022) to include a citation index.

Attachment 2 – Recommended Changes to Amendment C149nill, Heritage Review

- Consolidate the Nillumbik Shire Thematic Environmental History, Revision 2016 (Nillumbik Shire Council, 2016) and Nillumbik Gap Study Stage B – Thematic Environmental History Post-war Update (Trethowan, 2022) into a single background document with addendum.
- Amend the Schedule to Clause 72.08 (Background documents) to apply consistent references to the Nillumbik Heritage Review - Stage A (Context, 2021) and Nillumbik Heritage Review - Stage B (Trethowan, 2022) and an updated title for the Nillumbik Shire Thematic Environmental History.

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Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C149NILL

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Nillumbik Shire Council which is the planning authority for this amendment.

The amendment has been made at the request of Nillumbik Shire Council.

Land affected by the amendment

The amendment affects land within the following suburbs:

Arthurs Creek, Christmas Hills, Diamond Creek, Eltham, Eltham North, Hurstbridge, Kangaroo Ground, North Warrandyte, Panton Hill, Plenty, Research, St Andrews, Wattle Glen and Yarrambat.

The amendment also affects several properties resulting from corrections to mapping anomalies or removal of redundant overlays.

The affected properties are identified in Attachment 1 to this Explanatory Report.

What the amendment does

The amendment proposes to implement the recommendations of *Nillumbik Shire Heritage Review Stages A & B* (the Reviews) and apply the Heritage Overlay to 59 individual places, one new serial listing and one new precinct on a permanent basis. It also includes several corrections to clean up the extent of overlays and removes redundant overlays.

Specifically, the amendment:

- Amends the Schedule to Clause 43.01 (Heritage Overlay) to apply the Heritage Overlay to 59 individual heritage places, one (1) new serial listing and one (1) new precinct.
- Amends the Schedule to Clause 43.01 (Heritage Overlay) to delete HO144, HO182, HO213, HO248 and HO250 from properties that have been demolished, or from properties within a new Heritage Overlay.
- Amends Planning Scheme maps 11HO and 14HO to correct mapping anomalies and adjust the curtilage for HO49, HO50 and HO112.
- Amends Planning Scheme maps 2HO, 3HO, 6HO, 7HO, 8HO, 9HO, 10HO, 11HO, 12HO, 13HO, 14HO, 15HO, and 17HO to apply the Heritage Overlay to identified places.
- Inserts Planning Scheme Map No. 5HO to apply HO332 to 87 Latrobe Road, Yarrambat.
- Amends the Schedule to Clause 72.03 (What does this Planning Scheme consist of?) to insert Map No.5HO.
- Amends the Schedule to Clause 72.04 (Incorporated Documents) to insert 62 new Statements of Significance for the heritage places introduced by this amendment.
- Amends the Schedule to Clause 72.08 (Background Documents) to include the following documents as background documents:
 - *Nillumbik Heritage Review – Stage A (Context, 2021)*
 - *Nillumbik Heritage Review – Stage B (Trethowan, 2022)*
 - *Nillumbik Gap Study Stage B – Thematic Environmental History Post-war Update (Trethowan, 2022)*
 - *Nillumbik Shire Thematic Environmental History Revision 2016 (Nillumbik Shire C149 Council, 2016) and Nillumbik Gap Study Stage B - Thematic Environmental History Post-war Update (Trethowan, 2022)*

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Strategic assessment of the amendment

Why is the amendment required?

The amendment implements the recommendations of the *Nillumbik Heritage Review Stages A & B* (the Reviews) adopted by the council on 29 June 2021 and 26 July 2022. The amendment will introduce heritage controls that will protect locally significant heritage places and ensure that the potential impact of new development on the heritage value of these places is considered as part of development applications and achieve the best planning outcomes for the Nillumbik Shire Council.

The significance of the 59 individual heritage places, 1 serial listing and 1 heritage precinct was assessed against the standard criteria contained in Planning Practice Note 01: Applying the Heritage Overlay and were considered to meet the requirements and threshold for local protection through the Heritage Overlay. As required by the practice note, Statements of Significance for each proposed heritage place will be included in the Nillumbik Planning Scheme as an incorporated document.

The Heritage Overlay is the appropriate planning mechanism to protect the heritage values of the individual properties and precinct as it requires a planning permit to be granted for building and works, including demolition, that could affect the significance of such places.

The amendment proposes removing the Heritage Overlay from HO144, HO182, HO213, HO248 and HO250:

- HO144 – 28 Osborne Road, North Warrandyte: the Heritage Place has been demolished / removed.
- HO182 – 125 Cherry Tree Road, Hurstbridge: the property is proposed to be listed under serial listing HO285.
- HO213 – 17 Howell Road, Plenty: the Heritage Place has been demolished / removed.
- HO248 – 109-115B Yan Yean Road, Plenty: the proposed HO335 includes the property currently covered by HO248.

HO250 – 171 Yan Yean Road, Plenty: the Department of Transport (DoT) has moved the significant elements of the heritage place, being the Church, to 2-6 Memorial Drive, Plenty and the significant elements of HO250 will be included in the proposed HO335.

In addition to the Reviews, several anomalies were identified as being incorrectly identified on planning scheme maps and require fixing. They are detailed below:

- HO49 – 385 Eltham-Yarra Glen Road, Kangaroo Ground: The curtilage is proposed to extend to the property title boundary. The new extent covers the rest of the Kangaroo Ground Reserve and the Kangaroo Ground Tower Car Park.
 - HO50 – 425 Eltham-Yarra Glen Road, Kangaroo Ground: The heritage citation for this address clearly outlines the elements of the significant place that should be protected which does not align with the current HO50 curtilage.
- HO112 – 35 Laughing Waters Road, Eltham: The curtilage currently doesn't cover the heritage significant tree, as listed on the National Trust tree register. The National Trust has provided in principle support to amend HO112 as in accordance with the Arborist report dated 02/06/22 by Homewood Consulting.

Adjustments are required to the curtilage of existing overlays to ensure heritage places are correctly located within the overlay polygon. In this case it is proposed to amend overlay boundaries accordingly.

It should also be noted that the proposed heritage place at 10 Diosma Road, Eltham is being assessed by the Victorian Heritage Register (VHR) for State significance.

How does the amendment implement the objectives of planning in Victoria?

The Amendment implements the following objectives as set out in Section 4 of the *Planning and Environment Act 1987*, being:

- Section 4(1) (a) - to provide for the fair, orderly, economic and sustainable use and development of land.
- Section 4(1) (d) - to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.

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- Section 4(1) (e) - to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;
- Section 4(1) (g) - to balance the present and future interests of all Victorians.

How does the amendment address any environmental, social and economic effects?

Environmental Effects

The amendment will have no adverse effect on the natural environment and will provide a mechanism for protection of the richness and diversity of the built environment. It is widely understood that the conservation of heritage buildings has environmental sustainability benefits. Reduction in energy usage associated with demolition, and minimising waste disposal from demolition and new construction to landfill is achieved through the conservation of heritage buildings. Retaining and adapting heritage buildings promotes sustainable development by conserving the embodied energy in the existing buildings.

Social and Economic Effects

The amendment is anticipated to have positive social effects through the recognition and protection of sites of heritage significance, for the benefit of current and future generations. This will benefit the community by improving the understanding of local cultural history and thereby contributing to sense of place and local identity. The amendment also has the potential to enhance the special character of some areas.

Inclusion of a site within the Heritage Overlay does not prohibit changes to that site or building, but rather requires an application process whereby heritage considerations can be properly addressed, along with other factors before any decision on an application is made. This may limit development that is inconsistent with maintaining heritage values, which will improve the character of the building and the wider area.

Does the amendment address relevant bushfire risk?

The amendment does not result in increased development potential, nor change of use of land; it will not increase the bushfire risk to life as a priority, property, community infrastructure or the natural environment.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with the form and content of planning schemes established in the Minister's Direction under section 7(5) of the Planning and Environment Act 1987 and Ministerial Direction 11: Strategic Assessment of Amendments under section 12(2)(a) of the Act.

The amendment is consistent with Minister's Direction No. 9 – Metropolitan Strategy, pursuant to Section 12 of the Act that requires planning authorities to have regard to the Metropolitan Planning Strategy, Plan Melbourne in preparing an amendment. Specifically, the Amendment is supported by Policy Direction No. 4.4 - respect Melbourne's heritage as we build for the future. Policies relating to Direction 4.4 relevant to this amendment are as follows:

- 4.4.1 Recognise the value of heritage when managing growth and change.
- 4.4.2 Respect and protect Melbourne's Aboriginal cultural heritage.
- 4.4.3 Stimulate economic growth through heritage conservation.
- 4.4.4 Protect Melbourne's heritage through telling its stories.

The amendment complies with Ministerial Direction No 11 – Strategic Assessment of Amendments as outlined in this explanatory report.

How does the amendment support or implement the Planning Policy Framework and any adopted State policy?

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The amendment supports the following objectives of Clause 15 (Built Environment and Heritage) in the Planning Policy Framework:

- 15.01-1R (Urban design) – to create a distinctive and liveable city with quality design and amenity.
- 15.03-1S (Heritage conservation) – to ensure the conservation of places of heritage significance.

By including the identified places within the Heritage Overlay, the amendment will ensure that the significance of these heritage places is protected, conserved and enhanced. The Heritage Overlay will require consideration to be given to the significance of the identified heritage place as a decision guideline and will encourage development that is designed and sited to respect the identified significance of heritage places.

How does the amendment support or implement the Municipal Planning Strategy?

The amendment supports the Municipal Planning Strategy of the Nillumbik Planning Scheme, specifically at:

Clause 02.03-5 Built Environment - Heritage - Council seeks to:

- Protect and enhance places of heritage significance, including sites of Aboriginal heritage significance.
- Ensure new use and development do not impede on or detract from sites and features of Aboriginal cultural heritage and archaeological significance.

Does the amendment make proper use of the Victoria Planning Provisions?

The proposed amendment makes proper use of the Victoria Planning Provisions. The Schedule to the Heritage Overlay is the proper Victorian Planning Provision to apply in order to protect a place of heritage significance.

The amendment makes proper use of incorporated documents to clearly define the heritage significance of the places affected by the amendment.

How does the amendment address the views of any relevant agency?

The views of relevant agencies will be sought during the public exhibition process.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will have no significant impact on the transport system and will not be inconsistent with the transport system objectives nor the decision-making principles of the Transport Integration Act 2010.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

The inclusion of additional places within the Schedule to Clause 43.01 (Heritage Overlay) may contribute to a minor increase in the number of planning permit applications on an annual basis.

This increase can be accommodated within the existing resources. These resource and administration costs will be off-set by a reduction in the need for individual responses to the possible demolition of significant heritage places which are not currently included within the Schedule to Clause 43.01(Heritage Overlay).

Where you may inspect this amendment

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The Amendment can be inspected free of charge at the Nillumbik Shire Council's public engagement website at <https://participate.nillumbik.vic.gov.au/>

The amendment is available for public inspection, free of charge, during office hours at the following places:

Nillumbik Shire Council Offices
Civic Drive
Greensborough 3088

The amendment can also be inspected free of charge at the Department of Transport and Planning website at www.planning.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by Thursday 3rd August 2023.

A submission must be sent to:

Leigh Northwood
Manager Strategic Planning and Environment
Nillumbik Shire Council
Civic Drive (PO Box 476)
Greensborough 3088

Alternatively, a submission can be sent via email to strategic.planning@nillumbik.vic.gov.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week beginning Monday 16th October 2023
- panel hearing: Week beginning Monday 13th November 2023

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ATTACHMENT 1 - MAPPING REFERENCE TABLE

HO No.s	Location	Land /Area Affected	Mapping Reference
307	Arthurs Creek	893 Arthurs Creek Road	Nillumbik C149nill 002hoMaps02_03 Exhibition
308	Arthurs Creek	900 Arthurs Creek Road	Nillumbik C149nill 002hoMaps02_03 Exhibition
309	Arthurs Creek	906 Arthurs Creek Road	Nillumbik C149nill 002hoMaps02_03 Exhibition
310	Arthurs Creek	25 Brennans Road	Nillumbik C149nill 002hoMaps02_03 Exhibition
311	Arthurs Creek	1165 Arthurs Creek Road	Nillumbik C149nill 001hoMap02 Exhibition
312	Arthurs Creek	110 Deep Creek Road	Nillumbik C149nill 002hoMaps02_03 Exhibition
336	Arthurs Creek	870 Arthurs Creek Road	Nillumbik C149nill 002hoMaps02_03 Exhibition
273	Christmas Hills	cnr Eltham - Yarra Glen Road & Ridge Road	Nillumbik C149nill 013hoMap12 Exhibition
313	Christmas Hills	75 Wendy Way	Nillumbik C149nill 037hoMap17 Exhibition
294	Diamond Creek	49-55 Main Street	Nillumbik C149nill 018hoMap09 Exhibition
314	Diamond Creek	12 Broad Gully Road	Nillumbik C149nill 018hoMap09 Exhibition
315	Diamond Creek	34 Clyde Street	Nillumbik C149nill 018hoMap09 Exhibition
316	Diamond Creek	38 Collins Street	Nillumbik C149nill 018hoMap09 Exhibition
317	Diamond Creek	42 Collins Street	Nillumbik C149nill 018hoMap09 Exhibition
318	Diamond Creek	349 Diamond Creek Road	Nillumbik C149nill 017hoMap09 Exhibition
320	Diamond Creek	28 Main Hurstbridge Road	Nillumbik C149nill 019hoMap09 Exhibition
322	Diamond Creek	25 Nicole Crescent	Nillumbik C149nill 020hoMap09 Exhibition
323	Diamond Creek	32-36 Perversi Avenue	Nillumbik C149nill 021hoMap10 Exhibition
324	Diamond Creek	75-99 Phipps Crescent	Nillumbik C149nill 021hoMap10 Exhibition
325	Diamond Creek	405 Ryans Road	Nillumbik C149nill 020hoMap09 Exhibition
337	Diamond Creek	477 Broad Gully Road	Nillumbik C149nill 008hoMap07 Exhibition
327	Doreen	920 Yan Yean Road	Nillumbik C149nill 004hoMap02 Exhibition
274	Eltham	2 Batman Road	Nillumbik C149nill 027hoMaps13_14 Exhibition
275	Eltham	10 Diosma Road	Nillumbik C149nill 030hoMap14 Exhibition
276	Eltham	570-576 Main Road	Nillumbik C149nill 029hoMap13 Exhibition
277	Eltham	856 Main Road	Nillumbik C149nill 028hoMap13 Exhibition
278	Eltham	1/44 Park West Road	Nillumbik C149nill 027hoMaps13_14 Exhibition
278	Eltham	42 Park West Road	Nillumbik C149nill 027hoMaps13_14 Exhibition
279	Eltham	61 York Street	Nillumbik C149nill 028hoMap13 Exhibition
293	Eltham	903-907 Main Road	Nillumbik C149nill 028hoMap13 Exhibition
297	Eltham	19 Fordhams Road	Nillumbik C149nill 029hoMap13 Exhibition
302	Eltham	130 Laughing Waters Road	Nillumbik C149nill 033hoMap14 Exhibition
303	Eltham	220 Laughing Waters Road	Nillumbik C149nill 033hoMap14 Exhibition
305	Eltham	7 Banoon Road	Nillumbik C149nill 029hoMap13 Exhibition

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HO No.s	Location	Land /Area Affected	Mapping Reference
306	Eltham	17 Haldane Road	Nillumbik C149nill 029hoMap13 Exhibition
112	Eltham	Eucalyptus melliodora (Yellow box) - 35 Laughing Waters Road, road reserve	Nillumbik C149nill 031d-hoMap14 Exhibition
112	Eltham	Eucalyptus melliodora (Yellow box) - 35 Laughing Waters Road, road reserve	Nillumbik C149nill 032hoMap14 Exhibition
284	Eltham	16 Warringah Crescent	Nillumbik C149nill 026hoMap13 Exhibition
281	Eltham North	24 Glen Park Road	Nillumbik C149nill 025hoMaps09_13 Exhibition
283	Eltham North	200 Ryans Road	Nillumbik C149nill 025hoMaps09_13 Exhibition
286	Hurstbridge	180 Cherry Tree Road	Nillumbik C149nill 011hoMap11 Exhibition
285	Hurstbridge	125 Cherry Tree Road	Nillumbik C149nill 011hoMap11 Exhibition
285	Hurstbridge	173 Cherry Tree Road	Nillumbik C149nill 011hoMap11 Exhibition
182	Hurstbridge	Smith Orchard House - 125 Cherry Tree Road	Nillumbik C149nill 010d-hoMap11 Exhibition
287	Kangaroo Ground	160 Henley Road	Nillumbik C149nill 024hoMaps11_15 Exhibition
50	Kangaroo Ground	Garden Hill – timber dwelling & in ground water tanks - 425 Eltham – Yarra Glen Road	Nillumbik C149nill 022d-hoMap11 Exhibition
50	Kangaroo Ground	Garden Hill – timber dwelling & in ground water tanks - 425 Eltham – Yarra Glen Road	Nillumbik C149nill 023hoMap11 Exhibition
49	Kangaroo Ground	War Memorial Tower, sandstone building and park - 385 Eltham – Yarra Glen Road	Nillumbik C149nill 022d-hoMap11 Exhibition
49	Kangaroo Ground	War Memorial Tower, sandstone building and park - 385 Eltham – Yarra Glen Road	Nillumbik C149nill 023hoMap11 Exhibition
292	North Warrandyte	3 Dingley Dell Road	Nillumbik C149nill 035hoMap15 Exhibition
298	North Warrandyte	35-37 Warrandyte - Kangaroo Ground Road	Nillumbik C149nill 035hoMap15 Exhibition
299	North Warrandyte	cnr Research - Warrandyte & Kangaroo Ground - Warrandyte Roads	Nillumbik C149nill 039hoMap15 Exhibition
300	North Warrandyte	33 Koornong Crescent	Nillumbik C149nill 034hoMap15 Exhibition
301	North Warrandyte	30 Koornong Crescent	Nillumbik C149nill 034hoMap15 Exhibition
304	North Warrandyte	17 Koornong Crescent	Nillumbik C149nill 034hoMap15 Exhibition
334	North Warrandyte	15 Castle Road	Nillumbik C149nill 035hoMap15 Exhibition
144	North Warrandyte	Dwelling - 28 Osborne Road	Nillumbik C149nill 036d-hoMap15 Exhibition

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HO No.s	Location	Land /Area Affected	Mapping Reference
328	Panton Hill	586 Kangaroo Ground Street	Nillumbik C149nill 012hoMap11 Exhibition
328	Panton Hill	588 Kangaroo Ground Street	Nillumbik C149nill 012hoMap11 Exhibition
288	Panton Hill	633 Kangaroo Ground - St Andrews Road	Nillumbik C149nill 012hoMap11 Exhibition
326	Plenty	1070 Yan Yean Road	Nillumbik C149nill 004hoMap02 Exhibition
329	Plenty	145 River Avenue	Nillumbik C149nill 014hoMaps08_09 Exhibition
330	Plenty	183 Yan Yean Road	Nillumbik C149nill 014hoMaps08_09 Exhibition
335	Plenty	2-6 Memorial Drive	Nillumbik C149nill 016hoMap09 Exhibition
213	Plenty	Plenty State School - 17 Howell Road No.'s 1,2,4,6,8,9,10,11,12,13,14,16 Fineran Court	Nillumbik C149nill 015d-hoMap09 Exhibition
248	Plenty	Plenty Hall - 109-115B Yan Yean Road	Nillumbik C149nill 015d-hoMap09 Exhibition
250	Plenty	Church - 171 Yan Yean Road	Nillumbik C149nill 015d-hoMap09 Exhibition
289	Research	57 Thomson Crescent	Nillumbik C149nill 030hoMap14 Exhibition
290	St Andrews	1 Proctor Street	Nillumbik C149nill 003hoMap03 Exhibition
291	St Andrews	10 Caledonia Street	Nillumbik C149nill 003hoMap03 Exhibition
296	Wattle Glen	631 Heidelberg-Kinglake Road	Nillumbik C149nill 009hoMap10 Exhibition
295	Yarrambat	466 Ironbark Road	Nillumbik C149nill 005hoMaps05_06 Exhibition
331	Yarrambat	52 Kurrak Road	Nillumbik C149nill 006hoMap06 Exhibition
332	Yarrambat	87 Latrobe Road	Nillumbik C149nill 005hoMaps05_06 Exhibition
333	Yarrambat	651 Yan Yean Road	Nillumbik C149nill 005hoMaps05_06 Exhibition

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Planning and Environment Act 1987

NILLUMBIK PLANNING SCHEME

AMENDMENT C149NILL

INSTRUCTION SHEET

The planning authority for this amendment is the Nillumbik Shire Council.

The Nillumbik Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of thirty-nine (39) attached map sheets.

Overlay Maps

1. Amend Planning Scheme Map Nos. 2HO, 3HO, 6HO, 7HO, 8HO, 9HO, 10HO, 11HO, 12HO, 13HO, 14HO, 15HO, and 17HO in the manner shown on the thirty-seven (37) attached maps marked "Nillumbik Planning Scheme, Amendment C149nill".
2. Insert Planning Scheme Map No. 5HO in the manner shown on the 1 attached map marked "Nillumbik Planning Scheme, Amendment C149nill".

Planning Scheme Ordinance

The Planning Scheme Ordinance is amended as follows:

3. In **Overlays** – Clause 43.01, replace the Schedule with a new Schedule in the form of the attached document.
4. In **Operational Provisions** – Clause 72.03, replace the Schedule with a new Schedule in the form of the attached document.
5. In **Operational Provisions** – Clause 72.04, replace the Schedule with a new Schedule in the form of the attached document.
6. In **Operational Provisions** – Clause 72.08, replace the Schedule with a new Schedule in the form of the attached document.

End of document

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NILLUMBIK PLANNING SCHEME

28/11/2013
C84

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0

28/11/2013
C84

Application requirements

None specified.

2.0

--/--/----
Proposed C149nill

Heritage places

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1	Canadian poplar 100 Mount Pleasant Road, Eltham	No	No	Yes	Yes	No	No	No	No
HO2	Maroondah Water Supply System (Upper and Central Sections) Bend of Islands and Christmas Hills and Kangaroo Ground and Research and Eltham and Diamond Creek and Greensborough	-	-	-	-	-	Yes - Ref No H2381	No	No
HO3	Former State School 3939, now Scout Hall, 20 Anzac Avenue, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO4	Former teacher's residence of State School 3939, 22 Anzac Avenue, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO5	Jelbart House, barn & gate posts, 93 Arthur Street, Eltham	No	No	No	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO7	Worlingworth, 10-26 Banoon Road, Eltham	No	No	No	Yes	No	No	No	No
HO8	Dunmoochin - Clifton Pugh's studio residence and Dunmoochin Black Dam 105 Barreenong Road, Cottlesbridge Barreenong Road Reserve, Cottlesbridge	No	No	No	Yes	No	No	Yes	No
HO9	Alma Shanahan adobe house, 135 Barreenong Road, Cottlesbridge	No	No	No	Yes	No	No	No	No
HO10	Bizan style pottery kiln of Heja Chong, 105 Barreenong Road, Cottlesbridge	No	No	No	Yes	No	No	Yes	No
HO11	Periwinkle House, 54 Batman Road, Eltham	No	No	No	Yes	No	No	No	No
HO12	Alluvial gold mining remains, 125 Blue House Road, Panton Hill	No	No	No	Yes	No	No	No	No
HO13	Southernwood 250 Bolton Street, Eltham	-	-	-	-	-	Yes - Ref No H2235	Yes	No
HO14	Alistair Knox Park, nw cnr, Bridge Street & Main Road, Eltham	No	No	No	Yes	No	No	Yes	No
HO15	Paterson's, later Joughlin's house, 48 Broad Gully Road (rear), Diamond Creek	No	No	Yes - Irish strawberry tree, camphor laurel & pepper tree	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO16	Timber trestle road bridge, Brougham Street, Eltham	No	No	No	Yes	No	No	No	No
HO17	Peter Garner adobe studio & adjacent shed, 62 Brougham Street, Eltham	No	No	No	Yes	No	No	Yes	No
HO18	Weatherboard shop & residence, 85 Burns Street, St Andrews	No	No	No	Yes	No	No	Yes	No
HO19	St Andrews Hotel, 79 Burns Street, St Andrews	No	No	Yes - Canary Island palm	Yes	No	No	Yes	No
HO20	St Andrews State School 128, 35 Caledonia Street, St Andrews	No	No	Yes - Himalayan cedar	Yes	No	No	Yes	No
HO21	St Andrews Anglican Church, 15 Caledonia Street, St Andrews	Yes	No	No	Yes	No	No	No	No
HO22	Miners timber slab cottage, 2 Castle Road, North Warrandyte	Yes	No	No	Yes	No	No	No	No
HO23	Timber trestle bridge over Arthurs Creek, Chadds Creek Road, Strathewen	No	No	No	Yes	No	No	No	No
HO24	Nillumbik farm – dwelling, 50 Challenger Street, Diamond Creek	No	No	Yes - eucalypt north of dwelling	Yes	No	No	Yes	No
HO25	Sugar gum, 50 Challenger Street, Diamond Creek	No	No	Yes	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO26	Timber trestle bridge, Chapel Lane, Nutfield	No	No	No	Yes	No	No	No	No
HO27	Diamond Creek Bridge, Chute Street, Diamond Creek	No	No	No	Yes	No	No	No	No
HO28	Apted weatherboard house, 860 Cottlesbridge - Strathewan Road, Arthurs Creek	No	No	No	Yes	No	No	Yes	No
HO29	Californian Bungalow, 830 Cottlesbridge - Strathewan Road, Arthurs Creek	No	No	No	Yes	No	No	Yes	No
HO30	Ironbark Hill, group of Eucalyptus sideroxylon (Ironbark), 50 Couties Road, Panton Hill	No	No	Yes	Yes	No	No	No	No
HO31	Diamond Creek State School 1003, 85 Cowin Street, Diamond Creek	No	No	No	Yes	No	No	Yes	No
HO32	Sweeney's Cottage, barn & glasshouse, 1 Culla Hill, Eltham	Yes	No	Yes - golden ash, lemon scented gum, pinoaks & yellow box	Yes	No	No	No	No
HO33	Former State School 209, now Eltham Primary School - sandstone building, 70 Dalton Street, Eltham	No	No	No	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO34	Eltham State School 209 Residence, 70 Dalton Street, Eltham	No	No	Yes - Monterey pines	Yes	No	No	Yes	No
HO35	Berry Street, Sutherland Child Youth & Family Services Complex – red brick & stuccoed administration building, 329-347 Diamond Creek Road, Diamond Creek	No	No	No	Yes	No	No	Yes	No
HO36	Rocknall - adobe house & iron gates, 25 Diamond Street, Eltham	No	No	No	Yes	No	No	Yes	No
HO37	Florrie's Cottage, 28-30 Diamond Street, Eltham	No	No	No	Yes	No	No	Yes	No
HO38	Kurema - Eddie Bateman adobe house & studio, 57 Dodd Street, St Andrews	No	No	No	Yes	No	No	No	No
HO39	Donaldsons oak, English oak, 35 Eltham-Yarra Glen Road, Kangaroo Ground	No	No	Yes	Yes	No	No	No	No
HO40	Frank Werther House, 19 Dunmoochin Road, Cottlesbridge	No	No	No	Yes	No	No	Yes	No
HO41	Leon Saper House, 60 Dunmoochin Road, Cottlesbridge	No	No	No	Yes	No	No	Yes	No
HO42	Timber trestle road bridge over Arthurs Creek,	No	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Eagles Nest Road, Arthurs Creek								
HO44	Hawthorn hedges near Wellers Hotel, Eltham - Yarra Glen Road, Kangaroo Ground	No	No	Yes - Hawthorn hedges	Yes	No	No	No	No
HO45	Wellers Hotel, 150 Eltham – Yarra Glen Road, Kangaroo Ground	No	No	No	Yes	No	No	Yes	No
HO46	Presbyterian Church, 265 Eltham – Yarra Glen Road, Kangaroo Ground	Yes	No	No	Yes	No	No	No	No
HO47	State School & former residence, 275 Eltham - Yarra Glen Road, Kangaroo Ground	No	No	No	Yes	No	No	Yes	No
HO48	Kangaroo Ground General Store & Post Office, 280 Eltham - Yarra Glen Road, Kangaroo Ground	No	No	No	Yes	No	No	Yes	No
HO49	Kangaroo Ground War Memorial Park 385 Eltham - Yarra Glen Road, Kangaroo Ground Statement of Significance: Kangaroo Ground War Memorial Park ,385 Eltham–Yarra Glen Road, Kangaroo Ground, July 2022	No	No	Yes – mature planting including Monterey Cypress, English oak, Eucalyptus botryoides, & Livistona australis, 'Lone Pine', chusan Palms (Trachycarpus	Yes	Yes – caretaker's cottage	No	Yes	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
				fortunei), Cedar (Cedrus Deodara), Sugar Gum (Eucalyptus cladocalyx), Manna Gum (Eucalyptus viminalis)					
HO50	Garden Hill – timber dwelling & in-ground water tanks (2), 425 Eltham - Yarra Glen Road, Kangaroo Ground	No	No	Yes - Canary Island palm	Yes	No	No	Yes	No
HO52	Hawthorn hedges Eltham - Yarra Glen, Kangaroo Ground - St Andrews, and Kangaroo Ground -Warrandyte Roads, Kangaroo Ground	No	No	Yes - Hawthorn hedges	Yes	No	No	No	No
HO53	Christmas Hills Primary School 1362 & residence 1409 Eltham -Yarra Glen Road, Christmas Hills	No	No	Yes – English Oak and Manna gum	Yes	No	No	Yes	No
HO54	Souter house 23 Falkiner Street, Eltham	No	No	No	Yes	No	No	Yes	No
HO55	Langi Dorn Pise House 4 Fay Street, Eltham	No	No	No	Yes	No	No	No	No
HO56	Maroondah aqueduct pipe track 23 Grevillea Close, Eltham North	No	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO57	Hurst Family Cemetery, at Hurstbridge Pre-School 4-8 Greys Harps Road, Hurstbridge	No	No	Yes - Atlas Cedar, Canary Island pine, Peppercorn & Stone pine	Yes	No	No	No	No
HO58	Stonygrad 34 Hamilton Road, Nth Warrandyte	No	No	No	Yes	No	No	No	No
HO59	Whatmaugh's, later Bells Cottage 67 Happy Hollow Drive, Plenty	No	No	No	Yes	No	No	Yes	No
HO60	Hurstbridge Uniting Church & hall 1006 Heidelberg-Kinglake Rd, Hurstbridge	No	No	No	Yes	Yes - hall	No	Yes	No
HO61	Allwood house 901 Heidelberg-Kinglake Rd, Hurstbridge	No	No	Yes – Cabbage palms (2), Thread palms (2) & Peppercorn trees (4)	Yes	No	No	Yes	No
HO62	St Peter's Anglican & Catholic Church 1053 Heidelberg -Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO63	Drop slab barn at Cleir Hills 1394 Heidelberg-Kinglake Road, Cottles Bridge	No	No	No	Yes	Yes – drop-slab barn	No	Yes	No
HO66	Victorian Railways weatherboard residence 1885 781 Heidelberg-Kinglake Road, Hurstbridge	No	No	Yes – Chinese windmill palm & Monterey cypress	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

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HO67	Portable Police cell lock-up at rear Allwood House 901 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO68	Hurstbridge Post Office - former Evelyn Observer Office 794 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO69	Weatherboard milk bar & attached house 804 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO70	Daraville - weatherboard house 828 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO71	Fire Bell Tree (Yellow box) 832 Heidelberg-Kinglake Road, Hurstbridge	No	No	Yes	Yes	No	No	No	No
HO72	Railway electricity substation 805 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO73	Weatherboard house & corrugated iron garage 840 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO74	Bank, former 901 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO75	Former butcher's shop & house 919 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

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HO76	Weatherboard house 936 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO77	Weatherboard shop & dwelling 956 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO78	Weatherboard shop, corrugated iron building and weatherboard house to rear 960 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO79	Weatherboard shop & residence 964 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	Yes	No
HO80	Hawthorn hedges & fields Henley Road, Kangaroo Ground	No	No	Yes – Hawthorn hedges	Yes	No	No	No	No
HO81	Adobe cottage & corrugated iron outbuilding 145 Henley Road, Kangaroo Ground	No	No	No	Yes	No	No	No	No
HO82	Montsalvat 7-15 Hillcrest Avenue, Eltham	-	-	-	-	-	Yes – Ref No H716	Yes	No
HO83	Handfield House 16 Homestead Road, Eltham	No	No	No	Yes	No	No	Yes	No
HO84	McWhelans House & complex 5 Homestead Road, Eltham	No	No	Yes – Hawthorn hedges	Yes	No	No	Yes	No
HO85	Reinforced concrete arch bridge	Yes	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

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	Hurstbridge-Arthurs Creek Road, Hurstbridge								
HO86	Burkes Bridge – timber trestle road bridge Hurstbridge-Arthurs Creek Road, Hurstbridge	No	No	No	Yes	No	No	No	No
HO87	Hawthorn hedge & post and rail fence remains 235 Hurstbridge-Arthurs Creek Road, Nutfield	No	No	Yes – Hawthorn hedge	Yes	Yes - post and rail fence remains	No	No	No
HO88	Weatherboard farm house 710 Hurstbridge-Arthurs Creek Road, Arthurs Creek	No	No	No	Yes	No	No	Yes	No
HO89	Weatherboard farm house & outbuildings 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek	No	No	No	Yes	No	No	Yes	No
HO90	Eucalyptus melliodora (Yellow box) 5 Arthurs Creek Road, Hurstbridge	No	No	Yes	Yes	No	No	No	No
HO91	Tantoon - Peter Glass abobe residence, 75 John Street, Eltham	No	No	Yes – Eucalyptus cladocalyx, E. maculata, E. citriodora & Casuarina torulosa	Yes	No	No	No	No
HO92	Weatherboard house 9 John Street, Eltham	No	No	No	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

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HO93	Eucalyptus melliodora (Yellow box) 61 Kalbar Road, Eltham	No	No	Yes	Yes	No	No	No	No
HO94	Shop 605 Kangaroo Ground-St Andrews Road, Panton Hill	No	No	No	Yes	No	No	Yes	No
HO95	The Crest - weatherboard house 555 Kangaroo Ground-St Andrews Road, Panton Hill	No	No	No	Yes	No	No	Yes	No
HO96	St Matthew's Church, Memorial Cross 575 Kangaroo Ground-St Andrews Road, Panton Hill	No	No	No	Yes	No	No	Yes	No
HO97	Panton Hill Primary School 1134 & Maud Rattray Memorial Bell 595 Kangaroo Ground-St Andrews Road, Panton Hill	No	No	No	Yes	No	No	Yes	No
HO98	Panton Hill Primary School residence 595 Kangaroo Ground-St Andrews Road, Panton Hill	No	No	No	Yes	No	No	Yes	No
HO99	Wippell's Oak, English oak 50 Kangaroo Ground-St Andrews Road, Kangaroo Ground	No	No	Yes	Yes	No	No	No	No
HO100	Eucalyptus globulus	No	No	Yes	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	624 Kangaroo Ground-St Andrews Road, Panton Hill								
HO101	The Robins - Penleigh Boyd house & outbuilding 13 Kangaroo Ground-Warrandyte Rd, North Warrandyte	Yes	No	No	Yes	No	No	No	No
HO102	Pigeon Bank - residence 450 Kangaroo Ground-Warrandyte Rd, Kangaroo Ground	No	No	Yes – English oak (2) & Hawthorn hedge	Yes	No	No	Yes	No
HO103	Nichol House 49 Kangaroo Ground-Warrandyte Road, North Warrandyte	No	No	No	Yes	No	No	Yes	No
HO104	Buzacott House 80 Kangaroo Ground-Warrandyte Road, North Warrandyte	No	No	No	Yes	No	No	Yes	No
HO105	Wright House 84 Kangaroo Ground-Warrandyte Road, North Warrandyte	No	No	No	Yes	No	No	Yes	No
HO106	Lowen House 90-92 Kangaroo Ground-Warrandyte Road North Warrandyte	No	No	No	Yes	No	No	Yes	No
HO107	Timber slab farm building 365 Kangaroo Ground-Wattle Glen Road, Kangaroo Ground	No	No	No	Yes	Yes – slab farm building	No	Yes	No

NILLUMBIK PLANNING SCHEME

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HO108	Kangaroo Ground Emergency Operations Centre 35 Kangaroo Ground-St Andrews Road, Kangaroo Ground	No	No	No	Yes	No	No	Yes	No
HO109	Alistair Knox house & office 2 King Street, Eltham	No	No	No	Yes	Yes – office	No	Yes	No
HO110	Headmaster's house & in ground water tank, at former Koornong Experimental School 25 Koornong Crescent, North Warrandyte	No	No	No	Yes	No	No	No	No
HO111	Adobe house, outbuilding, Boomerang House & Bathing Shed 195 Laughing Waters Road, Eltham	No	No	No	Yes	No	No	No	No
HO112	Eucalyptus melliodora (Yellow box) 35 Laughing Waters Road, road reserve, Eltham	No	No	Yes	Yes	No	No	No	No
HO113	Landscape Residence & rear concrete studio 60 Lavender Park Road, Eltham	No	No	No	Yes	No	No	Yes	No
HO114	Two houses, old Brinkkötter house 32 Lindon Strike Court, Research	No	No	No	Yes	No	No	No	No
HO115	Royal Mail Hotel 29 Main Hurstbridge Road, Diamond Creek	No	No	No	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

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HO116	Eltham Hotel (pre-1940 section) 746 Main Rd, Eltham	No	No	No	Yes	No	No	Yes	No
HO117	Eltham Community Centre, & wheel rim (tyring) tool 801 Main Road, Eltham	No	No	Yes – Peppercorn tree and planting	Yes	No	No	Yes	No
HO118	Uniting Church, former Methodist Church 810 Main Road, Eltham	No	No	No	Yes	No	No	Yes	No
HO119	Lim Joon House 618 Main Road, Eltham	No	No	No	Yes	No	No	Yes	No
HO120	Wingrove Cottage 672-674 Main Road, Eltham	No	No	Yes – Pencil pines	Yes	No	No	Yes	No
HO121	Jarrold (White Cloud) Cottage shop & rear Mitchum Skipper studio 701 Main Road, Eltham	No	No	No	Yes	Yes - studio	No	Yes	No
HO122	Former Police Quarters 728 Main Road, Eltham The heritage place includes Portable timber lockup	-	-	-	-	-	Yes – Ref No H1539	Yes	No
HO123	Eltham Court House 730 Main Road, Eltham	-	-	-	-	-	Yes – Ref No H784	No	No
HO124	Brick shop & dwelling 736 Main Road, Eltham	No	No	No	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

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HO125	Living & Learning Centre weatherboard house & brick outbuilding 739 Main Road, Eltham	No	No	No	Yes	No	No	Yes	No
HO126	Eltham War Memorial Cenotaph 903 – 907 Main Road, Eltham	No	No	No	Yes	No	No	No	No
HO127	Former CBA bank 810 Main Road, Eltham	No	No	No	Yes	No	No	Yes	No
HO128	Shop (J.N. Burgoyne) 820 Main Road, Eltham	No	No	No	Yes	No	No	Yes	No
HO129	Fire Bell at Fire Station 909 Main Road, Eltham	No	No	No	Yes	No	No	No	No
HO130	Pre-cast concrete horse trough in road reserve 1524 Main Road (road reserve), Research	No	No	No	Yes	No	No	No	No
HO132	St Johns Church of England, School & Hall 61 Main Street, Diamond Creek	Yes	No	Yes	Yes	No	No	No	No
HO133	Former Ryans Butcher Shop & Residence, now Ryans Bar & Restaurant 69 Main Street, Diamond Creek	No	No	No	Yes	No	No	Yes	No
HO135	Shoestring, David Clark House 31 Metery Road, Eltham	No	No	No	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO136	Coller House 10 Eucalyptus Road, Eltham	No	No	Yes	Yes	No	No	Yes	No
HO137	Yarra Vale -Anderson family cottage 188 Mount Pleasant Road, Eltham	No	No	Yes – Canary Island palm	Yes	No	No	Yes	No
HO138	Huggett Barn 194 Mount Pleasant Road, Eltham	No	No	No	Yes	Yes - barn	No	Yes	No
HO139	Pittard House 430 Mount Pleasant Road, Research	No	No	No	Yes	No	No	Yes	No
HO140	Cowin's orchard cool store 93-113 Murray Road, Diamond Creek	No	No	No	Yes	Yes – cool store	No	No	No
HO141	Smith dam 48 Nerreman Gateway, Eltham	No	No	No	Yes	No	No	No	No
HO142	Ellis Cottage 10 Nillumbik Square, Diamond Creek	No	No	No	Yes	No	No	Yes	No
HO143	Cave Cool Store, at Glen Halcyon 145 Ninks Road, St Andrews	No	No	No	Yes	Yes – cool store	No	No	No
HO145	Railway timber trestle bridge over Diamond Creek Panther Place, Eltham	No	No	No	Yes	No	No	No	No
HO146	Shillinglaw Cottage 4 Panther Place, Eltham	Yes	No	Yes – Peppercorn trees (4)	Yes	No	No	No	No

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HO147	Alan Marshall Bungalow 13 Park West Road, Eltham Statement of Significance: 'Gurawalla' Alan Marshall Bungalow, 13 Park West Road, Eltham, October 2021	No	Yes	No	Yes	Yes - bungalow, 5m curtilage and a pathway to Park West Road.	No	No	No
HO148	Helen Laycock residence & two adjacent buildings 95 Patullos Road, Hurstbridge	No	No	No	Yes	No	No	No	No
HO149	Stanhope House 10 Peter Street, Eltham	No	No	No	Yes	No	No	No	No
HO150	Hazel's Cottage 14 Peter Street, Eltham	No	No	No	Yes	No	No	No	No
HO151	Pise House 7 Peter Street, Eltham	No	No	No	Yes	No	No	No	No
HO152	Weatherboard house 1/123 Pitt Street, Eltham	No	No	No	Yes	No	No	No	No
HO153	Fulling - Gordon Ford's adobe house, outbuildings & property 141 and 143 Pitt Street and 76 John Street, Eltham	No	No	Yes	Yes	Yes - all	No	No	No
HO154	St Margaret's Church and original vicarage 10-12 John Street, Eltham	-	-	-	-	-	Yes – Ref No H459	No	No

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HO155	Brick house 88 Pitt Street, Eltham	No	No	No	Yes	No	No	Yes	No
HO156	Sloan's Cottage 193 Research-Warrandyte Road, North Warrandyte	No	No	No	Yes	No	No	Yes	No
HO157	Baker Eltham Style outbuilding & sculptures (2) 108 Research-Warrandyte Road, North Warrandyte	No	No	No	Yes	Yes – Baker Eltham-style outbuilding	No	Yes	No
HO158	Pinoak at Garambi Baan, 130 Laughing Waters Road, Eltham	No	No	Yes - Pinoak	Yes	No	No	No	No
HO159	Bunya bunyas (2) & Monterey cypress 695-697 Ridge Road, Christmas Hills	No	No	Yes	Yes	No	No	Yes	No
HO161	Weatherboard cottage 15 Silver Street, Eltham	No	No	No	Yes	No	No	Yes	No
HO162	Busst House 71 Silver Street, Eltham	No	No	No	Yes	No	No	No	No
HO163	Queenstown Cemetery 70 Smiths Gully Road, Smiths Gully	No	No	Yes – mature planting	Yes	No	No	No	No
HO164	State Battery remains including concrete dam in Smiths Gully Creek at Peter Franke Reserve 75 Smiths Gully Road, Smiths Gully	No	No	No	Yes	No	No	Yes	No

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HO165	Clay Nuneham - stone & adobe house 12-16 Stanhope Street, Eltham	No	No	No	Yes	No	No	No	No
HO166	Trenowin house, brick domed water storage and former private road alignment 83 Lambert Street, Diamond Creek	No	No	Yes - Monterey cypress, & Hawthorn hedge	Yes	No	No	No	No
HO167	Former Bateman House 85 Sweeney's Lane, Eltham	No	No	No	Yes	No	No	Yes	No
HO168	Tree rows, Diamond Creek Cricket Reserve 28 Main Hurstbridge Road, and 2 Diamond Street, Diamond Creek	No	No	Yes – elms, plane trees, pepper trees, Canary Island pines, Bunya bunyas, eucalypts adjacent to creek & hawthorn hedge	Yes	No	No	Yes	No
HO169	Pinoak, Eltham High School 30-60 Withers Way, Eltham	No	No	Yes – Pinoak	Yes	No	No	No	No
HO170	Golden King gold mine battery & equipment Yan Yean Road, Yarrambat	No	No	No	Yes	No	No	Yes	No
HO171	Miss Meglin's house & Special School 3660, now part Meglin Health Centre - house, red brick former school building & domed well 2-10 Yan Yean Road, Diamond Creek	No	No	Yes – cypress row & oaks (2)	Yes	No	No	Yes	No
HO172	Downing Le Gallienne mud brick house	No	No	No	Yes	No	No	No	No

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	12 Yarra Braes Road, Eltham								
HO173	The Island, Thompson Bend Yarra River, Warrandyte	No	No	Yes	Yes	No	No	Yes	No
HO176	Oak Tree 83 and 85 Lambert Street Diamond Creek	No	No	Yes	Yes	No	No	No	No
HO177	Dwelling 1524 Eltham Yarra Glen Road, Christmas Hills	No	No	No	Yes	No	No	No	No
HO178	Dwelling 50 Arthur Street, Eltham	No	No	No	Yes	No	No	No	No
HO179	Old Store and Post Office 910 Arthurs Creek Road, Arthurs Creek	No	No	No	Yes	No	No	No	No
HO181	Mackey House 6 Castle Road, North Warrandyte	No	No	No	Yes	Yes	No	No	No
HO183	Clinton's Pleasure Grounds, later Rob Roy Hill Climb 375 and 385 Clintons Road, Smiths Gully	No	No	No	Yes	No	No	No	No
HO184	Wilkinson House 20 Clyde Street, Diamond Creek	No	No	Yes	Yes	No	No	No	No
HO185	Henzel Farm House 110 Cochrane's Lane, Pantom Hill	No	No	Yes – Monterey pine and Bhutan Cypress rows	Yes	No	No	No	No

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HO186	Kyah, Bourke house 1/15 Collins Street, Diamond Creek	No	No	Yes	Yes	No	No	No	No
HO187	Windermere, former Leach house 24 Collins Street, Diamond Creek	No	No	Yes	Yes	No	No	No	No
HO188	Collins house 25 Collins Street, Diamond Creek	No	No	Yes	Yes	No	No	No	No
HO189	Fruit Trees (7 plus 27) 864 Cottlesbridge-Strathewen Road, Arthurs Creek	No	No	Yes – 27 plus 7. 26 Williams pears 1880, and Packham pears 1930.	Yes	No	No	No	No
HO190	Orchard house 25 Cottlesbridge-Strathewen Road, Cottlesbridge	Yes	No	Yes	Yes	Yes	No	No	No
HO191	River Red Gums (2) 25 Doctors Gully Road, Doreen	No	No	Yes	Yes	No	No	No	No
HO192	Thornholm – farm complex 180 Doctors Gully Road, Doreen	No	No	Yes	Yes	No	No	No	No
HO193	Tregowan farm complex 310 Doctors Gully Road, Doreen	No	No	Yes	Yes	Yes	No	No	No
HO194	Richard House 80 Dodd Street, St Andrews	Yes	No	No	Yes	No	No	No	No

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HO197	5 Fruit trees – Packham Triumph, Vicar Napoleon, Buerre Capment 310 Eagles Nest Road, Arthurs Creek	No	No	Yes – 5 fruit trees Packham Triumph from Buerre Capment graft.	Yes	No	No	No	No
HO198	Manna Gum on road reserve - Eucalyptus viminalis, 115 Eltham Yarra Glen Road, Kangaroo Ground	No	No	Yes	Yes	No	No	No	No
HO199	Sugar Gum on road reserve – Eucalyptus cladocalyx 295 Eltham Yarra Glen Road, Kangaroo Ground	No	No	Yes	Yes	No	No	No	No
HO200	Hill, later Birch farm complex 945 Eltham Yarra Glen Road, Watsons Creek	No	No	No	Yes	No	No	No	No
HO201	Lee house and Gossip Tree 1533 Eltham Yarra Glen Road, Christmas Hills	No	No	Yes – red box on road reserve	Yes	No	No	No	No
HO202	Eltham South Pre School Centre 35 Fordhams Road, Eltham	Yes	Yes	No	Yes	No	No	No	No
HO203	Peers house 15 Galatea Street, Diamond Creek	No	No	No	Yes	No	No	No	No
HO204	Edendale Farm and The Fences Act 30-32 Gastons Road, Eltham	Yes	Yes	Yes	Yes	No	No	No	No

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HO205	Three Bears Cottage 105 Gongflers Drive, Bend of Islands	Yes	No	Yes – indigenous planting	Yes	No	No	No	No
HO206	London Plane Tree 4 -8 Greys Harps Road, Hurstbridge	No	No	Yes	Yes	No	No	No	No
HO207	Wattle Glen Railway electricity substation 549 – 557 Heidelberg Kinglake Road, Wattle Glen	Yes	No	No	Yes	No	No	No	No
HO208	Upper Diamond Creek State School 2059 residence 644 – 646 Heidelberg Kinglake Road, Wattle Glen	No	No	No	Yes	No	No	No	No
HO209	Canary Island Palm and apricot – near St Peter's Church 1053 Heidelberg Kinglake Road, Hurstbridge	No	No	Yes	Yes	No	No	No	No
HO210	Stone Pine and Monterey pine row 1640 Heidelberg Kinglake Road, St Andrews	No	No	Yes	Yes	No	No	No	No
HO211	Neil Douglas & Helen Heathcote house, later Atunga 512 Henley Road, Bend of Islands	No	No	Yes	Yes	No	No	No	No
HO212	Shaws Cool Store 345 Hildebrand Road, Cottlesbridge	No	No	Yes – Monterey Pines at gate	Yes	Yes	No	No	No

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HO214	Monterey Cypress at entrance to Ferguson's Paddock 12 Hurstbridge Arthurs Creek Road, Hurstbridge	No	No	Yes	Yes	No	No	No	No
HO215	Kinrade farm house, outbuildings and trees 385 Hurstbridge Arthurs Creek Road, Nutfield	No	No	Yes	Yes	Yes	No	No	No
HO217	Edwin Peters, later Henry Ryan house 5 Hyde Street, Diamond Creek	No	No	No	Yes	No	No	No	No
HO218	Harless orchard house 35 Ingrams Road, Research	No	No	No	Yes	No	No	No	No
HO219	St Michael's Anglican Church 469 – 475 Ironbark Road, Yarrambat	Yes	Yes	No	Yes	No	No	No	No
HO220	Whippell Farm Complex 85 Kangaroo Ground St Andrews Road, Kangaroo Ground	No	No	Yes	Yes	Yes	No	No	No
HO221	Cracknell Orchard house 405 Kangaroo Ground St Andrews Road, Panton Hill	No	No	Yes	Yes	No	No	No	No
HO222	Hazeldell, Albert Smith house, later Lenkunya 925 Kangaroo Ground St Andrews Road, Smiths Gully	Yes	No	No	Yes	No	No	No	No

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HO223	Jones Orchard Complex 205 Kangaroo Ground Wattle Glen Road, Wattle Glen	No	No	No	Yes	Yes	No	No	No
HO224	Arnold house 20 Kangaroo Ground Warrandyte Road, North Warrandyte	Yes	Yes – main living rooms	No	Yes	No	No	No	No
HO225	Pizzey house, later Rose Cottage 29 Main Street, Diamond Creek	No	No	No	Yes	No	No	No	No
HO226	Ellis Gateway at Nillumbik Cemetery 35 Main Street, Diamond Creek	Yes	No	No	Yes	Yes	No	No	No
HO227	Eltham watering place reserve (Wingrove Park) 645 Main Road, Eltham	No	No	Yes	Yes	No	No	No	No
HO228	Saskia Killingbeck house 715 Main Road, Eltham	No	No	No	Yes	No	No	No	No
HO229	Avenue of Honour Main Road – Between Brougham Street and Dalton Street and Withers Way, Eltham	No	No	Yes	Yes	No	No	No	No
HO230	Italian Cypress 895 Main Road, Eltham	No	No	Yes	Yes	No	No	No	No

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HO231	Canary Island palms, cotton palm, Monterey cypress (golden) at former Francis McDonald property 1342 Main Road, Eltham	No	No	Yes – Canary Island palms (4), cotton palm, Monterey cypress	Yes	No	No	No	No
HO232	Monterey cypress drive & planting (mature conifers, palms) at Lambert house site 5 Meruka Drive, Eltham	No	No	Yes	Yes	No	No	No	No
HO233	Apple Orchard and Monterey pine rows 360 Mine Road, Cottlesbridge	No	No	Yes	Yes	No	No	No	No
HO234	Hazel Glen Homestead 325 Middle Hut Road, Arthurs Creek	No	No	Yes – red gum, Scots pine near creek	Yes	Yes	No	No	No
HO235	English Oaks and farm house, former Panton property 270 Mt Pleasant Road, Eltham	No	No	Yes – English oaks (2), European Beech (1)	Yes	No	No	No	No
HO236	Mills farm house 30 Murray Drive, Wattle Glen	No	No	No	Yes	No	No	No	No
HO237	Nink farm – three dwellings circa 1900 265 Ninks Road, St Andrews	No	No	No	Yes	No	No	No	No
HO238	Burgess house, later Briddon's – former Hillcrest house 109 Osborne Road, Christmas Hills	No	No	Yes – fig, Monterey pines	Yes	No	No	No	No

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HO239	Eltham Library 4 – 10 Panther Place, Eltham	Yes	Yes (original main spaces)	No	Yes	No	No	No	No
HO240	Monterey pine row (7) and Monterey pine group (3) at Eltham Central Park 18 Panther Place, Eltham	No	No	Yes	Yes	No	No	No	No
HO241	English Oaks (5+5), Rugby Field end Pitt street, Eltham	No	No	Yes	Yes	No	No	No	No
HO243	Christmas Hills Mechanics Institute and Free Library, later Harold Muir Hall 787 Ridge Road, Christmas Hills	No	No	No	Yes	No	No	No	No
HO244	Wadeson house 9 Risdale Close, Diamond Creek	No	No	No	Yes	No	No	No	No
HO245	Ryders Hut (Barton Hill) 75 Running Creek Road, Arthurs Creek	No	No	Yes – Monterey pines, cypress specimens and silky oaks, house yard	Yes	Yes	No	No	No
HO246	Fayrefield Hat Factory (former) garden or landscape design 197 Sherbourne Road, Eltham	No	No	Yes – garden and planting	Yes	No	No	No	No
HO247	Heffernan farm outbuildings (2) 104 Thompson Crescent, Research	Yes	No	No	Yes	Yes	No	No	No

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HO249	Plenty War Memorial Gates 109-115B Yan Yean Road, Plenty	Yes	No	No	Yes	No	No	No	No
HO251	Pear Tree, 215 Kangaroo Ground Wattle Glen Road, Wattle Glen	No	No	Yes – Pear Tree 'Pyrus communis'	Yes	No	No	No	No
HO252	Former Blacksmiths Shop 925 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	No	No
HO253	Pound Bend Gold Diversion Tunnel Pound Bend Road, Warrandyte and Kangaroo Ground- Warrandyte Rd, North Warrandyte	-	-	-	-	-	Yes – Ref No H1260	No	No
HO254	Rice House 69 Ryans Road, Eltham	-	-	-	-	-	Yes – Ref No H123	Yes	No
HO255	Belle Vue 17-21 Livingstone Road, Eltham Incorporated plan: Belle Vue 17-21 Livingstone Road, Eltham Heritage Management Guidelines August 2011	No	No	Yes – Monterey Cypress (2), Peppercorn, Canary Island Date Palm, Narrow-leaved Black Peppermint, Deodar Cedar, Red Oak, Italian Cypress	Yes	Yes – dairy	No	No	No
HO256	Plum Cottage 616 Main Road, Eltham	Yes	Yes	No	Yes	No	No	No	No
HO257	Mudstone acre	Yes	Yes	No	Yes	No	No	No	No

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	18 Peter Street, Eltham								
HO258	Burns House 'Kangaroo' 644 Henley Road, Bend of Islands	-	-	-	-	-	Yes - Ref No H2314	Yes	No
HO259	Former Milthorpe Store 42-44 Main Hurstbridge , Diamond Creek	No	No	No	Yes	No	No	No	No
HO260	Former Memorial Park 36 Greysharps Road, Hurstbridge	No	No	No	Yes	No	No	No	No
HO261	Residence 40 Greysharps Road, Residence	No	No	No	Yes	No	No	No	No
HO262	Residence 748 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	No	No
HO263	Residence 760 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	No	No
HO264	Residence 836 Heidelberg-Kinglake Road, Hurstbridge	No	No	Yes Canary Island Palms (2)	Yes	No	No	No	No
HO265	Garage 849 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	No	No
HO266	Garage 941 Heidelberg-Kinglake Road, Hurstbridge	No	No	No	Yes	No	No	No	No

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HO267	Batman Apple Tree and Pioneer Graves 6A Hamish Court, Greensborough	No	No	Yes Apple Tree	Yes	No	No	No	No
HO269	Fermanagh 1080 Heidelberg-Kinglake Road, Hurstbridge Statement of Significance: 'Fermanagh', 1080 Heidelberg-Kinglake Road, Hurstbridge, March 2022	No	No	Yes - Golden Cypress trees (<i>Hesperocyparis macrocarpa</i> 'Horizontalis Aurea') and Chinese Windmill Palms (<i>Trachycarpus fortunei</i>)	Yes	No	No	No	No
HO270	House Part of 14-26 Browns Lane, Plenty Statement of Significance: House, 14-26 Browns Lane, Plenty, April 2022	No	No	No	Yes	No	No	No	No
HO273	Christmas Hills War Memorial cnr of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills Statement of Significance: Christmas Hills War Memorial, Corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, June 2021	No	No	No	Yes	No	No	No	No

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HO274	Bell Vue 2 Batman Road, Eltham Statement of Significance: 'Bell Vue', 2 Batman Road, Eltham, June 2021	No	No	Yes - Canary Island Date Palm (Phoenix canariensis) and Monterey Pine (Pinus radiata)	Yes	No	No	No	No
HO275	Choong House 10 Diosma Road, Eltham Statement of Significance: 'Choong House' 10 Diosma Road, Eltham, June 2021	No	No	No	Yes	Yes - Carport	No	No	No
HO276	Diamond Valley Miniature Railway 570 - 576 Main Road Eltham Statement of Significance: Diamond Valley Miniature Railway, 570 - 576 Main Road, Eltham, June 2021	No	No	No	Yes	Yes	No	No	No
HO277	Former House 856 Main Road, Eltham Statement of Significance: Former House, 856 Main Road, Eltham, June 2021	No	No	No	Yes	No	No	No	No
HO278	Alan Martin House and Studio 42 & 1/44 Park West Road, Eltham Statement of Significance:	No	No	No	Yes	Yes - Studio	No	No	No

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	Alan Martin House and Studio, 42 & 1/44 Park West Road, Eltham, June 2021								
HO279	MacMahon Ball House and Studio 61 York Street, Eltham Statement of Significance: MacMahon Ball House and Studio, 61 York Street, Eltham, June 2021	No	No	No	Yes	Yes - Mudbrick Study	No	No	No
HO281	Welfare Centre 24 Glen Park Road, Eltham North Statement of Significance: Welfare Centre, 24 Glen Park Road, Eltham North, June 2021	No	No	No	Yes	No	No	No	No
HO283	'Coombe House' - House 200 Ryans Road, Eltham North Statement of Significance: 'Coombe House' - House, 200 Ryans Road, Eltham North, June 2021	No	No	No	Yes	No	No	No	No
HO284	House 16 Warringah Crescent, Eltham Statement of Significance: House, 16 Warringah Crescent, Eltham, June 2021	No	No	No	Yes	Yes - Carport	No	No	No

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HO285	'Wendouree'" and Canary Island Palms, and Smith Orchard Houses 125 & 173 Tree Road, Hurstbridge Statement of Significance: 'Wendouree'" and Canary Island Palms, and Smith Orchard Houses, 125 & 173 Cherry Tree Road, Hurstbridge, June 2021	No	No	Yes- Two Canary Island Date Palms (Phoenix canariensis) at number 125	Yes	No	No	No	No
HO286	Moore's Cool Store 180 Cherry Tree Road, Hurstbridge Statement of Significance: Moore's Cool Store, 180 Cherry Tree Road, Hurstbridge, June 2021	No	No	No	Yes	No	No	No	No
HO287	Stevens House Mudbrick Residence 160 Henley Road, Kangaroo Ground Statement of Significance: Stevens House Mudbrick Residence, 160 Henley Road, Kangaroo Ground, June 2021	No	No	No	Yes	Yes - Mudbrick Studio	No	No	No
HO288	Panton Hill Hotel 633 Kangaroo Ground - St Andrews Road, Panton Hill Statement of Significance: Panton Hill Hotel, 633 Kangaroo Ground - St Andrews Road, Panton Hill, June 2021	No	No	No	Yes	No	No	No	No
HO289	Circular Adobe House	No	No	No	Yes	No	No	No	No

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	57 Thompson Crescent, Research Statement of Significance: Circular Adobe House, 57 Thompson Crescent, Research, June 2021								
HO290	St Andrews Hall 1 Proctor Street, St Andrews Statement of Significance: St Andrews Hall, 1 Proctor Street, St Andrews, June 2021	No	No	No	Yes	No	No	No	No
HO291	St Andrews General Store and Residence 10 Caledonia Street, St Andrews Statement of Significance: St Andrews General Store and Residence, 10 Caledonia Street, St Andrews, June 2021	No	No	No	Yes	No	No	No	No
HO292	Janeba House 3 Dingley Dell Road, North Warrandyte Statement of Significance: Janeba House, 3 Dingley Dell Road, North Warrandyte, June 2021	No	No	No	Yes	No	No	No	No
HO293	Eltham War Memorial Building Complex 903-907 Main Road, Eltham Statement of Significance:	No	No	No	Yes	Yes - Memorial Gates and Sundial	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Eltham War Memorial Building Complex, 903-907 Main Road, Eltham, June 2021								
HO294	Former Church of the Sacred Heart 49-55 Main Street, Diamond Creek Statement of Significance: Former Church of the Sacred Heart, 49-55 Main Street, Diamond Creek, July 2022	Yes	No	No	Yes	No	No	Yes	No
HO295	Former Yarrambat General Store 466 Ironbark Road, Yarrambat Statement of Significance: Former Yarrambat General Store, 466 Ironbark Road, Yarrambat, July 2022	No	No	No	Yes	No	No	Yes	No
HO296	Weatherboard Cottage 631 Heidelberg-Kinglake Road, Wattle Glen Statement of Significance: Weatherboard Cottage, 631 Heidelberg-Kinglake Road, Wattle Glen, July 2022	No	No	No	Yes	No	No	No	No
HO297	Mitchell House 19 Fordhams Road, Eltham Statement of Significance: Mitchell House, 19 Fordhams Road, Eltham, July 2022	No	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO298	Wigley House 35-37 Warrandyte-Kangaroo Ground Road, North Warrandyte Statement of Significance: Wigley House, 35-37 Warrandyte-Kangaroo Ground Road, North Warrandyte, July 2022	No	No	No	Yes	No	No	No	No
HO299	Queen of the Shire cnr Research-Warrandyte & Kangaroo Ground-Warrandyte Roads, North Warrandyte Statement of Significance: Queen of the Shire, cnr Research-Warrandyte & Kangaroo Ground-Warrandyte Roads, North Warrandyte, July 2022	Yes	No	No	Yes	No	No	No	No
HO300	Casa Warrandyte 33 Koornong Crescent, North Warrandyte Statement of Significance: Casa Warrandyte, 33 Koornong Crescent, North Warrandyte, July 2022	No	No	No	Yes	No	No	No	No
HO301	Tarrangower 30 Koornong Crescent, North Warrandyte Statement of Significance:	No	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Tarrangower, 30 Koornong Crescent, North Warrandyte, July 2022								
HO302	Tilwinda 130 Laughing Waters Road, Eltham Statement of Significance: Tilwinda, 130 Laughing Waters Road, Eltham, July 2022	No	No	No	Yes	No	No	Yes	No
HO303	Laughing Water 220 Laughing Waters Road, Eltham Statement of Significance: Laughing Water, 220 Laughing Waters Road, Eltham, July 2022	No	No	No	Yes	No	No	No	No
HO304	Souter House 17 Koornong Crescent, North Warrandyte Statement of Significance: Souter House, 17 Koornong Crescent, North Warrandyte, July 2022	No	No	No	Yes	No	No	No	No
HO305	Zadnic House 7 Banoon Road, Eltham Statement of Significance: Zadnic House, 7 Banoon Road, Eltham, July 2022	No	No	No	Yes	No	No	No	No
HO306	Former Nichols House	No	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	17 Haldane Road, Eltham Statement of Significance: Former Nichols House, 17 Haldane Road, Eltham, July 2022								
HO307	Arthurs Creek Methodist Church 893 Arthurs Creek Road, Arthurs Creek Statement of Significance: Arthurs Creek Methodist Church, 893 Arthurs Creek Road, Arthurs Creek, July 2022	No	No	No	Yes	Yes - 1953 Memorial Gates	No	Yes	No
HO308	Arthurs Creek School Shelter Shed 900 Arthurs Creek Road, Arthurs Creek Statement of Significance: Arthurs Creek School Shelter Shed, 900 Arthurs Creek Road, Arthurs Creek, July 2022	No	No	No	Yes	No	No	No	No
HO309	Arthurs Creek Mechanics Institute 906 Arthurs Creek Road, Arthurs Creek Statement of Significance: Arthurs Creek Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek, July 2022	No	No	No	Yes	Yes - Former Stables	No	Yes	No
HO310	Park View 25 Brennans Road, Arthurs Creek	No	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: Park View, 25 Brennans Road, Arthurs Creek, July 2022								
HO311	Arthurs Creek Cemetery 1165 Arthurs Creek Road, Arthurs Creek Statement of Significance: Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek, July 2022	No	No	Yes - Sugar Gums, Cypressess, Oaks, Avenue of Trees.	Yes	Yes - Road and Cemetery Reserve Gates	No	No	No
HO312	Sherwood 110 Deep Creek Road, Arthurs Creek Statement of Significance: Sherwood, 110 Deep Creek Road, Arthurs Creek, July 2022	No	No	Yes - Mature Cedars	Yes	No	No	No	No
HO313	McPherson's 'Yarra Glen' Station 75 Wendy Way, Christmas Hills Statement of Significance: McPherson's Yarra Glen Station, 75 Wendy Way, Christmas Hills, July 2022	No	No	No	Yes	No	No	No	No
HO314	Former Felton House 12 Broad Gully Road, Diamond Creek Statement of Significance: Former Felton House, 12 Broad Gully Road, Diamond Creek, July 2022	No	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO315	House & Palm 34 Clyde Street, Diamond Creek Statement of Significance: House & Palm, 34 Clyde Street, Diamond Creek, July 2022	No	No	Yes - Palm	Yes	No	No	No	No
HO316	House 38 Collins Street, Diamond Creek Statement of Significance: House, 38 Collins Street, Diamond Creek, July 2022	No	No	No	Yes	No	No	No	No
HO317	Former Loyal Diamond Creek Lodge of the Manchester Unity Independent Order of Oddfellows (MUIOOF) 42 Collins Street, Diamond Creek Statement of Significance: Former Loyal Diamond Creek Lodge of the Manchester Unity Independent Order of Oddfellows (MUIOOF), 42 Collins Street, Diamond Creek, July 2022	No	No	No	Yes	No	No	No	No
HO318	'Ghirrawheen' 349 Diamond Creek Road, Diamond Creek Statement of Significance: 'Ghirrawheen', 349 Diamond Creek Road, Diamond Creek, July 2022	No	No	Yes - Remnant Orchard	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO320	Diamond Creek War Memorial Reserve Circuit and 28 Main Hurstbridge Road Diamond Creek Statement of Significance: Diamond Creek War Memorial, Reserve Circuit and 28 Main Hurstbridge Road Diamond Creek, July 2022	No	No	No	Yes	No	No	No	No
HO322	Windmill House 25 Nicole Crescent, Diamond Creek Statement of Significance: Windmill House, 25 Nicole Crescent, Diamond Creek, July 2022	No	No	No	Yes	No	No	No	No
HO323	Villa Bereguardo 32-36 Perversi Avenue, Diamond Creek Statement of Significance: Villa Bereguardo, 32-36 Perversi Avenue, Diamond Creek, July 2022	No	No	No	Yes	Yes - Front Outbuilding	No	No	No
HO324	Former Farmhouse 75-99 Phipps Crescent, Diamond Creek Statement of Significance: Former Farmhouse, 75-99 Phipps Crescent, Diamond Creek, July 2022	No	No	No	Yes	No	No	No	No
HO325	Harton Hill 405 Ryans Road, Diamond Creek	No	No	Yes - Monterey Cypresses	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: Harton Hill, 405 Ryans Road, Diamond Creek, July 2022								
HO326	Hazelglen Uniting Church 1070 Yan Yean Road Statement of Significance: Hazelglen Uniting Church, 1070 Yan Yean Road, Doreen, July 2022	No	No	Yes - Pine Trees	Yes	Yes - Gates Facing Yan Yean Road	No	Yes	No
HO327	Post Office, General Store & Residence 920 Yan Yean Road Statement of Significance: Post Office, General Store & Residence, 920 Yan Yean Road, Doreen, July 2022	No	No	No	Yes	No	No	Yes	No
HO328	Panton Hill General Store Precinct 586 & 588 Kangaroo Ground Street, Panton Hill Statement of Significance: Panton Hill General Store Precinct, 586 & 588 Kangaroo Ground Street, Panton Hill, July 2022	No	No	No	Yes	No	No	Yes	No
HO329	Former Farmhouse 145 River Avenue, Plenty Statement of Significance:	No	No	No	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Former Farmhouse, 145 River Avenue, Plenty, July 2022								
HO330	Nilgiris 183 Yan Yean Road, Plenty Statement of Significance: Nilgiris, 183 Yan Yean Road, Plenty, July 2022	No	No	No	Yes	No	No	No	No
HO331	Former Farmhouse 52 Kurrak Road, Yarrambat Statement of Significance: Former Farmhouse, 52 Kurrak Road, Yarrambat, July 2022	No	No	No	Yes	No	No	No	No
HO332	Stuchbery Farm, Smugglers Gully 87 Latrobe Road, Yarrambat Statement of Significance: Stuchbery Farm, Smugglers Gully, 87 Latrobe Road, Yarrambat, July 2022	No	No	No	Yes	Yes	No	Yes	No
HO333	Farm Complex and Former State School 651 Yan Yean Road, Yarrambat Statement of Significance: Farm Complex and Former State School, 651 Yan Yean Road, Yarrambat, July 2022	Yes	No	Yes - Mature Pines and Palm Trees Around House	Yes	No	No	Yes	No

NILLUMBIK PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO334	'Landfall' 15 Castle Road, North Warrandyte Statement of Significance: 'Landfall', 15 Castle Road, North Warrandyte, July 2022	No	No	No	Yes	Yes - Pottery Studio	No	Yes	No
HO335	Plenty Heritage Park 2-6 Memorial Drive, Plenty Statement of Significance: Plenty Heritage Park, 2-6 Memorial Drive, Plenty, July 2022	No	No	No	Yes	No	No	Yes	No
HO336	Charnwood 870 Arthurs Creek Road, Arthurs Creek Statement of Significance: Charnwood, 870 Arthurs Creek Road, Arthurs Creek, July 2022	No	No	Yes - Remaining Orchard Trees and Garden	Yes	Yes - Stables	No	No	No
HO337	Oak Tree 477 Broad Gully Road, Diamond Creek Statement of Significance: Oak Tree, 477 Broad Gully Road, Diamond Creek, July 2022	No	No	Yes - Oak Tree	Yes	No	No	No	No

NILLUMBIK PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

Proposed C149nill

Maps comprising part of this planning scheme:

- 1, 1ESO1, 1ESO4, 1BMO
- 2, 2EAO, 2ESO1, 2ESO4, 2HO, 2BMO, 2PAO, 2SCO
- 3, 3DDO, 3EAO, 3ESO1, 3ESO4, 3HO, 3SLO, 3BMO
- 4, 4ESO1, 4ESO4, 4HO, 4BMO
- 5, 5DDO, 5DPO, 5ESO1, 5ESO3, 5HO, 5LSIO, 5PAO, 5BMO
- 6, 6DCPO, 6DDO, 6DPO, 6EAO, 6ESO1, 6ESO3, 6HO, 6LSIO, 6PAO, 6BMO, 6SCO
- 7, 7DDO, 7ESO1, 7ESO4, 7HO, 7LSIO, 7PAO, 7RO, 7SBO, 7SLO, 7BMO
- 8, 8DCPO, 8DPO, 8ESO1, 8ESO3, 8HO, 8LSIO, 8PAO, 8BMO, 8SCO
- 9, 9DCPO, 9DDO, 9DPO, 9EAO, 9ESO1, 9ESO4, 9HO, 9LSIO, 9PAO, 9PO, 9SBO, 9SLO, 9BMO
- 10, 10DCPO, 10DPO, 10EAO, 10ESO1, 10ESO4, 10HO, 10LSIO, 10PAO, 10PO, 10SBO, 10SLO, 10BMO
- 11, 11DPO, 11EAO, 11ESO1, 11ESO4, 11HO, 11LSIO, 11PAO, 11RO, 11SLO, 11BMO, 11SCO
- 12, 12ESO1, 12ESO4, 12HO, 12LSIO, 12PAO, 12RO, 12BMO
- 13, 13DDO, 13ESO1, 13ESO4, 13HO, 13LSIO, 13PAO, 13PO, 13SBO, 13SLO, 13BMO, 13SCO
- 14, 14DDO, 14ESO1, 14HO, 14LSIO, 14PAO, 14SBO, 14SLO, 14BMO, 14SCO
- 15, 15DDO, 15ESO1, 15HO, 15LSIO, 15SLO, 15BMO
- 16, 16DDO, 16ESO1, 16ESO4, 16HO, 16LSIO, 16SLO, 16BMO
- 17, 17ESO1, 17HO, 17LSIO, 17BMO

NILLUMBIK PLANNING SCHEME

15/01/2024
VC249

SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS

1.0

Proposed C149nill

Incorporated documents

Name of document	Introduced by:
<i>Area B: Diamond Creek North Development Contributions Plan – Area 2</i> (SGS Economics and Planning, December 2023)	VC249
Belle Vue 17-21 Livingstone Road, Eltham Heritage Management Guidelines, August 2011	C72
<i>Development Contributions Plan Development Plan Overlay Area A (DPO 1)</i> (SGS Economics and Planning, December 2023)	VC249
Diamond Creek Trail Extension (Diamond Creek to Hurstbridge) Incorporated Document (November 2017)	C108
Eltham College Master Plan April 2011	C65
Fitzsimons Lane (Foote Street, Porter Street, Main Road and Leane Drive) Upgrade Project Incorporated Document, December 2019	GC158
Garambi Baan (Laughing Waters) Residency Centre Project Incorporated Document, June 2020	C125nill
Hurstbridge Line Upgrade Project 2010	C69
Hurstbridge Rail Line Upgrade 2017 Incorporated Document, January 2017	GC60
Kangaroo Ground Postal Agency Incorporated Document	C29
North East Link Project Incorporated Document, December 2019 (<i>amended September 2023</i>)	GC223
<i>Plenty Low Density Area Development Contributions Plan – Area 4</i> (SGS Economics and Planning, December 2023)	VC249
Plenty Valley Christian College Master Plan March 2008	C48
Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016	GC57
Shire of Nillumbik Environmental Weed List 2009	C62
Shire of Nillumbik Site Specific Provisions (January 2000)	NPS1
Site Specific Control: Specified public land within the Nillumbik Planning Scheme (January 2013)	C82
St Vincent's Care Services - Incorporated Document September 2016	C110
Statement of Significance: Alan Martin House and Studio, 42 & 1/44 Park West Road, Eltham, June 2021	C149nill
Statement of Significance: Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek, July 2022	C149nill
Statement of Significance: 'Bell Vue', 2 Batman Road, Eltham, June 2021	C149nill
Statement of Significance: Carson House - Casa Warrandyte, 33 Koornong Crescent, North Warrandyte, July 2022	C149nill
Statement of Significance: Catholic Church, 49-55 Main Street, Diamond Creek, July 2022	C149nill
Statement of Significance: Charnwood, 870 Arthurs Creek Road, Arthurs Creek, July 2022	C149nill
Statement of Significance: 'Choong House' 10 Diosma Road, Eltham, June 2021	C149nill
Statement of Significance: Christmas Hills War Memorial, Corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, June 2021	C149nill

NILLUMBIK PLANNING SCHEME

Name of document	Introduced by:
Statement of Significance: Circular Adobe House, 57 Thompson Crescent, Research, June 2021	C149nill
Statement of Significance: 'Coombe House' - House, 200 Ryans Road, Eltham North, June 2021	C149nill
Statement of Significance: Diamond Creek War Memorial, 28 Main Hurstbridge Road, Diamond Creek, July 2022	C149nill
Statement of Significance: Diamond Valley Miniature Railway, 570 - 576 Main Road, Eltham, June 2021	C149nill
Statement of Significance: Eltham War Memorial Building Complex, 903-907 Main Road, Eltham, June 2021	C149nill
Statement of Significance: Farm Complex and Former State School, 651 Yan Yean Road, Yarrambat, July 2022	C149nill
Statement of Significance: 'Fermanagh', 1080 Heidelberg-Kinglake Road, Hurstbridge, March 2022	C140nill
Statement of Significance: Former Loyal Diamond Creek Lodge (MUIOOF), 42 Collins Street, Diamond Creek, July 2022	C149nill
Statement of Significance: Former Farmhouse, 75-99 Phipps Crescent, Diamond Creek, July 2022	C149nill
Statement of Significance: Former Farmhouse, 145 River Avenue, Plenty, July 2022	C149nill
Statement of Significance: Former Farmhouse, 52 Kurrak Road, Yarrambat, July 2022	C149nill
Statement of Significance: Former Felton House, 12 Broad Gully Road, Diamond Creek, July 2022	C149nill
Statement of Significance: Former House, 856 Main Road, Eltham, June 2021	C149nill
Statement of Significance: 'Ghirrawheen', 349 Diamond Creek Road, Diamond Creek, July 2022	C149nill
Statement of Significance: 'Gurawalla' Alan Marshall Bungalow, 13 Park West Road, Eltham, October 2021	C133nill
Statement of Significance: Harton Hill, 405 Ryans Road, Diamond Creek, July 2022	C149nill
Statement of Significance: Hazelglen Uniting Church, 1070 Yan Yean Road, Doreen, July 2022	C149nill
Statement of Significance: House, 16 Warringah Crescent, Eltham, June 2021	C149nill
Statement of Significance: House, 14-26 Browns Lane, Plenty, April 2022	C138nill
Statement of Significance: House & Palm, 34 Clyde Street, Diamond Creek, July 2022	C149nill
Statement of Significance: House, 38 Collins Street, Diamond Creek, July 2022	C149nill
Statement of Significance: Infant Welfare Centre, 24 Glen Park Road, Eltham North, June 2021	C149nill
Statement of Significance: Janeba House, 3 Dingley Dell Road, North Warrandyte, June 2021	C149nill
Statement of Significance: 'Landfall', 15 Castle Road, North Warrandyte, July 2022	C149nill
Statement of Significance: Laughing Water, 220 Laughing Waters Road, Eltham, July 2022	C149nill
Statement of Significance: MacMahon Ball House and Studio, 61 York Street, Eltham, June 2021	C149nill

NILLUMBIK PLANNING SCHEME

Name of document	Introduced by:
Statement of Significance: McPherson's Yarra Glen Station, 75 Wendy Way, Christmas Hills, July 2022	C149nill
Statement of Significance: Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek, July 2022	C149nill
Statement of Significance: Memorial Park, 385 Eltham – Yarra Glen Road, Kangaroo Ground, July 2022	C149nill
Statement of Significance: Methodist Church, 893 Arthurs Creek Road, Arthurs Creek, July 2022	C149nill
Statement of Significance: Mitchell House, 19 Fordhams Road, Eltham, July 2022	C149nill
Statement of Significance: Moore's Cool Store, 180 Cherry Tree Road, Hurstbridge, June 2021	C149nill
Statement of Significance: Nichols House, 17 Haldane Road, Eltham, July 2022	C149nill
Statement of Significance: Nilgiris, 183 Yan Yean Road, Plenty, July 2022	C149nill
Statement of Significance: Oak Tree, 477 Broad Gully Road, Diamond Creek, July 2022	C149nill
Statement of Significance: Panton Hill General Store Precinct, 586 & 588 Kangaroo Ground Street, Panton Hill, July 2022	C149nill
Statement of Significance: Panton Hill Hotel, 633 Kangaroo Ground - St Andrews Road, Panton Hill, June 2021	C149nill
Statement of Significance: Park View, 25 Brennans Road, Arthurs Creek, July 2022	C149nill
Statement of Significance: Plenty Heritage Park, 2-6 Memorial Drive, Plenty, July 2022	C149nill
Statement of Significance: Post Office & General Store, 920 Yan Yean Road, Doreen, July 2022	C149nill
Statement of Significance: Queen of the Shire, cnr Research-Warrandyte & Kangaroo Ground-Warrandyte Roads, North Warrandyte, July 2022	C149nill
Statement of Significance: Shelter Shed, 900 Arthurs Creek Road, Arthurs Creek, July 2022	C149nill
Statement of Significance: Sherwood, 110 Deep Creek Road, Arthurs Creek, July 2022	C149nill
Statement of Significance: Souter House, 17 Koornong Crescent, North Warrandyte, July 2022	C149nill
Statement of Significance: St Andrews General Store and Residence, 10 Caledonia Street, St Andrews, June 2021	C149nill
Statement of Significance: St Andrews Hall, 1 Proctor Street, St Andrews, June 2021	C149nill
Statement of Significance: Stevens House Mudbrick Residence, 160 Henley Road, Kangaroo Ground, June 2021	C149nill
Statement of Significance: Stuchbery Farm, 87 Latrobe Road, Yarrambat, Trethowan 2022	C149nill
Statement of Significance: Tarrangower, 30 Koornong Crescent, North Warrandyte, Trethowan 2022	C149nill
Statement of Significance: Tilwinda, 130 Laughing Waters Road, Eltham, July 2022	C149nill
Statement of Significance: Weatherboard Cottage, 631 Heidelberg-Kinglake Road, Wattle Glen, July 2022	C149nill

NILLUMBIK PLANNING SCHEME

Name of document	Introduced by:
Statement of Significance: "Wendouree" and Canary Island Palms, and Smith Orchard Houses, 125 & 173 Cherry Tree Road, Hurstbridge, June 2021	C149nill
Statement of Significance: Wigley House, 35-37 Warrandyte-Kangaroo Ground Road, North Warrandyte, July 2022	C149nill
Statement of Significance: Windmill House, 25 Nicole Crescent, Diamond Creek, July 2022	C149nill
Statement of Significance: Yarrambat General Store, 466 Ironbark Road, Yarrambat, July 2022	C149nill
Statement of Significance: Zadnic House, 7 Banoon Road, Eltham, July 2022	C149nill
Strathewen Hall Master Plan November 2010	C68
Yan Yean Road Duplication (Diamond Creek Road to north of Kurrak Road) May 2012	C67
Yan Yean Road (Kurrak Road to Bridge Inn Road) (Stage 2) Upgrade Project Incorporated Document, May 2021	GC92
Yarrambat Extension Area Local Structure Plan September 1996 (Revised June 2000)	C8
Yarrambat Local Structure Plan May 1993 (Revised June 2000)	C8

NILLUMBIK PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

Proposed C149nill

Background documents

Name of background document	Amendment number - clause reference
<i>Bridge Street Business Precinct Urban Design Framework</i> (KLM Gerner Consulting Group, 2003)	C86
<i>Climate Change Action Plan: 2010-2015</i> (Nillumbik Shire Council, 2010)	C86
<i>Diamond Creek Town Centre Design Guidelines Part A – General Design Guidelines</i> (Hansen Partnership, 2014)	C53
<i>Diamond Creek Town Centre Design Guidelines Part B – Chute Street Retail Node Design Guidelines</i> (Hansen Partnership, 2014)	C53
<i>Diamond Creek Town Centre Design Guidelines Part B – Elizabeth Street and Station Street Industrial Area Design Guidelines</i> (Hansen Partnership, 2014)	C53
<i>Diamond Creek Town Centre Design Guidelines Part B – Retail Core Design Guidelines</i> (Hansen Partnership, 2014)	C53
<i>Diamond Creek Town Centre Design Guidelines Part B – Employment/Industrial Area Design Guidelines</i> (Hansen Partnership, 2014)	C53
<i>Diamond Creek Town Centre Design Guidelines Part B – Mixed Use Area Design Guidelines</i> (Hansen Partnership, 2014)	C53
<i>Diamond Creek Major Activity Centre Car Parking Strategy Report</i> (GTA Consultants, 2013)	C86
<i>Diamond Creek Major Activity Centre Structure Plan and Leisure Facilities Plan</i> (Nillumbik Shire Council, 2006)	C86
<i>Drainage of Unserved Allotments</i> (Nillumbik Shire Council, 2000)	NFPS
<i>Ecologically Sustainable Development (Building, Design and Works) Policy</i> (Nillumbik Shire Council, 2011)	C86
<i>Eltham Activity Centre Design Guidelines Part A – General Design Guidelines</i> (Hansen Partnership, 2014)	C51
<i>Eltham Activity Centre Design Guidelines Part B – Commercial Core Design Guidelines</i> (Hansen Partnership, 2014)	C51
<i>Eltham Activity Centre Design Guidelines Part B – Residential Interface Design</i> (Hansen Partnership, 2014)	C51
<i>Eltham Activity Centre Design Guidelines Part B – Transport Hub Design Guidelines</i> (Hansen Partnership, 2014)	C51
<i>Eltham Activity Centre Design Guidelines Part B – Civic Centre Design Guidelines</i> (Hansen Partnership, 2014)	C51
<i>Eltham Gateway Design Guidelines</i> (Hansen Partnership, 2013)	C77
<i>Eltham Gateway Review</i> (Nillumbik Shire Council, 2011)	C77
<i>Eltham Major Activity Centre Car Parking Strategy Report</i> (GTA Consultants, 2013)	C86
<i>Eltham Major Activity Centre Structure Plan</i> (Hassell, Essential Economics & Hyder Consulting, 2004)	C36
<i>Environmental Weed List</i> (Shire of Nillumbik, 2009)	VC197 - Schedule 15 to Clause 42.03
<i>Growing Our Arts and Culture: A Cultural Plan for Nillumbik Shire 2011-2017</i> (Nillumbik Shire Council, 2011)	C86

NILLUMBIK PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Heritage Assessment: House, 14-26 Browns Lane, Plenty</i> (Draft Report, September 2021)	C138nill - Schedule to Clause 43.01
<i>Heritage Assessments Shire of Nillumbik</i> (Amendment C13) (Graeme Butler & Associates, 2006)	C86
Heritage Citation: ' <i>Fermanagh</i> ', 1080 Heidelberg-Kinglake Road, Hurstbridge, Context, March 2022	C140nill - Schedule to Clause 43.01
Heritage Citation: ' <i>Gurawalla</i> ' Alan Marshall Bungalow, 13 Park West Road, Eltham, Context, December 2020	C133nill - Schedule to Clause 43.01
<i>Heritage Strategy: Identifying and Conserving Nillumbik's Cultural Heritage</i> (Nillumbik Shire Council, 2011)	C86
<i>Housing Strategy</i> (Nillumbik Shire Council, 2001)	C12
<i>Hurstbridge Township Strategy</i> (Nillumbik Shire Council, 2002)	C86
<i>Integrated Water Management Strategy 2013</i> (Nillumbik Shire Council, 2013)	C86
<i>Lower Plenty River Concept Plan</i> (Melbourne Parks and Waterways 1994)	C86
<i>The Middle Yarra Concept Plan, Burke Road to Watsons Creek</i> (State Government of Victoria, 1991)	C86
<i>The Middle Yarra Concept Plan – Burke Road to Watsons Creek</i> (Melbourne Parks and Waterways, 1993)	VC197 - Schedule 15 to Clause 42.03
<i>Middle Yarra River Study - Recommendations Report</i> (Department of Environment, Land, Water and Planning, 2016)	VC197 - Schedule 15 to Clause 42.03 VC197 - Schedule 10 to Clause 43.02
<i>Municipal Fire Management Plan 2013-2016</i> (Municipal Fire Management Planning Committee, 2013)	C86
<i>Neighbourhood Character Study: Residential Design Guidelines 2001</i> (Planisphere and John Curtis Pty Ltd, amended 2003)	C86
<i>Nillumbik 2020 - A Preferred Future</i> (P Ellyard 1997)	C86
<i>Nillumbik Biodiversity Strategy</i> (Nillumbik Shire Council, 2012)	C86
<i>Nillumbik Economic Development Strategy 2011-2016</i> (Nillumbik EDS Community Reference Group & Tim Nott Economic Analysis and Strategy, 2011)	C86
<i>Nillumbik Green Wedge Management Plan 2010-2025 Part 2: Delivering the Vision</i> (Nillumbik Shire Council, 2011)	C86
<i>Nillumbik Major Activity Centres Sustainable Transport Study and Strategy</i> (Booz & Co, 2010)	C86
<i>Nillumbik Shire Council Aboriginal Heritage Study</i> (Du Cros & Associates, 1996)	C86
<i>Nillumbik Shire Heritage Review</i> (Tardis Enterprises, 2006)	C86
Nillumbik Heritage Review - Stage A (Context, 2021)	C149
Nillumbik Heritage Review - Stage B (Trethowan, 2022)	C149
<i>Nillumbik Shire Heritage Study - Stage One: Vol.1 Review & Heritage Survey</i> (Graeme Butler & Associates, 1996)	C86
<i>Nillumbik Shire Heritage Study - Stage One: Vol.2 Environmental History</i> (Graeme Butler & Associates, 1996)	C86
<i>Nillumbik Shire Heritage Study - Stage Two</i> (Graeme Butler & Associates, 1997)	C86
<i>Nillumbik Shire Roadside Management Plan</i> (Nillumbik Shire Council, 2012)	C86

NILLUMBIK PLANNING SCHEME

Name of background document	Amendment number - clause reference
Nillumbik Shire Thematic Environmental History Revision 2016 (Nillumbik Shire Council, 2016) and Nillumbik Gap Study Stage B - Thematic Environmental History Post-war Update (Trethowan, 2022)	C149
<i>Nillumbik Siting and Design Guidelines – Environmentally Sensitive Areas</i> (Nillumbik Shire Council, 2000)	NFPS
<i>Nillumbik Trails Strategy</i> (Nillumbik Shire Council, 2011)	C86
<i>Open Space Strategy</i> (Nillumbik Shire Council, 2005)	C86
<i>Port Phillip and Westernport Regional Catchment Strategy 2004-2009</i> (Port Phillip & Westernport Catchment Management Authority, 2004)	C86
<i>Rabbit Action Plan</i> (Nillumbik Shire Council, 2009)	C86
<i>Recreation Strategy 2011-2019 Volume One</i> (Nillumbik Shire Council, 2011)	C86
<i>Recreation Strategy Issues and Options Paper Volume Two</i> (Nillumbik Shire Council, 2010)	C86
<i>Recreation Strategy Market Research and Consultation Summary Volume Three</i> (Nillumbik Shire Council, 2010)	C86
<i>Research Industrial Estate Development Guidelines</i> (Nillumbik Shire Council, 1989)	NFPS
<i>Road Management Plan Post Consultation Period</i> (Nillumbik Shire Council, 2009)	C86
<i>Shire of Nillumbik Heritage Gap Study Framework</i> (HLCD Pty Ltd, 2009)	C86
<i>Site History and Contamination Assessment from Goldmining and Other Land Uses in Plenty River Corridor</i> (Sinclair Knight Merz & HTM History Services, 1998)	C86
<i>Sites of Faunal and Habitat Significance in North East Melbourne</i> (Cam Beardsell, 1997)	C86
<i>St Andrews Township Plan</i> (Nillumbik Shire Council, 2013)	C86
<i>Sustainable Water Management Plan</i> (Nillumbik Shire Council, 2008)	C86
<i>Wattle Glen Township Strategy Sustainable Futures</i> (Nillumbik Shire Council, amended 2005)	C86
<i>Weed Action Plan</i> (Nillumbik Shire Council, 2008)	C86
<i>Yarrambat Park Masterplan Volume 1 – Overall Park Plan</i> (Nillumbik Shire Council, 2012)	C86
<i>Yarrambat Park Masterplan Volume 2 – Golf Master Plan</i> (Nillumbik Shire Council, 2012)	C86
<i>Yarrambat Park Masterplan Volume 3 – Consultation Findings</i> (Nillumbik Shire Council, 2012)	C86

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Corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills

Christmas Hills War Memorial

Prepared by: Context	Survey date: December 2020
Place type: Memorial	Designer: C D Irvine
Significance level: Significant	Builder: C D Irvine
Extent of overlay: Refer to map	Major construction: 1921



Figure 1. Christmas Hills War Memorial. (Source: Context 2020)



Figure 2. Obelisk, interpretive signage, bench and landscape setting, viewed from the east. (Source: Context 2020)

HISTORICAL CONTEXT

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

8 BUILDING COMMUNITY LIFE

8.4 Commemorating

From World War I the Nillumbik Shire area saw a multitude of efforts to memorialise the fallen. The planting of memorial avenues was more common in Victoria than anywhere else in Australia. This was a quickly realised option, as existing road reserves could be used. Most of these avenues consisted of exotic trees, that is, those not native to Australia (Rowe 2011, p. 46). There was a flurry of avenue planting in the Nillumbik area starting as early as 1917. In that year, volunteers planted an avenue of London Plane in Eltham. The objective of this was double: of honouring local servicemen and improving the town. By 1918 one hundred trees had been planted and provided with guards and copper name plates. It seems there was a low survival rate, as two returned soldiers were employed to replant the trees in 1919. The shire council accepted responsibility for the avenue in 1921. (Mills & Westbrooke 2016:106)

Stone or masonry monuments were the most common type of memorial in Victoria, with the obelisk being the most common form. These monuments were typically placed in dominant positions in the main streetscape of towns, which often meant they were not suitably located if there were later road widening works or other improvements, requiring their relocation. In the years following World War I it was common for schoolchildren to lay wreaths on these monuments on Anzac Day. The granite obelisk of the Eltham War Memorial (HO249) was erected in a prominent position at the corner of Main Road and Bridge Street in 1919. It was moved to the front of the Eltham Returned and Services League (RSL) building in the 1950s and then to a new site on Main Road, Eltham in 2012 (Westbrooke 2013, p. 2). The citizens of Diamond Creek erected a red granite column in Collins Street, Diamond Creek in 1921. In 1996 this memorial was relocated to Main Street and re-dedicated to cover the loss of all lives in conflicts since the Great War. The residents of Panton Hill chose to erect a Soldiers' Memorial Cross (HO96) in the yard of St Matthews Church of England opposite the Soldiers' Memorial Hall. This was dedicated in 1926. Monuments were also placed in memorial parks. A granite tablet memorial was unveiled in the Christmas Hills Memorial Park in 1921. (Mills & Westbrooke 2016:107-108)

LOCALITY HISTORY

The first squatters took up land in the area of what was to become Christmas Hills, located on the country of the Wurundjeri-willam clan of the Woi wurrung people, in the early 1840s. James Murray occupied land on the north bank of the Yarra River in 1840 and Joseph Stevenson took up land opposite Five Mile Creek in 1842 (Butler 1996:2). Christmas Hills is believed to have been named after Stevenson's shepherd, David Christmas (Yarra Glen and District Historical Society 2020).

The success of the nearby the Caledonian goldfields encouraged goldminers to fossick the Christmas Hills, including One Tree Hill, from the late 1850s (Yarra Glen and District Historical Society 2020).

After the initial gold rushes, a series of land Acts introduced in the 1860s facilitated small-scale selection of land in Victoria, with farms established in the Christmas Hills district under the 1865 and 1869 Acts (*Sutton Parish Plan* 1949). Because of the hilly stringybark forests, it was difficult terrain for farming. Some farmers supplemented their income by mining and supplying firewood as their land was cleared. Others provided services to the steady stream of diggers passing through to Woods Point (Yarra Glen and District Historical Society 2020; *Victorian Places* 2015).

With the passing gold traffic and taking up of land at Christmas Hills, a small settlement was established near the junction of Eltham-Yarra Glen Road and Ridge Road, with inns and hotels some of the first buildings erected in the 1860s. In 1874 two half-time schools were established as part of Christmas Hills State School No. 1362, and a post office opened in Thomas Young's general store. The Christmas Hills Mechanics' Institute opened in 1877 (rebuilt in 1895 after a bushfire destroyed the building in 1893). A Church of England opened in 1874, and Christ Church of England, designed by architects Smith and Johnson, opened in 1892 (Yarra Glen and District Historical Society 2020; Eltham District Historical Society 2000:np; Butler 1996:42).

By the 1870s the Yan Yean system, established in the 1850s to supply water to Melbourne, was proving inadequate. As a consequence, work began in 1886 on a weir on the Watts River and an aqueduct to carry water 66 kilometres from the weir near Healesville, via Christmas Hills, Kangaroo Ground and Research, to Greensborough and on to Preston. The construction of the aqueduct brought hundreds of workers and their families to sites along the route, and the population of the Christmas Hills area was boosted by the establishment of four large workers' camps (Butler 1996:17).

By the turn of the century local mining had declined and dairying and sheep-farming were the main industries (Butler 1996:21). By this time the area was a popular holiday destination and guesthouses flourished (Yarra Glen and District Historical Society 2020).

In 1903 the *Australian Handbook* described Christmas Hills, which adjoined the mining district of One Tree Hill, as a farming area that supported dairying and vine-growing. Services were supplied to local residents by a mechanics' institute and library, a state school and an Anglican church. It was noted that Christmas Hills was an 'excellent health resort' (cited in *Victorian Places* 2015).

A larger post office and store opened at Christmas Hills in 1909 (Butler 1996:42).

The railway line, extended from Heidelberg to Hurstbridge in 1912, boosted tourism to Christmas Hills from this time (*Victorian Places* 2015). A war memorial to commemorate those who served in World War I was built by local resident Charles Irvine and unveiled in 1922 (Butler 1996:42). At this time, firewood collection was a major industry in the area, with commercial woodcutting commencing in the 1930s (Butler 1996:16; Eltham District Historical Society 2000:np).

Several major fires have affected Christmas Hills, with a local fire brigade formed after the Black Friday bushfires in 1939. In 1937 the Light Car Club established the Rob Roy Hill Climb on the western side of Christmas Hills, a venue that was used for motor sports well into the postwar years (*Victorian Places* 2015).

By the 1950s the hills supported small mining operations, a slate quarry, scattered farms, and weekend residences (Yarra Glen and District Historical Society 2020).

In 1958 the Christmas Hills area was transferred from Eltham Shire to Healesville Shire. Two years later it was connected to the electricity grid, and in 1962 suffered a disastrous bushfire (*Victorian Places* 2015).

In the 1970s, 445 hectares of the district was inundated by the Sugarloaf Reservoir to feed Melbourne's water supply, with the Victorian government compulsorily acquiring a number of properties in the Christmas Hills area to do so (*Victorian Places* 2015). This drew strong protest from the community,

Another proposal to build a reservoir at Yarra Brae mobilised the residents of the Christmas Hills area and a conservation group, named the 'Yarra Brae Dam Objection Group', was formed to prevent the Yarra Brae dam which would, if constructed, inundate the Bend of Islands area (Butler 1996:18). In 1976, the Bend of Islands rural/residential conservation area, an environmental living zone, was subsequently prescribed under an interim development order. Permits are needed for any clearing of vegetation, restrictions are placed on exotic vegetation, and cats and dogs are prohibited. The social centre is the Christmas Hills South country fire station (*Victorian Places* 2015).

PLACE HISTORY

The Christmas Hills War Memorial at corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, is located on Crown Allotment 74, Parish of Sutton (*Sutton Parish Plan* 1949).

The monument, was organised by the Christmas Hills Memorial Committee and funded by donations from the local community to commemorate those who died in service or were killed in action during World War I, 1914-1919. It was located in a memorial park at the corner of Eltham Road and Yarra Glen Road. A concrete obelisk finished with render made from local clay and lime-based mortar (Monument Australia 2021), the memorial was designed and manufactured free of charge by local builder CD Irvine.

Captain Stanley Melbourne Bruce, MC MHR, unveiled the memorial on 10 December 1921 (Monument Australia 2021; *Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate* 16 December 1921:3). A granite tablet attached to the monument was inscribed with the words:

In memory of the men of Christmas Hills who laid down their lives for King and Country in the Great War 1914 - 1919 "Greater love hath no man"

The committee continued to raise funds for a memorial park and, in 1924, they erected a sign reading, 'Christmas Hills Memorial Park', at the site (*Advertiser* 20 June 1924:3). This sign no longer exists. In 1928, at the instigation of the committee, six garden seats were installed at the park. By this year, kurrajong and oak trees had also been planted at the park (*Advertiser* 23 March 1928:2).

Part of the fence and some of the seats at the memorial park were burned in the 1939 bushfires but with the help of Eltham Council were repaired in the same year (*Advertiser* 17 February 1939:1).

Funding from the Australian Government's ANZAC Centenary Local Grants Program enabled the war memorial to be renovated and new interpretive signage adorning a concrete bench to be installed in 2015 (Monument Australia 2021).

Anzac Day services have been held regularly at the memorial park since its establishment in 1921.



Figure 3. A photo of the Christmas Hills War Memorial in 1922. (Source: *Weekly Times* 7 January 1922:32)

DESCRIPTION

The Christmas Hills War Memorial at corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, is an example of a post-World War I memorial obelisk built c1921 by local builder C D Irvine. The memorial is located within a triangular shaped site within a road reserve at the southwestern side of the Eltham-Yarra Glen Road and Ridge Road intersection. This piece of land abuts 1524 Eltham-Yarra Glen Road (HO117 Former Christmas Hills Post Office Store) on the southern boundary. The land is slightly elevated from the road grade and has a slight fall to the northwest. The reserve maintains a bushy character and is dotted with trees. Access to the obelisk is via a dirt road leading off Ridge Road at the southeast corner of the site (Figure 4).

The memorial is situated towards the centre of the northeastern end of the site, set back from the roadways. It consists of a concrete obelisk raised on a square base and pedestal and is rendered with local clay and lime mortar. On the west elevation, there is an inscribed granite tablet (Figure 5).

A low rectangular concrete bench with interpretive signage is located to the southwest of the c1921 cenotaph (Figure 6). A timber bench seat set in concrete sits to the west of the monument (Figure 2).

The original sign, seating, oak and kurrajong tree plantings from the 1920s are no longer extant.



Figure 4. Aerial view of the subject site, with the location of the monument, interpretive signage and timber bench circled in yellow. (Source: Nearmap 2020)

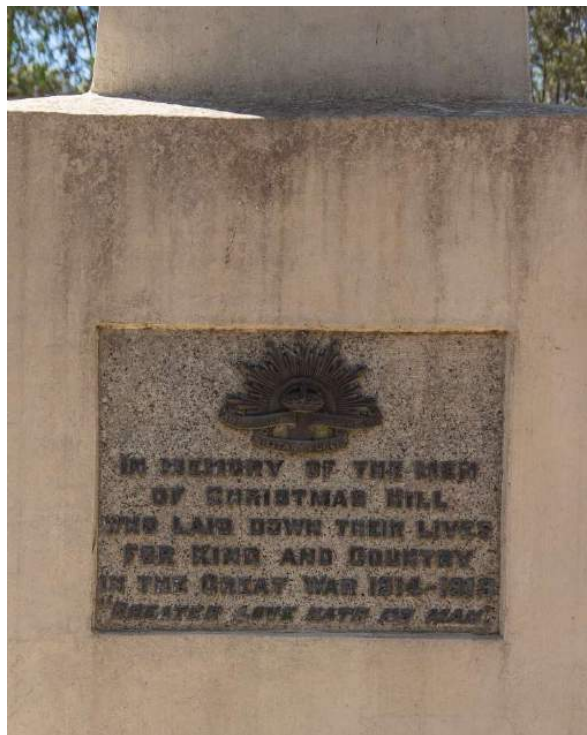


Figure 5. Original inscribed granite tablet on the west elevation of the obelisk. (Source: Context 2020)



Figure 6. Interpretive signage installed in 2015. (Source: Context 2020)

INTEGRITY

The Christmas Hills War Memorial at corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, is highly intact with few changes visible to the original memorial. The obelisk retains its original form and materiality, as well as the original granite tablet fixed on the west elevation. The landscape setting, including the 2015 concrete bench and interpretive signage and a timber bench, enhances the amenity and memorial utility of the setting. Overall, the monument has high integrity.

COMPARATIVE ANALYSIS

After World War I hundreds of statues, cenotaphs and plaques were erected across the nation to commemorate the memory of those who had lost their lives serving the country. Obelisks are one of the most common types of these memorials. KS Inglis suggests that the popularity of the obelisk in Australia was due to its secularity which made it a memorial form that was palatable to committees made up of people from different denominations (Inglis 1999: 49-50).

The Shire of Nillumbik has a large number of traditional war memorials. These include:

- Shire of Eltham War Memorial Tower, Mature Plantings and Park at 385 Eltham-Yarra Glen Road, Kangaroo Ground (HO49), c1925-6, 1974;
- Eltham War Memorial Cenotaph at 903-907 Main Road, Eltham (HO126), 1919, 1960;
- London Plane Tree Avenue of Honour along Main Road, Eltham (HO229), c1950s;
- Plenty War Memorial Gates at 103-107 Yan Yean Road, Plenty (HO249), c1950s;
- Panton Hill War Memorial at the corner of Main Road and Church Road, Panton Hill (no HO), c1926; and
- the Diamond Creek War Memorial Reserve Circuit in Diamond Creek (no HO), 1921.

The subject memorial and two other examples in the municipality that are included in the Heritage Overlay are registered on the Victorian War Heritage Inventory. The following Individually Significant examples are comparable with the Christmas Hill War Memorial.



Eltham War Memorial Cenotaph, 903-907 Main Road, Eltham (HO126). (Source: VHD)

The Eltham War Memorial is historically significant for its role in civic commemoration in the township of Eltham. The war memorial is aesthetically significant as an intact representative example of a World War I memorial. Typical features of the post-World War I memorial include the use of granite, the obelisk form on a pedestal, lead lettering inscription and low granite bollards connected by a chain. The memorial is also of social significance as a community focus for the commemoration of war in the Eltham district since the end of World War I. The memorial has special associations with the local RSL group (VHD).



War Memorial Tower, Mature Planting and Park, 385 Eltham-Yarra Glen Road Kangaroo Ground (HO49). (Source: VHD)

The listing includes the c1925-26 War Memorial Tower, the mature Monterey Cypress trees (which form a windbreak around the perimeter of park), the c1951 sandstone caretaker's cottage (contributory to the site) and other planted species. The war memorial is historically and architecturally significant as an example designed by prominent architects Stephenson and Meldrum, based upon a sketch by artist Harold Herbert. It is also important for its connection to prominent community members including Professor William Osborne, who donated stone for the construction, and Governor-General, Lord Stonehaven, who opened the building on 11 November 1926. It is aesthetically significant for its skilled use of local sandstone. The war memorial is historically and socially significant as a representative example of a local war memorial and as a physical representation of the impact that World War I had on the community (VHD).

The following local examples are not included in the Heritage Overlay but are registered on the Victorian War Heritage Inventory. They are also comparable with the subject monument.



Panton Hill War Memorial, Kangaroo Ground-St Andrews Road, Panton Hill. (Source: VHD)

The Panton Hill War Memorial, in the grounds of St Matthews Church, comprises of a marble cross inscribed with the names of those locals who fell in World War I (VWHI).



Diamond Creek War Memorial, 28 Main Hurstbridge Road, Diamond Creek. (Source: VHD)

The Diamond Creek War Memorial comprises of a polished stone column and urn. It was established on 19 June 1921 and names 13 locals that died during World War I. The Memorial has been relocated from Collins Street and was rededicated to all conflicts since World War I on 6 October 1996 (VWHI).

Discussion

The Christmas Hills War Memorial compares well with the above examples of memorials to soldiers of World War I. The memorial retains typical features of the post-World War I memorials such as the obelisk form on a pedestal and inscription honouring those who died. Within the Heritage Overlay, the Eltham War Memorial Cenotaph (HO126) is more closely comparable as a memorial with obelisk form. The two memorials outside the Heritage Overlay also feature similar obelisk forms set on pedestals.

These monuments were typically placed in dominant positions in the townships or along main thoroughfares. While of more modest construction and siting than the other local examples on the Heritage Overlay, the Christmas Hills War Memorial is important for its firm connection to the Christmas Hills locale. It was constructed from some local materials and was designed and manufactured by a local builder free of charge. It has remained on its original site since its erection in 1921. Located adjacent to other civic buildings (HO117 Former Christmas Hills Post Office Store and HO243 Christmas Hills Mechanics Institute and Free Library), the subject memorial is one of the important civic elements remaining in the early township of Christmas Hills.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Christmas Hills War Memorial at corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, designed and built by local builder C D Irvine c1921 is significant.

Elements that contribute to the significance of the place include:

- original obelisk form and scale;
- original materials including concrete construction rendered with local clay and lime mortar;
- original granite inscription tablet; and
- landscape setting including setbacks from Eltham-Yarra Glen Road and Ridge Road.

The concrete interpretive signage contributes to the significance of the place.

HOW IS IT SIGNIFICANT?

The Christmas Hills War Memorial at the corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, is of local historic, representative and social significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Christmas Hills War Memorial is historically significant for its role in civic commemoration in the locality. The Christmas Hills War Memorial erected c1921, with its setting, is significant for demonstration of the type of monumental memorialisation that occurred in townships across Victoria following the end of World War I. The construction by local builder CD Irvine enhances the memorial's local historical significance. (Criterion A)

The Christmas Hills War Memorial has representative significance as an intact example of a World War I monument. Typical features demonstrating the post-World War I period in which it was erected include the obelisk form on a pedestal and inscription honouring those who died, as well as its location adjacent to other early civic buildings of Christmas Hills. (Criterion D)

The Christmas Hills War Memorial monument is socially significant as a tangible focus for the commemoration of war in the Christmas Hills district since the end of World War I. Anzac Day services have been held regularly at the memorial since its establishment in 1921. (Criterion G)

RECOMMENDATIONS

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

Extent of overlay: Extent of Heritage Overlay is recommended to cover the road reserve (approximately 130 by 50 metres) at the corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, as indicated by the blue shaded area. Refer to the map below.

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

Nillumbik Planning Scheme

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

Other

Extent of Heritage Overlay is recommended to cover the road reserve (approximately 130 by 50 metres) at the corner of Eltham-Yarra Glen Road and Ridge Road, Christmas Hills, as indicated by the blue shaded area in Figure 8.



Figure 7. Recommended extent of the Heritage Overlay (blue) and surrounding property boundaries (orange). (Source: Nearmap 2021)

REFERENCES

Advertiser, as cited.

Butler, Graeme, and Associates 1996, 'Nillumbik Shire Heritage Review - Environmental History', Prepared for the Shire of Nillumbik Council.

Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate, as cited.

Eltham District Historical Society 2000, *A Chronology of Known Local Events 1835 - Early 2000 Including Those in the Shire of Nillumbik and the Former Shires of Eltham and Diamond Valley*, Eltham District Historical Society Incorporated.

Inglis, KS 1999, *Sacred Places: War Memorials in the Australian Landscape* (Third Edition), Melbourne University Press, Melbourne.

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Nearmap, as cited.

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Yarra Glen and District Historical Society 2020, 'Christmas Hills (District)', *Encyclopedia of Yarra Glen and District*, <http://www.yarraglenhistory.com.au>, accessed online 27 November 2020.

2 Batman Road, Eltham

‘Bell Vue’

Prepared by: Context	Survey date: December 2020
Place type: Residential	Designer: -
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: c1929-30



Figure 1. 2 Batman Road, Eltham, detail of the primary elevation with Mediterranean detailing. (Source: Context 2020)



Figure 2. 2 Batman Road, Eltham, secondary elevation from Livingstone Road. (Source: Context 2020)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.3 Interwar subdivisions and estates

In the interwar period there were numerous speculative subdivisions throughout the Nillumbik area. These were often marketed as combining possibilities for escape from the city and immersion in the natural values of the area. The introduction of the railway made such speculations possible and they were spurred on by the promise of its electrification. This meant greater frequency of services and therefore greater viability for commuting workers and weekenders. (Mills & Westbrooke 2016:71)

The suburban fringe of the metropolis was advancing towards the southern and south-eastern edges of Eltham Shire. With the advancing of the metropolitan fringe towards Eltham, and the closer subdivision in the main towns of the Shire, both the suburban dream and an alternative in the form of a weekend getaway from the city were on offer. (Mills & Westbrooke 2016:71)

The electrification of the railway to Eltham in 1923 eliminated the changeover to steam trains at Heidelberg allowing faster through-trains and so reducing commuting time. It was generally expected that this would soon convert Eltham into a suburban area. Certainly, there was a proliferation of subdivided new estates for the next few years. At first there was some infilling of Holloway's early Little Eltham subdivision. The 130 blocks of Sydney Haynes' Bellevue estate, situated on both sides of Main Road and the railway line to the north of Eltham station, were advertised from 1920. By 1923 prospective buyers were advised to take advantage of the cheap blocks before prices inevitably rose. Forty lots in the estate were sold in April 1923. (Mills & Westbrooke 2016:71)

Other subdivisions were carved from rural land, often starting with deceased estates. The local name for the estate often reflected the former rural landowners. In 1922 the View Hill estate was advertised as the 'highest point in the district, quite handy to [Eltham] station'. Twenty-three building blocks in the Mona Vale estate and two in Browne's subdivision were advertised in 1924. In 1925 the owners of the View Hill estate submitted a plan for roads on the estate to the shire council for approval. The following year an owner in the estate disposed of his two lots at a 'very satisfactory figure' to Messrs J. & H. Rowe, electrical engineers from the city who were planning to build two 'concrete villas'. (Mills & Westbrooke 2016:71)

In 1924 a 'leading Melbourne land agent' acquired a large tract of land in Eltham for subdivision purposes. This may have been the Eltham Electric Station Estate (known locally as the Pryor estate) opposite the station, where lots were auctioned in 1925. The estate included 11 shop sites in Main Street and 29 'beautiful elevated residential allotments'. Local reports found that Eltham was on the 'up grade'. 'The railway has given the necessary acceleration towards advancement

and not only is Eltham becoming popular as an outer suburban residential area, but also as an easily accessible tourist resort.’ (Mills & Westbrooke 2016:72)

In the late 1920s the developer’s tone remained optimistic. The Advertiser described the commencement of five new buildings in Eltham as a ‘mini boom’. ‘New buildings are springing up all round the district, which a progressive council has supplied with water and for which far-sighted residents have obtained the electric current from the Electricity Commission. For some time agents have been seeking out and securing the beauty spots around Eltham, for which there is a good demand, and there is every indication that, in the near future, a substantial increase in settlement will take place.’ (Mills & Westbrooke 2016:72)

LOCALITY HISTORY

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeri-willam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A small, short-lived reservation south of Eltham on the Yarra River was set aside for Aboriginal people in 1852. The area is situated near the junction of the Yarra River and its tributary, Diamond Creek.

Pastoral settlers moved into the area from around 1840 and took up pastoral leases (Bartolomei 2008). It was located proximate to the track used by the Ryrie brothers to provide access between their ‘Yering’ run, near Yarra Glen, and the Heidelberg village (*Victorian Places* 2015). In 1841, William Bell and Thomas Armstrong occupied land for a squatting run east of Diamond Creek in what was to become the Eltham district (Eltham District Historical Society 2000: np).

A plan for 50 allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of Diamond Creek and the Yarra River, was laid out in an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. The township plan shows that a track to a bridge across Diamond Creek and Main Road was noted as the ‘Track from Melbourne’ (Butler 1996:32). This area is known today as Eltham South.

Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). In 1851, Melbourne property developer Josiah Holloway purchased one square mile (or 5120 acres) of this land, which he subdivided immediately, calling the subdivision Little Eltham. The central area of current-day Eltham is contained within the Little Eltham subdivision. A number of large farming properties around the township were purchased from the early 1850s (*Nillumbik Parish Plan* 1951).

Eltham township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonia goldfields, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery, and a scattering of shops along Main Road (known in the 1850s as Maria Street). The town had a steam flour mill operated by Henry Dendy, and a tannery was located on the Diamond Creek. The Little Eltham School, opened by the Church of England, was built in 1853 near Swan Street and closed in 1872. A second school, a national school (later Eltham Common School No. 209) opened in Dalton Street in 1856. A Wesleyan chapel opened in 1858. Public buildings constructed at this time included a courthouse and a police station in Main Road in 1860. The ‘flat land’, which is now the Eltham Lower Park, near the Yarra, was used as a racecourse (Kellaway cited in Butler 1996:32-33; Eltham District Historical Society 2000:np). A

cemetery was established in 1858. The township and wider area was administered by the Shire of Eltham, established in 1856.

Between the 1860s and the 1880s, Eltham supplied food and produce for the goldmining communities of the Caledonia goldfields at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on the route to the Woods Point diggings. Eltham's population grew in response (*Victorian Places* 2015).

A Primitive Methodist chapel was built in 1860. The following year St Margaret's Anglican Church, designed by the notable Melbourne architect Nathaniel Billing, was built. In 1881, a Wesleyan church was constructed by George Stebbing to the design of Melbourne architects Crouch and Wilson (Butler 1996:33). A new state school, constructed of local sandstone, opened in 1876.

Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or for sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

In 1884 Eltham was described as:

... a pretty little township on the Yarra Flats road ... It has a population of nearly 400 inhabitants, but in addition it is the centre of a large district extending over 208 square miles, having a population of 2344. The land in the district is mostly used for grazing purposes, although as a rule the small farms grow a good deal of wheat, oats and other agricultural produce. A large quantity of fruit, especially raspberries and strawberries, is also produced (Illustrated Australian News 20 December 1884, cited by Carlotta Kellaway in Butler 1996:33).

The *Australian News* noted that gold had been found in the vicinity of the township, 'but not in remunerative quantities' (cited by Carlotta Kellaway in Butler 1996:33).

In the 1880s agitation began for the extension of the railway line from Melbourne to Heidelberg to serve Eltham and districts further afield such as Kangaroo Ground. The railway station in Eltham opened in 1902, however the line was never extended to Kangaroo Ground. The railway brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne and to attractive countryside with farms and uncleared stringybark forest (*Victorian Places* 2015). The bush scenery attracted artists, writers and nature-lovers.

In 1903 the *Australian Handbook* described Eltham as part of an orcharding and grazing district. In 1901, 4289 acres were under cultivation, of which 2506 acres were planted with orchards and market gardens. The township, with a population of 377, included a state school, a branch of the Commercial Bank, and Catholic, Anglican, Wesleyan Methodist and Primitive Methodist places of worship (cited in *Victorian Places* 2015). From 1909, rural properties were increasingly subdivided to create residential estates on the outskirts of the Eltham township (Mills & Westbrooke 2017:69).

The electrification of the railway line was extended to Eltham in 1923, eliminating the need to change to steam train at Heidelberg and allowing faster through-trains and shorter commuting times. The establishment of new residential estates in Eltham followed (Mills & Westbrooke 2017:71). Reflecting the town's growth, a higher elementary school was opened in 1926 (*Victorian Places* 2015).

Eltham was described in 1940 as 'residential, horticultural, dairying and grazing ... a beauty spot for artists and picnickers'. By this time, the town had three recreation reserves, swimming baths, tennis courts and a fire brigade (*Victorian Places* 2015).

Eltham has attracted a number of writers and artists over the years. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. From 1910, painter William 'Jock' Frater and cartoonist Percy Leason often camped and painted in the area. Artist Justus Jorgensen established the notable Montsalvat artists' colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mudbrick construction in the area. Several local designers, including Alistair Knox, specialised in mudbrick housing in the postwar period (*Victorian Places* 2015). Others who have been inspired by Eltham and have made the Nillumbik region their home include landscape architect Edna Walling; authors Alan Marshall and Carolyn Van Langenberg; artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actor Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased steadily as a result. In 1933, only 927 residents were recorded in the town in 1933; this had increased to 7177 residents in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (*Victorian Places* 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment. Houses were often sited in bush gardens, especially after the 1970s. This style was also adapted to community buildings in the area, with the Eltham Library being constructed in mudbrick and recycled timbers in 1994 (Eltham District Historical Society 2019).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

PLACE HISTORY

'Bell Vue' at 2 Batman Road, Eltham, is located on Crown Allotment 1, Section 11, Parish of Nillumbik, 91 acres purchased by H Stooke in 1852 (*Nillumbik Parish Plan* 1951).

By 1914, parts of Crown Allotment 1 and adjoining Crown Allotment F, a total of 92 acres, were owned by farmers William and Mary Ann Williams (CT:V3805 F900).

In c1920, the 92-acre land parcel was subdivided into approximately 137 residential lots and came to be known as the Bellvue Estate. These lots were sold between 1920 and 1925 (CT:V3805 F900). The streets of the subdivision included Hillside Road, today's Batman Road, and Bellevue Road, today's Livingstone Road.

Civil engineers Robert Woodcock and Charles McCormack of Melbourne purchased a number of the subdivision lots, subsequently selling them between 1925 and 1927 (CT:V4847 F238).

Lot 79 of the subdivision, which incorporated the subject site, was sold to Eltham grazier Charles Henry Felix Butler in 1925. Butler also purchased a number of other neighbouring lots bounded by Bellevue Road, Hillside Road and Stanley Avenue - a total of approximately nine acres (CT:V4847 F238; CT:V5070 F911).

The subject residence, 'Bell Vue', was subsequently built for C F (Felix) Butler, and his wife, Margaret (nee Swanton), who were married in 1910 (*Ancestry* 2021). The building was in the planning stage in September 1929, when Butler requested that Eltham Shire Council extend the water supply to the property so that he could proceed with the erection of his house. An application to Council for the construction of a brick residence at the corner of Hillside and Bellevue roads was made by Butler in December of the same year (*Advertiser* 6 September 1929:4 and 6 December 1929:4). In January 1930, Butler applied to Council for permission to install a septic tank at the property (*Advertiser* 10 January 1930:4).

Butler undertook a 33-lot subdivision of the nine acres on which his residence was located, with all blocks selling between 1928 and 1950. As part of the subdivision, Lot 79 was surveyed into five blocks: Lot 1, 2, 3, 32 and 33, all retained by Butler (CT:V5070 F911).



Figure 3. Aerial imagery of the site in 1945 showing original forked driveway. (Source: CPO, 'MELBOURNE AND METROPOLITAN AREA PROJECT' 1945, via Landata)

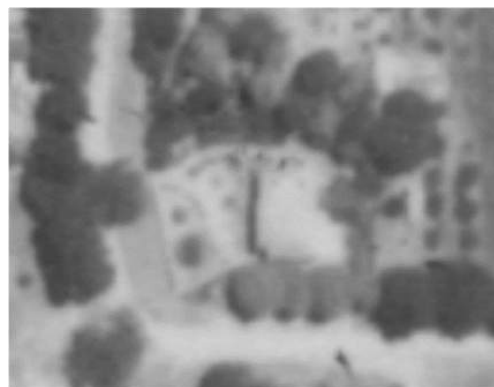


Figure 4. Aerial imagery of the site in 1951, the lean-to at the rear appears to be visible (Source: CPO, 'MELBOURNE AND METROPOLITAN PROJECT NO.2' 1951, via Landata)

The five Lot 79 blocks were purchased in 1947 by widow Esther Cooke of East Malvern. Cooke sold a portion of the property in the same year, retaining Lot 1 (the subject property) and Lot 2 (CT:V6995 F923). Lots 1 and 2 were sold in 1957. By 1957, Hillside Road had been renamed Batman Road and Bellevue Road renamed Livingstone Road (CT:V8143 F160). The two lots were subdivided in 1971 (CT:V6995 F923). The subject site, Lot 1, was sold as a separate property in 1971 (CT:V8143 F160), with Lot 2 selling the following year.



Figure 5. Aerial imagery in 1962, the outbuilding in the southeastern corner is visible. (Source: CPO, 'MELBOURNE-GEELONG PROJECT', via Landata)



Figure 6. Aerial imagery of the site in 1968, the southern fork of the driveway appears to have been lost (Source: CPO, MELBOURNE 1968 PROJECT, via Landata)

Comparison of historical aerial photographs indicates that the skillion weatherboard lean-to at the rear (east) of the house was built between 1945 and 1951, and the gable-roofed outbuilding at the south-eastern property boundary is visible by 1962 (Figure 4, Figure 5 and Figure 6). It appears that the southern part of the original forked driveway was removed between 1962 and 1968 (Figure 5 and Figure 6). An established canopy, comparable to that of the extant mature Canary Island Date Palm tree in the front garden, is visible in the 1945 aerial indicating that the tree is contemporary with the construction of the subject house (Figure 3). The same can be said for the mature Monterey Pine tree at the property's southern edge, which appears to be quite established in the 1945 aerial.



Figure 7. Aerial imagery of the subject site in 1987 (Source: CPO, 'WESTERN PORT FORESHORES', via Landata)



Figure 8. Aerial imagery of the subject site in 2009 showing the polycarbonate translucent roofing to the rear. (Source: Nearmap 2009)

Felix Butler, owner 1930-47

Charles Felix Butler was born in 1875 in Newstead, Victoria. Butler served in South Africa during the Boer War of 1899-1902. He married Margaret Swanton in 1910 and the couple had six children, all born before the subject house was built for the family in 1930 (*Ancestry* 2021).

Before undertaking the subdivision of the land on which the subject residence stands, Butler developed the Bellevue Estate in Eltham. This estate comprised 137 building allotments located on

Main Road close to the Eltham Railway Station, with lots sold from 1920 (*Argus* 21 February 1920:2; *Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate* 10 March 1922:3).

In 1923, Butler was a director of the Melbourne company M B Rail Anchor Pty Ltd. In January 1947, as an executor of the will of Mary Ann Williams, Butler was described as a retired farmer who lived in Bellevue Road, Eltham. By July of that year, he was living in East Malvern (*Herald* 27 April 1923:14; *Argus* 14 January 1947:16 and 16 July 1947:14).

On his death in 1955, a newspaper notice stated that Butler was survived by his wife Margaret, and children Gwen, Jack, Dorothea, Noel, Lesley, and Muriel (*Argus* 5 January 1955:14).

DESCRIPTION

'Bell Vue' at 2 Batman Road, Eltham, is an interwar brick bungalow with Mediterranean detailing designed in c1929 for Charles Felix Butler, and his wife Margaret (nee Swanton).

The dwelling sits on a large block at the northeast corner of Batman Road and Livingstone Road within a residential area. The block has two street frontages with the principal elevation facing Batman Road. The eastern side of Batman Road is elevated; the land falls away to the west, providing views from the dwelling across to treed ridges beyond the Diamond River. The single-storey dwelling is in the centre of the block and is surrounded by mature plantings. It has a deep setback from Batman Road that is greater than that of neighbouring properties. There is a lesser setback to Livingstone Road.



Figure 9. Aerial view of the site showing footprint and rear extension, and garage in the southeast corner. (Source: Nearnmap 2021)



Figure 10. Batman Road (west) frontage with stone retaining wall and brick fence behind and Canary Island Date Palm. (Source: Context 2020)



Figure 11. Red brick driveway from Batman Road with timber topped brick fence to the left. (Source: Context 2020)

The dwelling has a hipped roof and is largely rectangular in plan. It has projecting bays to the west and east, creating a slightly asymmetrical form. The main hipped roof is clad in concrete tiles. Eaves are boxed. Lightly textured rendered walls, with contrasting smooth rendered details, sit atop a red clinker brick base. A weatherboard lean-to extension to the rear (east) with a skillion roof of corrugated iron is an early (c1945-51) addition. An adjoining section of translucent polycarbonate to the same depth as the lean-to, added c1987-2009, completes the expanded footprint.

The projecting bay to the principal (west) elevation contains the entrance porch. The porch incorporates a semi-circular arch with smooth rendered detailing. The arch is supported on short barley twist columns with Corinthian capitals. The rendered porch balustrade is capped in smooth render. To the north of the porch are three double-hung timber-framed windows separated by barley twist mullions atop smooth rendered corbels. A smooth rendered lintel extends across all three windows supporting a decorative arched panel. Set back from the projecting bay to the north of this elevation are a further three timber-framed double-hung windows with stepped clinker brick sills. At the south, there is a small highlight window with diamond detailing and angled clinker brick sill on the wall adjacent to the porch.



Figure 12. Porch arch with loose barley twist columns and smooth capped balustrade. (Source: Context 2020)



Figure 13. Windows separated by barley twist mullions atop smooth corbels. (Source: Context 2020)



Figure 14. Second tier window detailing, with stepped brick sills and broad smooth rendered lintel supported by corbels. (Source: Context 2020)



Figure 15. Highlight window with diamond detailing. (Source: Context 2020)

The secondary elevation (south) features a lesser level of detailing and includes double-hung timber-framed sash windows with angled brick sills; one to the east and a pair to the west. A tripartite double-hung timber-framed sash window is visible at the southern elevation of the weatherboard lean-to.



Figure 16. Secondary elevation facing Livingstone Road showing porch entrance arch, simple window detailing, and weatherboard rear extension. (Source: Google Streetview 2010)



Figure 17. Gable roofed garage visible at the Livingstone Road frontage. (Source: Google Streetview 2019).

A tall face brick chimney sits in the northwest corner of the roof and there is another chimney just visible towards the centre. Photovoltaic cells occupy the part of rear (east plane) of the original roof and part of the skillion roof.

Stone retaining walls line both street frontages, behind which sits a low red clinker brick fence. The brick fence extends from the Batman Street frontage and continues around the corner to halfway along the Livingstone Road frontage. The timber fencing extends above the brick fence along Livingstone Road, and continues at full height from the termination of the brick fence to the property boundary. A driveway laid with red brick (frogs up) and concrete channelling curves uphill on the northern side of the building and provides access to the property from Batman Road before terminating abruptly at the rear of the property. A gable-roofed outbuilding sits in the southeast corner

of the block slightly set back from the boundary. There are several other small outbuildings behind the dwelling toward the rear (east) of the allotment.

An established garden surrounds the dwelling with mature trees including a Canary Island Date Palm (*Phoenix canariensis*) and Himalayan Cedar (*Cedrus deodara*) at the Batman Road frontage, and a Monterey Pine (*Pinus radiata*) at the Livingstone Road boundary next to the garage.

INTEGRITY

'Bell Vue' at 2 Batman Road, Eltham, is largely intact with very few changes visible to original or early fabric. The building retains its original single-storey built form, concrete tiled roof, entrance porch and fenestrations. The rear weatherboard lean-to appears to be an early addition dating from c1945-1951. A rear verandah of translucent polycarbonate roofing was added c1987-2009, however this is not visible from the public domain.

The integrity of the house is greatly enhanced by highly intact main built form elements and materials including the lightly textured rendered walls, contrasting with smooth render detailing and double-hung timber-framed sash windows. Intact decorative details include the arched porch, and decorative arched panel above the windows to the principal elevation, barley twist columns and corbels which reflect the Interwar Mediterranean style.

The integrity of the place is enhanced by the retention of original and early landscape elements including the original low clinker brick fence, stone retaining walls and the layout of the remaining portion of the driveway that curves to the north of the house. The mature Canary Island Date Palm and Monterey Pine tree that appear to be contemporary with the construction of the house similarly enhance integrity. Overall, the place has high integrity.

COMPARATIVE ANALYSIS

The Interwar Mediterranean style is also referred to as Mediterranean Revival and Mediterranean Villa style. The style appeared in Australia in the late 1910s in response to the temperate climate and bright sunlight, which were conducive to 'an architecture of simple shapes, light and shade, bleached pastel colours and accents of classical detail', according to Leslie Wilkinson, Professor of Architecture at the University of Sydney, who is credited with popularising the style in Australia (Apperly et al. 1989:172). The style gained popularity in the 1920s (Cuffley 1989:74-5). It was originally applied to domestic architecture in upper and upper middle-class suburbs, and later to modest-sized commercial and institutional buildings (Apperly et al. 1989:172).

The Interwar Mediterranean style is related to the Interwar Spanish Mission style, but is intentionally designed with simpler and less elaborate features. Details take on an austere classical or Renaissance mode, which subtly evokes a Mediterranean feel. In particular, Interwar Mediterranean domestic architecture incorporates features including pergolas, balconies, arcaded loggias and formal entrances, with sidelights and highlights, while Tuscan columns typically appear in verandahs and porches. The exterior is lightly bagged or cement-rendered (Apperly et al. 1989:172-4; Cuffley 1989:75-76).

There is only one place on the Heritage Overlay that exhibits elements of the Mediterranean style: the former Sutherland Homes orphanage administration block (HO171) at 2 Yan Yean Road, Diamond Creek. Built in 1929, the building comprises a central pavilion wing in a parapeted stuccoed Spanish Revival style, with porch and arched windows.

Despite the growth that was experienced in Eltham in the interwar years, this period of development is generally under-represented on the Heritage Overlay.

The interwar period was characteristic of a range of diverse architectural styles. The following Individually Significant examples are comparable with 2 Batman Road, Eltham:



Worlingworth, 10-26 Banoon Road, Eltham (HO7).
(Source: VHD)

The property at 10-26 Banoon Road, Eltham, is historically significant for its associations with the notable anthropologist Donald Thomson, who lived there from the mid-1930s. Built c 1922, it is also important as one of a few substantial homes erected in the Shire during the interwar period, illustrating Eltham's development into a desirable residential locality. It survives as one of few properties to retain its intact farm setting (VHD).



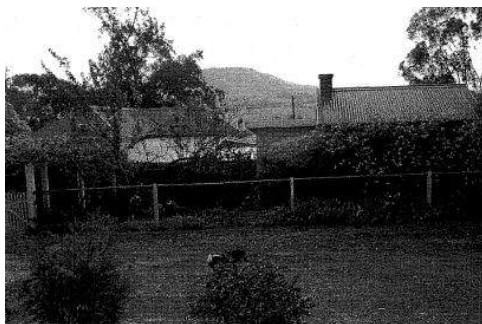
Orchard House, 25 Cottles Bridge-Strathewen Road,
Cottles Bridge (HO190). (Source: VHD)

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).



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 together with the c1913 timber house also on the site, 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 design of the c1935 house is aesthetically significant for its unusual design (VHD).



California Bungalow, 830 Cottlesbridge-Strathewen Road, Arthurs Creek (HO29). (Source: VHD)

The California Bungalow at 830 Cottlesbridge-Strathewen Road, Arthurs Creek, built c1930 is historically significant for its connection with the Apted family, who operated an orchard in Arthurs Creek for over a century. It is also significant as a rare surviving example of a Californian Bungalow in the former Shire of Eltham (VHD).



Residence, 836 Heidelberg-Kinglake Road, Hurstbridge (HO264). (Source: VHD)

The property at 836 Heidelberg-Kinglake Road, Hurstbridge, is aesthetically significant as a substantially intact example of an interwar bungalow constructed c1923. Its aesthetic value is enhanced by the intact front garden and fence, including the two Canary Island Date Palm trees framing the entry to the residence. The residence is demonstrative of the township's dominant period of development which was stimulated by the orchard industry and introduction of the railway line in 1912 (VHD).

Discussion

'Bell Vue' at 2 Batman Road, Eltham, compares well to the above examples. It demonstrates key design elements of interwar-era domestic architecture, and in particular, the Interwar Mediterranean style. The house displays key characteristics associated with the style including the rendered brick walls with smooth render detailing, arched porch, and barley twist column details to the porch and windows.

Though there are several interwar residences on the Nillumbik Heritage Overlay as demonstrated above, the subject place is distinguished from these examples for two reasons. Firstly, it exhibits elements of the Interwar Mediterranean style, a style that appears to be uncommon within the shire, notwithstanding the former Sutherland Homes orphanage administration block (HO171). 'Bell Vue' therefore adds an important additional place type to the above group of interwar houses in Nillumbik, since there are no other examples of houses designed in the Interwar Mediterranean or Spanish Mission style on the Shire of Nillumbik Heritage Overlay. Secondly, most of the above examples are farmhouses or orcharding properties, whereas 'Bell Vue' demonstrates the residential subdivision of land and transition towards suburban living in Eltham during the interwar years.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

'Bell Vue' at 2 Batman Road, Eltham, constructed c1929-30 for Charles Felix Butler, is significant.

Elements that contribute to the significance of the place include the:

- original single-storey built form, hipped-roof form and original fenestrations;
- rendered brick walls and roof clad with concrete tile;
- decorative details including barley twist columns, decorative corbels, arched porch with smooth render detailing, decorative arched panel above the window to the projecting bay of the west elevation and other applied Interwar Mediterranean style detailing;
- original timber window and door joinery; and
- low clinker brick fence, stone retaining walls and the layout of the remaining portion of the driveway; and
- intact garden setting and mature trees including the Canary Island Date Palm and Monterey Pine.

HOW IS IT SIGNIFICANT?

'Bell Vue' at 2 Batman Road, Eltham is of local historic and representative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

'Bell Vue' at 2 Batman Road, Eltham is representative of the subdivision of land for residential use and transition towards suburban living in Eltham during the interwar years. The electrification of the Hurstbridge railway line in 1926 which reduced travel time to the city, saw Eltham become a commuter town and development flourished along the railway. (Criterion A)

'Bell Vue' at 2 Batman Road, Eltham is a fine representative, and largely externally intact, example of interwar-era domestic architecture. It exhibits key elements of the Interwar Mediterranean style - a style closely related to the Interwar Spanish Mission style, but more rational and subtle in form and detailing. Key characteristics demonstrated include the lightly textured rendered walls with contrasting smooth render detailing, arched entrance porch, and medium-pitched hipped roof of concrete tile, as well as decorative features including barley twist column detail to the porch and windows, ornamental arched window panel, and decorative corbels. The property is enhanced by the retention of the substantial garden setting, within which sit a mature Canary Island Date Palm and Monterey Pine tree, as well as part of the original driveway layout, the front and side clinker brick fence, and stone retaining walls. (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: To title boundaries

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

Nillumbik Planning Scheme

External paint controls	No
Internal alteration controls	No
Tree controls	Yes - Canary Island Date Palm (<i>Phoenix canariensis</i>) and Monterey Pine (<i>Pinus radiata</i>)
Outbuildings or fences	Yes - front fence
To be included on the Victorian Heritage Register	No
Prohibited uses may be permitted	No
Aboriginal heritage place	No

Other

N/A

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10 Diosma Road, Eltham

Choong House

Prepared by: Context	Survey date: March 2021
Place type: Residential	Designer: Biltmoderne Pty Ltd (house), Wood Marsh (carport), Gordon Ford (landscape/garden)
Significance level: Significant	Builder: Steven Basic
Extent of overlay: To title boundaries	Major construction: 1985-87 (house), 1988 (carport)



Figure 1. West elevation of the Choong House, 10 Diosma Road, Eltham. (Source: realestate.com.au 2016)



Figure 2. Southwestern elevation of the Choong House, 10 Diosma Road, Eltham. (Source: realestate.com.au 2016)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.6 1960s and 1970s suburbanisation

From the mid-1960s the main suburban expansion in the former Eltham Shire area was east from Eltham, aided by the construction of the new Fitzsimons Lane (Eltham-Templestowe) bridge in 1963. This expansion was limited by topography and by methods of corridor planning including the green wedge and rural zoning. As a result, the eastwards trend would not extend past Research. The occupants of this new residential area were typically high-income families commuting to work in the city. When author and diplomat Graham McInnes returned to Melbourne in 1969 after leaving in the 1930s, he said that one of the most noticeable differences was that 'Eltham was the country, now it is right in Melbourne'. (Mills & Westbrooke 2016:87)

Residents who had established themselves in the early postwar period questioned the bona fides of this new wave of aspiring bushland homeowners. Knox described how 'the rich and affluent eastern suburbanites started casting sheep's eyes at this unkempt bushscape... Eltham was once again under threat from the land profiteer, who would butcher the living qualities of its inhabitants to make their Roman holiday.' On the other hand, the middle-class professionals of this new influx were environmentally conscious, politically well informed and numerous enough to exert a profound effect on the conservation of the surrounding landscape. (Mills & Westbrooke 2016:87)

By the 1970s, the aesthetics of the bush that had been developing throughout Australia were influencing the more sought-after city fringe suburban developments. These suburban developments adopted some of the trappings of environmental building that had been developed, in part, by the Eltham mud brick pioneers. The environmental thinking had been translated into a set of standard approaches, including preservation of existing trees, adaptation to contours, underground services and establishment of a network of linked bush parks. Road planning strategies such as cul-de-sacs enabled isolation from busy through streets. Roads were softened with low-profile gutters and the transition from road to driveway was softened with the use of paving materials in the road surface. Even so, these developments substantially remade the landscape. (Mills & Westbrooke 2016:88)

In the 1970s the Nillumbik area and nearby suburbs were graced with a number of residences designed by up-and-coming architects of the day including Kevin Borland, Charles Duncan and Morrice Shaw. Philip Goad describes their works as 'free and inventive compositions' and 'programmatically innovative'. Their designs featured informality, woodsy detailing, mezzanine floors and sliding doors opening onto timber decks. Other features included bagged brick, or brick seconds, window frames stained brown or pale eucalypt green and diagonal timber lining boards. (Mills & Westbrooke 2016:89)

Some architects chose not to blend with the bush environment. Peter Burns declared that his own 1967 house at Kangaroo Ground made 'no attempt to blend with the natural landscape but stands out as something distinctively man-made'. Perched high on a ten-acre site, the house was severely triangular in plan with inward sloping unpainted fibro walls and a flat metal deck roof. The house was 'a cheap practical envelope for living'. Acrylic domes replaced conventional windows. Burns did, however, consider himself a conservationist, installing 'a non-polluting system for the disposal of household wastes', as well as underground power and telephone cables. The clean white geometrical form of Ken Robinson's Zadnik house, located on a steeply sloping wooded site in Banoon Road, Eltham, was similarly intended to stand out 'in contrast to the rugged terrain'. The walls were of painted bagged brick and the roof of metal deck. It featured as an Age-RAIA House of the Week in 1975. (Mills & Westbrooke 2016:90)

LOCALITY HISTORY

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeri-willam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A small, short-lived reservation south of Eltham on the Yarra River was set aside for Aboriginal people in 1852. The area is situated near the junction of the Yarra River and its tributary, Diamond Creek.

Pastoral settlers moved into the area from around 1840 and took up pastoral leases (Bartolomei 2008). It was located proximate to the track used by the Ryrie brothers to provide access between their 'Yering' run, near Yarra Glen, and the Heidelberg village (Victorian Places 2015). In 1841, William Bell and Thomas Armstrong occupied land for a squatting run east of Diamond Creek in what was to become the Eltham district (Eltham District Historical Society 2000: np).

A plan for 50 allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of Diamond Creek and the Yarra River, was laid out in an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. The township plan shows that a track to a bridge across Diamond Creek and Main Road was noted as the 'Track from Melbourne' (Butler 1996:32). This area is known today as Eltham South.

Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). In 1851, Melbourne property developer Josiah Holloway purchased one square mile (or 5120 acres) of this land, which he subdivided immediately, calling the subdivision Little Eltham. The central area of current-day Eltham is contained within the Little Eltham subdivision. A number of large farming properties around the township were purchased from the early 1850s (*Nillumbik Parish Plan* 1951).

Eltham township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonia goldfields, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery, and a scattering of shops along Main Road (known in the 1850s as Maria Street). The town had a steam flour mill operated by Henry Dendy, and a tannery was located on the Diamond Creek. The Little Eltham School, opened by the Church of England, was built in 1853 near Swan Street and closed in 1872. A second school, a national school (later Eltham Common School No. 209) opened in Dalton Street in 1856. A Wesleyan chapel opened in 1858. Public buildings constructed at this time included a courthouse and a police

station in Main Road in 1860. The 'flat land', which is now the Eltham Lower Park, near the Yarra, was used as a racecourse (Kellaway cited in Butler 1996:32-33; Eltham District Historical Society 2000:np). A cemetery was established in 1858. The township and wider area was administered by the Shire of Eltham, established in 1856.

Between the 1860s and the 1880s, Eltham supplied food and produce for the goldmining communities of the Caledonia goldfields at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on the route to the Woods Point diggings. Eltham's population grew in response (*Victorian Places* 2015).

A Primitive Methodist chapel was built in 1860. The following year St Margaret's Anglican Church, designed by the notable Melbourne architect Nathaniel Billing, was built. In 1881, a Wesleyan church was constructed by George Stebbing to the design of Melbourne architects Crouch and Wilson (Butler 1996:33). A new state school, constructed of local sandstone, opened in 1876.

Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or for sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

In 1884 Eltham was described as:

... a pretty little township on the Yarra Flats road ... It has a population of nearly 400 inhabitants, but in addition it is the centre of a large district extending over 208 square miles, having a population of 2344. The land in the district is mostly used for grazing purposes, although as a rule the small farms grow a good deal of wheat, oats and other agricultural produce. A large quantity of fruit, especially raspberries and strawberries, is also produced (Illustrated Australian News 20 December 1884, cited by Carlotta Kellaway in Butler 1996:33).

The *Australian News* noted that gold had been found in the vicinity of the township, 'but not in remunerative quantities' (cited by Carlotta Kellaway in Butler 1996:33).

In the 1880s agitation began for the extension of the railway line from Melbourne to Heidelberg to serve Eltham and districts further afield such as Kangaroo Ground. The railway station in Eltham opened in 1902, however the line was never extended to Kangaroo Ground. The railway brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne and to attractive countryside with farms and uncleared stringybark forest (*Victorian Places* 2015). The bush scenery attracted artists, writers and nature-lovers.

In 1903 the *Australian Handbook* described Eltham as part of an orcharding and grazing district. In 1901, 4289 acres were under cultivation, of which 2506 acres were planted with orchards and market gardens. The township, with a population of 377, included a state school, a branch of the Commercial Bank, and Catholic, Anglican, Wesleyan Methodist and Primitive Methodist places of worship (cited in *Victorian Places* 2015). From 1909, rural properties were increasingly subdivided to create residential estates on the outskirts of the Eltham township (Mills & Westbrooke 2017:69).

The electrification of the railway line was extended to Eltham in 1923, eliminating the need to change to steam train at Heidelberg and allowing faster through-trains and shorter commuting times. The

establishment of new residential estates in Eltham followed (Mills & Westbrooke 2017:71). Reflecting the town's growth, a higher elementary school was opened in 1926 (Victorian Places 2015).

Eltham was described in 1940 as 'residential, horticultural, dairying and grazing ... a beauty spot for artists and picnickers'. By this time, the town had three recreation reserves, swimming baths, tennis courts and a fire brigade (Victorian Places 2015).

Eltham has attracted a number of writers and artists over the years. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. From 1910, painter William 'Jock' Frater and cartoonist Percy Leason often camped and painted in the area. Artist Justus Jorgensen established the notable Montsalvat artists' colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mudbrick construction in the area. Several local designers, including Alistair Knox, specialised in mudbrick housing in the postwar period (Victorian Places 2015). Others who have been inspired by Eltham and have made the Nillumbik region their home include landscape architect Edna Walling; authors Alan Marshall and Carolyn Van Langenberg; artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actor Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased steadily as a result. In 1933, only 927 residents were recorded in the town in 1933; this had increased to 7177 residents in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (Victorian Places 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment. Houses were often sited in bush gardens, especially after the 1970s. This style was also adapted to community buildings in the area, with the Eltham Library being constructed in mudbrick and recycled timbers in 1994 (Eltham District Historical Society 2019).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

PLACE HISTORY

The Choong House, built in 1985-87 for Ken Choong, a partner in LIDI, and the Choong family. It was designed by architects Roger Wood, Randal Marsh and Dale Jones-Evans who had established their design practice, Biltmoderne Pty Ltd, in Melbourne in 1983. The standalone carport was designed in 1988 by Wood Marsh (Figure 3) (Mooney 2017). Steven Basic is credited as the builder (Mooney 2017).

Influenced by the mudbrick homes in the area, Biltmoderne referenced the modular and handcrafted quality of solid masonry construction for the residence, while introducing a lightness and vigour

through more fluid architectural forms (Figure 3). Instead of using mudbrick, however, limestone quarried from Mount Gambier (South Australia) was selected as a primary building material (Mooney 2017). Furniture for the house was also designed by Biltmoderne as part of the project (Age 2 June 1987:25). A small garden atrium by renowned garden designer (and Eltham local) Gordon Ford was also a feature of the design (Mooney 2017).

Biltmoderne described the Choong House as follows:

The formal dynamic of the Choong House is generated by the apparent collision and cantilever of disparate elements set against the weight and undulation of a spinal wall. The result of the composition is proudly dislocated from its suburban context. The spinal wall also serves as a point of reference both topographically and architecturally. Its position on the site acts (as a vertical cantilever) to locate the overall composition. Constructed from limestone and aluminium siding, the building operates as a positive, solid form as well as a reflecting, translucent object. This duality, combined with the lack of even perimeter, offers the building to the viewer as being non-specific and abstract (Jahn 1996:171).

Sydney architect and author, Graham Jahn, wrote that the Choong House was distinguished from its peers by being the antithesis of the sensory Australian pavilion. It, in fact, 'suggests the reverse, affecting its occupants more overtly than the landscape which surrounds it, nevertheless relying on the subtlety of the context for its total idea' (Jahn 1996:169). Jahn continued

Part of the proposition of the Choong House appears to be that true suburbia...should allow buildings to be non-continuous objects within their sites and not conform to notions of planned relationships in an overall sense. The idea of the sculptural object, free of conventional motive and reliant on the sensual experience of its formal presence, is truly an extension of abstract modernism free of the stylistic rules which it is normally associated. Some similarity could be drawn between Biltmoderne's work and the domestic designs of Harry Seidler in a conceptual rather than a formal way, where over-complexity of some angles and space ultimately demand rest (Jahn 1996:171).

Architect Roger Wood commented that the house:

... contains certain core themes that have remained in their work over their 25 years of practice. 'The idea of converging blank walls to a door or an opening is something we are still doing in our most recent house, and in the Port Phillip [Estate] Winery (McCartney 2014:139)

The Choong House design won the 1987 RAI Victoria Merit Award for Outstanding Architecture (Heritage Alliance 2008:201). The house was profiled in the media and in books on architecture, including Graham Jahn's *Contemporary Australian Architecture*, first published in 1994.

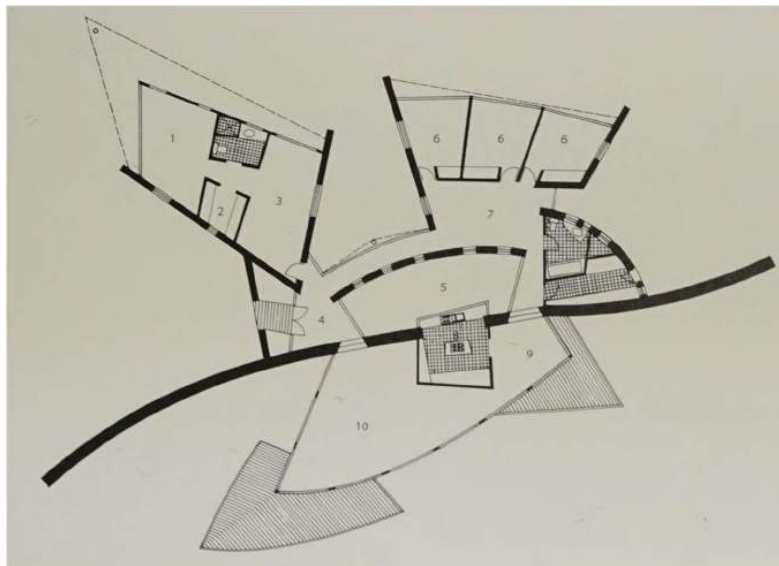


Figure 3. A floor plan of the Choong House. The numbers designate the following: 1 Master bedroom; 2 Dressing room; 3 Study; 4 Entry; 5 Courtyard; 6 Bedrooms; 7 Play area for children; 8 Kitchen; 9 Dining area; and 10 Living area. (Source: Jahn 1996:171)

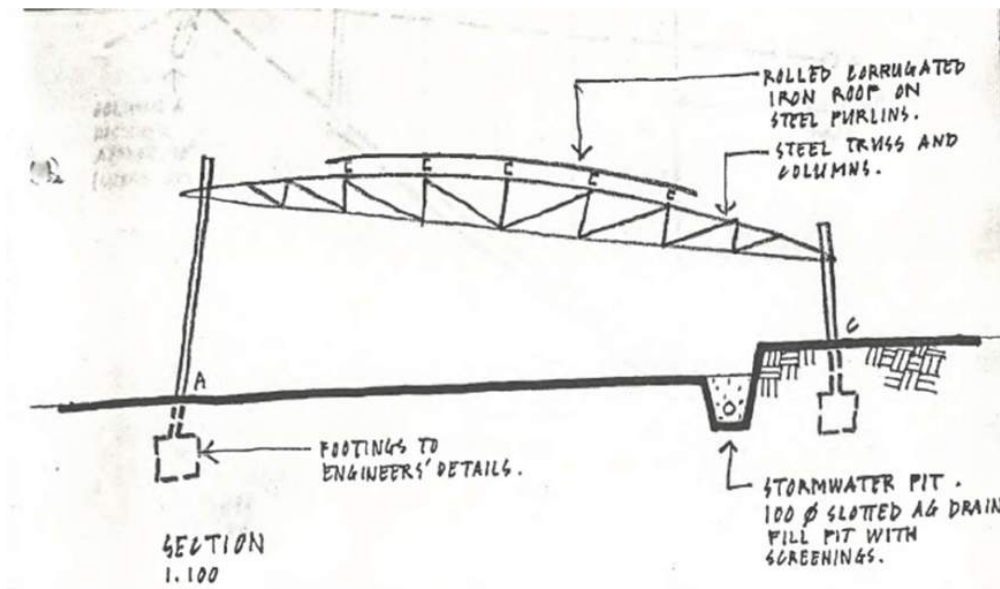


Figure 4. Plans for car port at the Choong House by architects Wood Marsh. (Source: BP, undated)

Biltmoderne, architects, and Wood Marsh, architects

Biltmoderne Pty Ltd was founded in 1983 by recent RMIT graduates Roger Wood, Randal Marsh and Dale Jones-Evans. The partnership rapidly gained a public profile in Melbourne's architectural scene, becoming well-known for nightclub fit outs and furniture and exhibition design (Built Heritage 2020:160).

In 1987, established Sydney architect Phillip Cox observed that Biltmoderne's individual style was receiving acclaim within architectural circles in Australia. Describing the firm as 'highly creative in a rather narrow field', he stated that they took 'Russian constructivism, a style of architecture popular before the Revolution...and made it incredibly trendy' (*Sydney Morning Herald* 19 November 1987:54). A newspaper article in 1986 described Biltmoderne as 'the grooviest architects within cooee' who zipped around redesigning nightclubs, asymmetrical swimming pools, many-roofed houses, angular couches, [and] wicked point tables' (*Age* 29 August 1986:29). An exhibition of furniture and architecture held at the National Gallery of Victoria in 1987, entitled 'From Robert Adams to Biltmoderne: the architect as designer', featured the firm's work (*Sydney Morning Herald* 19 November 1987:54).

Biltmoderne's projects included refurbishment of the Palace Theatre in Bourke Street, Melbourne, in 1986 to form the Metro Nightclub; the refurbishment of the Chasers Nightclub in Chapel Street, South Yarra; and the Inflation Nightclub in Melbourne in 1985; the latter project won a merit award from the Royal Australian Institute of Architects in the same year. The firm also refurbished Sweetman's Restaurant in Richmond and designed the Macrae and Way film production office, built in Francis Street, South Melbourne, in 1985 (*Age* 16 September 1986:14 and 21 July 1987:11).

Co-founder Jones-Evans left Biltmoderne in 1987 and took up practice as an architect and artist in Sydney in 1996, while Wood and Marsh formed their practice, Wood Marsh Architecture, in Melbourne in 1987 (*Built Heritage* 2020:160; Mooney 2017).

Gordon Ford, landscape designer

Australian landscape designer Gordon Ford (1918-1999) was a pioneer of the natural Australian style of landscape design. Growing up in country New South Wales, he settled in Eltham, Victoria, after World War II. Ford began landscaping work in 1952-54 under noted landscape designer Ellis Stones (1895-1975), before commencing his own landscape company, working in partnership with his Eltham neighbour, landscape architect Peter Glass (1917-1997) in the 1960s and 1970s.

Over his 50-year career Ford became an important landscape designer and constructor. He had a significant influence on the evolution of a natural Australian style from the 1950s, alongside his predecessors and mentor (Edna Walling and Ellis Stones) and peers (Alistair Knox and Peter Glass). Ford, along with Glass and Knox, was instrumental in the foundation of the Australian Institute of Landscape Architects, established in 1967 (Alistair Knox Foundation).

Ford believed that garden and buildings should form a fully integrated whole, rejecting the notion that a house was simply surrounded by a garden (David Bick cited in Context 2010). Ford favoured Australian native plants, but integral to his design philosophy were spatial considerations (juxtaposing mass and void and concealing boundaries) and foliage texture and shape (Reid 2002:228). He worked on many commissions for domestic gardens, public parks and institutional landscapes. Noted landscape designs include those for his own properties, the Boomerang Residence, 195 Laughing Waters Road, Eltham, c1970 (HO111) and 'Füllung', 76 Pitt Street, Eltham (HO153), as well as the Billabong in the VHR listed Royal Park, Parkville (H2337), and for Monash University.

DESCRIPTION

The Choong House at 10 Diosma Road, Eltham, is a substantial house constructed predominately of limestone blockwork, built in 1985-1987 to the award-winning design of architects Biltmoderne for owner Ken Choong. The house is centrally sited on an irregularly shaped block,. primarily vegetated

with remnant bushland. It is accessed by a narrow driveway to the west that runs southwards from Diosma Road (Figure 5). The land falls away from the centre of the allotment to the south and west.

Water and landscape elements around the entry and atrium, designed by notable landscape designer and Eltham local, Gordon Ford, are skilfully incorporated with the architectural design of the Choong House. The Choong House exhibits elements of organic architecture, with the design responding sensitively to the topography of its site and use of natural materials. The weightiness of its limestone walls is counterpoised by large areas of glazing and sections of ribbed aluminium cladding.



Figure 5. Site plan. (Source: Realestate.com.au 2016)

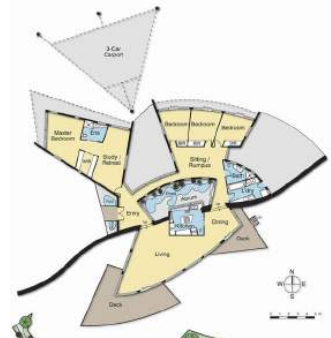


Figure 6. Floorplan. (Source: Realestate.com.au 2016)

The house is arranged around a central limestone spinal wall that runs in an east-west direction extending beyond the enclosed spaces of the house into the landscape. It forms the southern wall of a central atrium from which radiates a series of geometrically distinct wings. Three wings containing the main bedroom suite and study, a set of three secondary bedrooms and the bathroom and laundry are located to the north of the spinal wall and also incorporate limestone wall elements. The wing containing an open plan living zone is located to the south and features large areas of glazing. (Figure 6).

Each form has an independent flat roof that creates a jigsaw-like footprint when viewed aerially (Figure 7). When viewed from the front façade, the building presents as a sculptural arrangement of limestone walls (Figure 8). At the centre of this composition, the entry to the house is located between two high walls angled towards each other and is accessed by a small footbridge over a pond (Figure 9).



Figure 7. An aerial view of the Choong House, 10 Diosma Road. (Source: Nearmap 2021)

Where the spinal wall projects at either end of the building it creates a series of semi-enclosed outdoor spaces which reflect the curved sculptural forms and irregular geometry of the house. (Figure 11).



Figure 8. On approach, the building presents as a collection of limestone walls. (Source: ArchitectureAU 2017)



Figure 9. The entry to the house. (Source: ArchitectureAU 2017)



Figure 10. Large expanses of glazing create window walls, allowing light and landscape to penetrate the internal spaces. Aluminium cladding (right image) and glazing work together to add a lightness to the building. (Source: ArchitectureAU 2017)

Water, a leading design principle of landscape designer Gordon Ford, is integrated into the building and its courtyards. Ponds feature at the entrance door and in the atrium at the heart of the residence. Ford's signature volcanic boulders and native groundcover plantings complete the design. Native vegetation covers the remainder of the site, mostly mature eucalypts (Figure 11). A larger pond and associated rock work was constructed immediate west of the house in c.2005 to a design by Sam Cox a protégé of Ford's.



Figure 11. The intersection of curved and straight walls creates outdoor spaces with a sense of enclosure. Aluminium cladding and glazing work together to add a lightness to the building. (Source: ArchitectureAU 2017)



Figure 12. The central atrium garden features Ford's signature interplay of water and volcanic rock. (Source: ArchitectureAU 2017)

A carport located to the northwest of the house was built for Ken Choong in 1988 to a design by Wood Marsh, an architectural firm founded by two of the original partners of Biltmoderne. The structure is open on all sides and constructed of steel. The main piers are set on dynamic angles, with three curved, exaggerated steel trusses forming the roof structure (Figure 13).



Figure 13. The steel carport designed by Wood Marsh and constructed in 1988. (Source: ArchitectureAU)

INTEGRITY

10 Diosma Road, Eltham is highly intact with minimal to no changes visible to original and early fabric. The building retains its complex, flat roofed form, designed around a limestone spinal wall and atrium. Mount Gambier limestone walls, aluminium cladding, glazing and pattern of openings are also in evidence.

The integrity of the house is greatly enhanced by the high level of intactness of these main elements, including details such as the expanses of glazing and aluminium cladding, and elements of Ford's landscape design including the front entry and atrium spaces including their associated ponds, and volcanic boulders.. The carport, constructed in 1988, shortly after completion of the Choong House, has retained its original sculptural form and has not been subject to visible changes. Overall, the site has very high integrity to the designs of Biltmoderne, Wood Marsh and Gordon Ford.

COMPARATIVE ANALYSIS

Architect-designed homes became more common in Nillumbik, and its surrounds, from the 1970s. This period saw up-and-coming architects turn their hand to designing residences in the area, many of which responded to the tradition of informality, natural materials and integration with the natural environment that had become hallmarks of the 'Eltham style'. Many of these designs, however, exhibit aesthetic differences that reflect a wider engagement with evolving ideas within Australian architecture being explored within the profession at the time of their construction. Built in the mid-to-late 1980s, the Choong House acknowledges and departs from the 'Eltham style' mudbrick homes that proliferated in the 1950s and 1960s through the use of massive limestone walls..

In his 1991 book, *New Spirit of Architecture*, Peter Cook showcased the work of 41 international designers. Cook observed that the hotbed of 'post-tech' architecture internationally was Australia, identifying 'invention' as a mainstay of residential design in Australia during the period 1976 to 1991 (cited in Jahn 1996:11). Over these years, a small group of architects in Melbourne experimented with adventurous three-dimensional compositions and minimal detail, consciously avoiding any obvious relationship with the outdoors. The Choong House is an example of this work (Jahn 1996:11).

The Choong House sits solidly in the landscape. Its form, with its irregular, abstract and undulating sculptural geometries, infers a connection with the organic forms of the surrounding landscape. However, the dynamic forms and contrasting materials of the house are consciously articulated from the natural world. It presents as a discontinuous sculptural object within the landscape rather than striving to integrate with it materially or formally. In this sense, the architecture of the Choong House

is more 'an extension of abstract modernism' (Jahn 1996:171) than having a strong affinity with the romantic and earthy Organic architectural style that influenced the development of the 'Eltham style'.

. High-quality architect-designed houses in the locality include the Buzacott House at 80 Kangaroo Ground-Warrandyte Road, Warrandyte North (HO104, built c1955), designed by Fritz Janeba. The Buzacott House exhibits modernist characteristics, with a skillion roof, form designed to respond to its site context and use of natural materials, notably the heavy stone walls. Another comparison is the Wright House at 84 Kangaroo Ground-Warrandyte Road, Warrandyte North (HO105, built 1964), designed by Robyn Boyd, which employs the same use of stone walls as the nearby Buzacott House. Due to their earlier construction date and disparate aesthetic preoccupations, these places provide limited comparison with Choong House. For this reason, it is necessary to compare Choong House with other buildings designed by the firm Biltmoderne, its successor Wood Marsh and the principal architects of these firms, despite them being located outside of the municipality.

Biltmoderne



Former McCray & Way Film production studios, 3 Francis Street, South Melbourne, Port Phillip City (Contributory - HO440). (Source: realcommercial.com.au, December 2013)

A c1983 building, built for the McCray & Way Film company. The building is noted for its two façades with shaped feature windows, outward curving and zig zag walls, decorative medallions and use of steel and glass. It is a Contributory-graded building in the HO440 Emerald Hill Residential heritage precinct in the City of Port Phillip, and has also been identified as being of potential historical and aesthetic significance as an Individually Significant place (VHD).



Gallery House, 23 Morang Road, Hawthorn, Boroondara City (HO597). (Source: realestateview.com.au, 2004)

Gallery House was designed and built by architect Dale Jones-Evans between 1987 and 1991, who later became part of the innovative architectural practice Biltmoderne. Gallery House is of architectural significance to the City of Boroondara for its innovation recognised through the Royal Australian Institute of Architects Robin Boyd Award for residential buildings in 1991 (VHD).

Wood Marsh



Gottlieb House, 40 Lumeah Road, Caulfield North.
(Source: Google Maps)

A two-storey flat-roofed reinforced concrete house on an elongated and irregular plan designed and built between 1990 and 1994. Its street frontage is dominated by a blank elliptical volume penetrated by a projecting rectilinear bay with fin-like mullions and mirrored glazing, with a steel front door and a simple trabeated concrete slab carport. Recommended for inclusion in the City of Glen Eira Heritage Overlay as an Individually Significant place (VHD).



Merricks House, Merricks, Mornington Peninsula Shire
(Source: Wood Marsh)

A 2010 residence designed by Wood Marsh. Designed to respond to the seaside conditions, with a pair of curved rammed-earth walls arcs across the landscape to divide the site and building. To one side of this central spine, views to Western Port Bay are captured and framed; to the other, the vista is back into the slope of the land, away from prevailing winds (Wood Marsh).



Flinders House, Flinders, Mornington Peninsula Shire
(Source: Wood Marsh)

A 2012 residence designed by Wood Marsh. At the entry point, a monolithic earthen wall reveals a door. Heavily textured white walls echo the coastal environment and deeply recessed windows are framed in charcoal timber to emphasise their depth (Wood Marsh).



Towers Road House, 9 Towers Road Toorak, Stonington City
(Source: Wood Marsh)

A 2019 residence designed by Wood Marsh. Conceived as an abstract sculptural form, the house curves around a sloping site. The substantial concrete wall has a series of landscaped arcs that extend the garden to the street. The top of the building is a horizontal line, finished with a three-dimensional hemisphere made to look as though it gently penetrates the concrete mass below. Clad in zinc, this form references an inverted roof or dome (Wood Marsh).

Discussion

The Choong House at 10 Diosma Road, Eltham, is comparable to the former McCray & Way Film production studios in Francis Street, South Melbourne, as an example of the work of architectural firm Biltmoderne, despite being built for a fundamentally different purpose. Key common architectural details can be seen across both buildings, namely the aesthetic contrast afforded by the use of heavy sculptural forms with the more dynamic steel and glazed elements.

When compared against later examples by Wood Marsh, key common elements also are evident. This includes the use of monumental masonry walls, sculptural massing, and an abstract response to site context. Choong House bears similarity to Merricks House built 2010, with its similar curved 'spinal wall'. The Flinders House, built in 2012, features a similar entry way to the subject site, with a human scale doorway enclosed within monumental, fortress-like walls. While later Wood Marsh examples show a preference for concrete or rammed earth rather than limestone, all of the examples exhibit the same use of solid materiality and sculptural form that contrasts with more angular glass and steel elements. Choong House, as an excellent example of the work of architects Biltmoderne, can be read as a formative piece of work that foregrounds the aesthetic explorations of many later commissions by its successor, Wood Marsh.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Choong House, 10 Diosma Road, Eltham, designed by architects Biltmoderne and built between 1985 and 1988 for owner Ken Choong, is significant.

Elements that contribute to the significance of the place include the:

- original external built form , including the distinctive 'spinal wall' and central atrium;
- original materiality including the use of limestone walls, expanses of glazing and ribbed aluminium panels;
- elements of Gordon Ford's original landscape design to the front entry, central atrium and courtyard spaces; and
- open steel carport, designed by Wood Marsh and built in 1988.

HOW IS IT SIGNIFICANT?

The Choong House , 10 Diosma Road, Eltham, is of local aesthetic and associative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Choong House, 10 Diosma Road, Eltham, is aesthetically significant as particularly well designed and detailed architect-designed house that is carefully sited within a bush garden landscape..

Designed by architects Biltmoderne, the building's sculptural form is expressed in a palette of limestone, aluminium and glass. The use of fluid lines, refined metal and glazing juxtaposes with the house's solid limestone massing.. In recognition of the innovative design, the house won the 1987 RAA Victorian Merit Award for Outstanding Architecture and was profiled in the media and in books on architecture, including Graham Jahn's *Contemporary Australian Architecture* (published in 1994). The property's aesthetic significance is further enhanced by the bush garden elements designed by Gordon Ford including , volcanic boulders and native plantings in the various garden courtyard spaces and around the front entry, designed to blend with the surrounding natural vegetation on the site. The steel carport, built in 1988 to designs by Wood Marsh (the architectural firm created after Biltmoderne by two of its directors, Roger Wood and Randal Marsh) is complementary in style to the house. (Criterion E)

The Choong House is significant as an important early residential commission for the firm of Biltmoderne. The firm were to become Wood Marsh with the departure of founding partner Dale Jones-Evans in 1987, and as such the site is one of only a handful of residences designed by the earlier partnership. It can be read as a formative piece of work that influenced the designs of many of the later commissions by Wood Marsh. The commissioning of Choong House coincided with a period of great recognition for Biltmoderne, where their work was celebrated widely in the architectural community. The firm has since become internationally recognised for their work. (Criterion H)

RECOMMENDATIONS

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

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

Nillumbik Planning Scheme

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

Other

N/A

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Part of 570 Main Road, Eltham

Diamond Valley Miniature Railway

Prepared by: Context	Survey date: December 2020
Place type: Recreational	Designer: -
Significance level: Significant	Builder: Members of the Diamond Valley Miniature Railway
Extent of overlay: Refer to map	Major construction: 1961-1974



Figure 1. Photograph of the main railway station. (Source: Context 2020)



Figure 2. Main railway station building of the Diamond Valley Miniature Railway. (Source: Context 2020)

HISTORICAL CONTEXT

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

5 BUILDING NILLUMBIK'S WORKFORCE

5.1 Catering for tourists

In the 1920s Mack Clinton initiated an unusual effort to attract tourism to Christmas Hills when he established a 'pleasure ground' named Rob Roy on his property at Watsons Creek. Clinton kept a Shetland pony stud and offered picnic facilities for those who motored up from the city during the day. Seeing further possibilities for visitors, in 1935 he invited the Light Car Club of Australia to use the property for hill climbs. By 1939, the rally track was sealed with bitumen and, with the exception of the war years, the club continued to hold meets there until 1962, when a bushfire destroyed many of the facilities (Mills & Westbrooke 2016:64).

The Diamond Valley Miniature Railway Club was founded in 1960 with equipment relocated from the closed Chelsworth Park Railway (located in Ivanhoe, Melbourne). The original main line at Eltham was completed on August 17, 1961 at 0.52 kilometres (0.32 miles) long. Numerous developments, extensions and improvements took place in the years that followed. In the in mid-1960s the original 1" x 1/2" steel rail was replaced with 14 lb per yard rail recovered from disused quarries, railways and tramways. The main line was significantly expanded in the 1980s down to the edge of Eltham Lower Park (called the outer circle) within sight of Main Road and of passing motor traffic. The full main line is now 1.92 kilometres (1.21 miles) long and takes about nine minutes to complete a journey, passing through two tunnels and over a number of bridges. The line runs over, under and beside itself in a twisted and folded loop. There are the equivalent of 111 points and crossings in the track work. In the 10 years after it opened, the railway carried 250,000 passengers. By 12 June 2011, after almost 50 years of operation, it had carried 3,000,000 passengers (Mills & Westbrooke 2016:64).

LOCALITY HISTORY

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeri-willam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A small, short-lived reservation south of Eltham on the Yarra River was set aside for Aboriginal people in 1852. The area is situated near the junction of the Yarra River and its tributary, Diamond Creek.

Pastoral settlers moved into the area from around 1840 and took up pastoral leases (Bartolomei 2008). It was located proximate to the track used by the Ryrie brothers to provide access between their 'Yering' run, near Yarra Glen, and the Heidelberg village (Victorian Places 2015). In 1841, William Bell and Thomas Armstrong occupied land for a squatting run east of Diamond Creek in what was to become the Eltham district (Eltham District Historical Society 2000: np).

A plan for 50 allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of Diamond Creek and the Yarra River, was laid out in an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton

Street. The township plan shows that a track to a bridge across Diamond Creek and Main Road was noted as the 'Track from Melbourne' (Butler 1996:32). This area is known today as Eltham South.

Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). In 1851, Melbourne property developer Josiah Holloway purchased one square mile (or 5120 acres) of this land, which he subdivided immediately, calling the subdivision Little Eltham. The central area of current-day Eltham is contained within the Little Eltham subdivision. A number of large farming properties around the township were purchased from the early 1850s (*Nillumbik Parish Plan* 1951).

Eltham township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonia goldfields, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery, and a scattering of shops along Main Road (known in the 1850s as Maria Street). The town had a steam flour mill operated by Henry Dendy, and a tannery was located on the Diamond Creek. The Little Eltham School, opened by the Church of England, was built in 1853 near Swan Street and closed in 1872. A second school, a national school (later Eltham Common School No. 209) opened in Dalton Street in 1856. A Wesleyan chapel opened in 1858. Public buildings constructed at this time included a courthouse and a police station in Main Road in 1860. The 'flat land', which is now the Eltham Lower Park, near the Yarra, was used as a racecourse (Kellaway cited in Butler 1996:32-33; Eltham District Historical Society 2000:np). A cemetery was established in 1858. The township and wider area was administered by the Shire of Eltham, established in 1856.

Between the 1860s and the 1880s, Eltham supplied food and produce for the goldmining communities of the Caledonia goldfields at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on the route to the Woods Point diggings. Eltham's population grew in response (*Victorian Places* 2015).

A Primitive Methodist chapel was built in 1860. The following year St Margaret's Anglican Church, designed by the notable Melbourne architect Nathaniel Billing, was built. In 1881, a Wesleyan church was constructed by George Stebbing to the design of Melbourne architects Crouch and Wilson (Butler 1996:33). A new state school, constructed of local sandstone, opened in 1876.

Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or for sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

In 1884 Eltham was described as:

... a pretty little township on the Yarra Flats road ... It has a population of nearly 400 inhabitants, but in addition it is the centre of a large district extending over 208 square miles, having a population of 2344. The land in the district is mostly used for grazing purposes, although as a rule the small farms grow a good deal of wheat, oats and other agricultural produce. A large quantity of fruit, especially raspberries and strawberries, is also produced (Illustrated Australian News, 20 December 1884, cited by Carlotta Kellaway in Butler 1996:33).

The *Australian News* noted that gold had been found in the vicinity of the township, 'but not in remunerative quantities' (cited by Carlotta Kellaway in Butler 1996:33).

In the 1880s agitation began for the extension of the railway line from Melbourne to Heidelberg to serve Eltham and districts further afield such as Kangaroo Ground. The railway station in Eltham opened in 1902, however the line was never extended to Kangaroo Ground. The railway brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne and to attractive countryside with farms and uncleared stringybark forest (*Victorian Places* 2015). The bush scenery attracted artists, writers and nature-lovers.

In 1903 the *Australian Handbook* described Eltham as part of an orcharding and grazing district. In 1901, 4289 acres were under cultivation, of which 2506 acres were planted with orchards and market gardens. The township, with a population of 377, included a state school, a branch of the Commercial Bank, and Catholic, Anglican, Wesleyan Methodist and Primitive Methodist places of worship (cited in *Victorian Places* 2015). From 1909, rural properties were increasingly subdivided to create residential estates on the outskirts of the Eltham township (Mills & Westbrooke 2017:69).

The electrification of the railway line was extended to Eltham in 1923, eliminating the need to change to steam train at Heidelberg and allowing faster through-trains and shorter commuting times. The establishment of new residential estates in Eltham followed (Mills & Westbrooke 2017:71). Reflecting the town's growth, a higher elementary school was opened in 1926 (*Victorian Places* 2015).

Eltham was described in 1940 as 'residential, horticultural, dairying and grazing ... a beauty spot for artists and picnickers'. By this time, the town had three recreation reserves, swimming baths, tennis courts and a fire brigade (*Victorian Places* 2015).

Eltham has attracted a number of writers and artists over the years. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. From 1910, painter William 'Jock' Frater and cartoonist Percy Leason often camped and painted in the area. Artist Justus Jorgensen established the notable Montsalvat artists' colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mudbrick construction in the area. Several local designers, including Alistair Knox, specialised in mudbrick housing in the postwar period (*Victorian Places* 2015). Others who have been inspired by Eltham and have made the Nillumbik region their home include landscape architect Edna Walling; authors Alan Marshall and Carolyn Van Langenberg; artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actor Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased steadily as a result. In 1933, only 927 residents were recorded in the town in 1933; this had increased to 7177 residents in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (*Victorian Places* 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment. Houses were often sited in bush gardens, especially after the 1970s. This style was also adapted to community buildings in the area, with the Eltham Library being constructed in mudbrick and recycled timbers in 1994 (Eltham District Historical Society 2019).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

PLACE HISTORY

The Diamond Valley Miniature Railway (DVR) is located on the Recreation Reserve, gazetted in 1913 on Crown Allotment 6G of the Eltham Township (*Eltham Township Plan* 1968).

The history below, derived mainly from *The Diamond Valley Railway Story* (1985), highlights only the main events in the development of the DVR.

The DVR is a 184 mm (7¼") gauge railway located in parkland close to Diamond Creek in Eltham. The aim of the DVR is to provide visitors the opportunity of building and running a real passenger carrying railway system in miniature. The railway operation and construction are based on, or as near as possible, that of the Victorian Railways, using scales of 1/6 full size for rolling stock; ¼ full size for signals and half full size for buildings. (May et al 1985:np).

The DVR was established at Eltham in 1960, after the closure of the Chelsworth Park Railway. The brainchild of Clem Meadmore, it operated for many years at Chelsworth Park, Ivanhoe, before flooding caused its closure in 1959. Infrastructure and rolling stock were later transferred to the Eltham site (May et al 1985:np).

A meeting, attended by Clem Meadmore, Ray Savage, Syd Gillies, Alan Calder, Jim Willcox, John Murdoch, Ron May and Olive Savage, was called in 1960 to discuss plans for the new site (May et al 1985:np).

The Diamond Valley Miniature Railway Club was formed in 1961 to take over the running of the railway. Members contributed funds to help the shed construction and the purchase of materials and equipment to keep the DVR running. The first club meeting was held on the 23 July 1961 at Ray Savage's flat. The first Committee was elected and consisted of: Clem Meadmore, chairman; Ray Savage, secretary; and Arthur Cowan, treasurer (May et al 1985:np).

The Progress Engineering Company was commissioned to erect the railway's first substantial building after a loan was obtained from Alan Calder. It was a large, garage type building, measuring some 20 ft wide by 30 ft long and 8 ft high, clad in formed galvanised iron sheeting. Entry was gained by opening two sets of large swing doors. The 'shed', as it was known, was the railway's combined workshop, lunchroom, change room, kitchen, storeroom, clubhouse and Way & Works factory. Using voluntary labour, the shed floor was levelled, and work commenced on the laying of the original yards and sidings in front of the building. The permanent way earthworks were also formed (May et al 1985:np).

The original track was ¾" x 3/8" mild steel, welded to plates which in turn were nailed down to 2" x 2" x 14" hardwood sleepers spaced at 10" intervals. Some of the track was laid on the old Chelsworth Park Railway's 2" x 1" redgum sleepers and rails. On 17 August 1961, the last section of the Mainline was laid. Wear and tear on the wheels caused by the narrow rail meant the track needed to be completely re-laid with 14 lb/yd rail in 1964-71 (May et al 1985:np).

The Chelsworth Bridge was lifted into position on the 10 August 1961 and work proceeded on the old station platform, construction of the wire fence and gates around the platform area, and packing and ballasting of the track (May et al 1985:np).

The first train journey open to the public took place on 29 October 1961.

The steep incline of the long bank and rear curve proved difficult for all locomotives, and it was decided to run trains in the opposite direction (anticlockwise). Extensive alterations and realignments were made to the track in 1961-62 and successful anticlockwise running was achieved. The railway has been run in that direction since. At the same time, a signal lever frame was erected at the arrival end of the station platform and oversized, three position, upper quadrant signals were installed to protect the workshops branch line stub point (May et al 1985:np).

In 1963, the red, green and blue box-and-plank passenger carriage rolling stock was repainted kerrin blue with gold trim and grey inside. The box seats were removed, and new core-stock sides were strengthened with angle iron and bars fitted to the footboards. Each carriage (or coffin car, as they were later known) was fitted with an upholstered seat across the middle to provide extra side support. A new driving car was built for locomotive S300 and another carriage was converted to a passenger/guards' van (May et al 1985:np).

In 1963 new signal frames were introduced and a new pipe and chain wire fence was erected around the workshop yards (May et al 1985:np).

The first tunnel, approximately 16 ft of 6 ft diameter reinforced concrete pipe, was installed in 1965 and the viaduct bridge was built in 1966. In the same year, new signals were constructed for the old station area and the main line point was converted to hydraulic operation (May et al 1985:np).

By 1968, work had commenced on the new station and platform. Signal boxes were erected in 1969-71 and in 1969 the tunnel was extended in length from 16 ft to 88 ft. The tunnel ends were finished off with framing portals (May et al 1985:np).

Work on a new ticket office commenced in 1971 and in the same year a level crossing was constructed, and the Outer Circle main line was commenced from near 'B' Signal Box. In 1971, it was noted that a quarter million passengers had been carried since October 1961. In late 1971, the Victorian Health Department threatened to close the Railway because the tunnel was not installed in accordance with the regulations. The track was subsequently rerouted to avoid the tunnel (May et al 1985:np).

The new Diamond Valley Railway station was roofed in 1972, with completion of the building reached in c1974. In 1972, the DVR acquired most of the rolling stock from the defunct Valley Railway, Noojee, and conversion to 7" gauge was undertaken. In 1973, a special train run was conducted for the children from Allambie Homes and charity runs were held for the Royal Children's Hospital, the Salvation Army, the Araluen Day Training Centre and the Eltham Community Youth Club (May et al 1985:np).

On the 19 March 1974, the DVR was incorporated as a public company, limited by guarantee (May et al 1985:np).

Since this time, volunteers at the DVR have maintained a program of updating and installing new infrastructure and facilities, and, except for some periods of 2020 and early 2021, when COVID-19 restrictions applied, have operated the railway continuously over this time. The DVR continues today as a popular tourist attraction, especially with families, attracting close to 3000 passengers on an

average Sunday. It was voted the top tourist attraction in Metropolis Research's 2018 Annual Community survey of 500 randomly selected households in the Nillumbik Shire (Nillumbik Shire 2018).

In 2018, Nillumbik Shire entered into a new 21-year lease agreement with the railway. A small parcel of land from the corner of the Eltham Lower Park was added into the lease. The club, run by 180 volunteers in 2020, plans to work with community groups to revegetate the area with native plants (Nillumbik Shire 2018).

For the year 2018-19 financial year, 151,779 passengers bought tickets (Gillett 2020:6). All ticket sales go back into maintaining the railway and upgrading facilities as well as contributing to local charities, with the club giving annually to various concerns (Nillumbik Shire 2018). In 2019, the DVR established an under 25's member group, which is the first of its kind in the sector and seeks to address an aging volunteer demographic (Gillett 2020:9).

Because of high visitor numbers, the Diamond Valley Railway would like to build a new railway circuit in the southern part of Eltham Lower Park (Diamond Valley Railway Inc 2021).

Heath Gillett, Manager Recreation and Leisure at Nillumbik Shire council, provides a summary of the important features of the DVR:

The railway carries approx. 150,00 passengers per year and has achieved year-on-year 4% growth rate over the last 20 years with a total of over 4,230,000 passengers since inception. This is a strong visitation number for an attraction that only operates approximately 70 days a year and would be the envy of many other experiences chasing similar numbers if extrapolated. Given its historical operation and popularity there is high awareness and support from the community...The Railway is the top ranked 7 ¼" miniature railway in the southern hemisphere and is now identified as one of the World's top five miniature railways...The members of the Railway are a professional and skilled volunteer workforce who bring a variety of existing qualifications and/or previous workplace experience into the organisation. This allows for a high standard of planning, maintenance and operations...The Railway hard infrastructure which includes buildings, tracks, platforms, signals, fencing and signage, is extensive within the leased footprint and is a dominant feature of the Park. The rolling stock, including the privately-owned sets, is significant, well maintained and historically relevant...The Railway has been a consistent presence in the Park and is due to celebrate its 60th Birthday in 2021. It enjoys strong relationships with local service clubs, schools, charities, sporting teams and business groups. They contribute to the community by conducting special fund-raising operational days as well as providing a location for supplementary fund-raising activities by charities and service groups to take advantage of (Gillett 2020:8-9).

DESCRIPTION

Diamond Valley Miniature Railway (DVR), Eltham Lower Park, part of 570 Main Road, Eltham, is a miniature railway built from 1961 by members of the Diamond Valley Railway Club (the club, DVRC), an organisation which was incorporated, becoming the Diamond Valley Miniature Railway Incorporated (DVRI), in 1974.

The Diamond Valley Miniature Railway sits within the northeast corner of Eltham Lower Park, bounded by Main Road to the northwest and Diamond Creek to the east. It wraps around a portion of the Eltham Lower Park Oval Number 1 to the south (Figure 3). The kidney shaped site is largely level

but falls away towards Diamond Creek to the east. The Melbourne and Metropolitan Board of Works (MMBW) drain, Blowfly Creek, traverses the northern portion of the site.

The substantial miniature railway complex comprises a number of buildings and hard infrastructure elements spread across the site. These elements are connected by railway track and various pedestrian pathways that lead across the site. The railway complex is embedded within a bush landscape setting which also includes exotic deciduous trees. The main entrance is centrally located in the bend of the playing field perimeter road which extends from the Main Road Park entrance (Figure 4 and Figure 4). The track plan (Figure 5) shows the key elements of the complex.

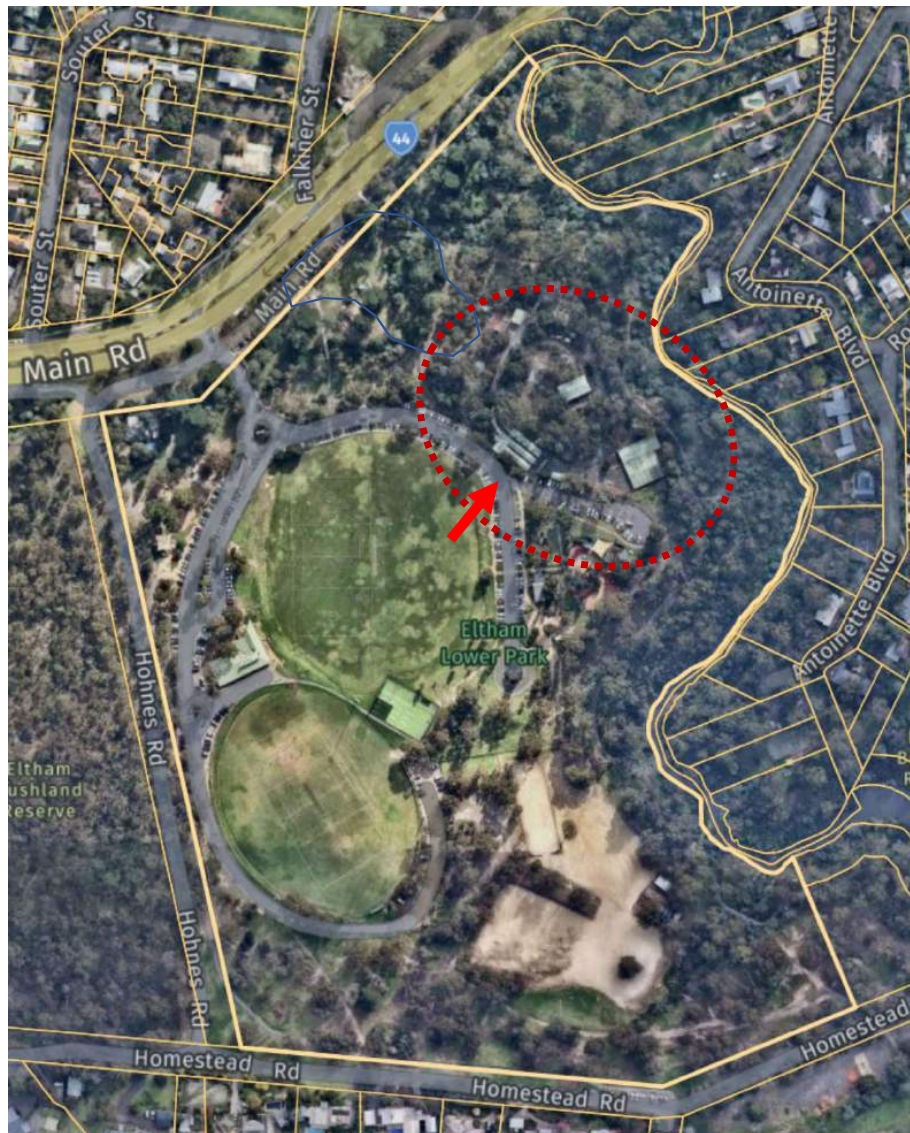


Figure 3. 570 Main Road Eltham with the approximate boundary of the Miniature railway outlined in red. The main entrance is indicated with a red arrow. (Source: Nearmap 2021)



Figure 4. Primary entrance to the Main Station building (southwest elevation). (Source: Google Streetview 2019)

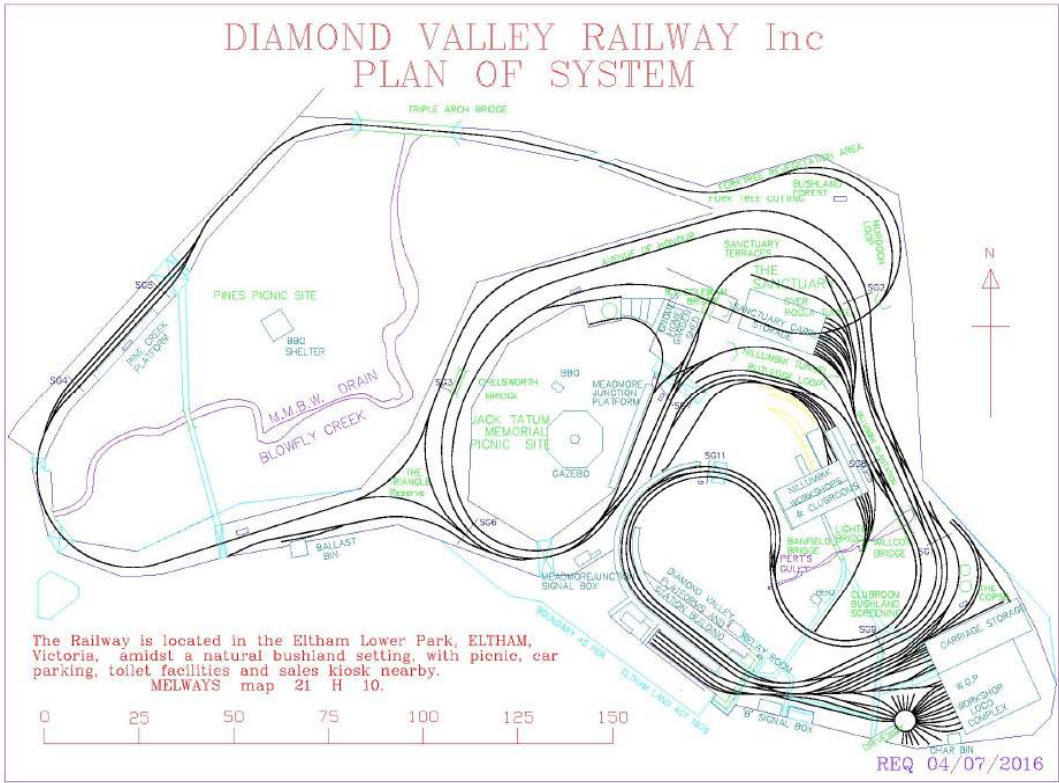


Figure 5. Track plan of the Diamond Valley Railway in 2016. (Source: Diamond Valley Railway)

Key built elements include the following:

Diamond Valley Station (c1969)

The Diamond Valley Station is a replica of Edwardian-era station building design. The Station building has a gabled roof clad in corrugated iron and top third rendered red brick walls on grey stone foundations. Gable ends feature timber battening. Windows are six paned and timber framed, with decorative grey stone flush sills. The ticket window is of similar proportions to the other station building windows.

The station includes three platforms with steel-framed gable roofed canopies supported by square section steel columns. The platform canopies feature battened gable ends to match the main building. The sales kiosk runs perpendicular to the platforms with asymmetrical twin gabled canopy extending across the front entrance supported by I-shaped steel columns. Decorative scalloped timber fascia boards line the station canopies and entrance canopy. Picket fencing surrounds the station.



Figure 6. Station building with scalloped fascia. (Context 2020)



Figure 7. View of the station from the northwest. (Source: Context 2020)



Figure 8. Ticket window. (Source: Context 2020)



Figure 9. Six paned timber framed windows and decorative fence. (Source: Context 2020)



Figure 10. Main station platform. (Source: Context 2020)



Figure 11. Picket fence and station canopy. (Source: Context 2020)

William (Bill) Pert railway workshop, with turntable

The William (Bill) Pert railway workshop building, located in the southeast corner of the site, is a broad medium-pitched gable roofed shed structure with an almost square footprint. The roof is clad in corrugated iron and walls are brown brick. Four wide metal roller doors are located across the eastern elevation allowing train access, two smaller, centrally placed, roller doors allow pedestrian access to the building. Train lines 9 to 20 lead into the building, through the large roller doors. The turntable immediately east of the workshop is surrounded by track lines and red brick paving on the southern side (Figure 13 and Figure 13)



Figure 12. William G Pert railway workshops with turntable in the foreground. (Source: Context 2020)



Figure 13. The turntable in the foreground. (Source: Context 2020)

Carriage shed

The Carriage shed building abuts the William G Pert railway workshop to the north. It is rectangular in plan with corrugated iron clad gabled roofing. Walls are of red brick construction. The eastern elevation contains two arched openings with metal roller doors, allowing access for the train lines into the sheds. Number labels indicating the train lines are located on the arch above each line.



Figure 14. The carriage shed (west). (Source: Context 2020)

Kidney shaped track

The kidney-shaped main track wraps around the complex and connects the key structures. The Diamond Valley Railways website notes:

The track consists of 14 lb/yd rail and is laid to a minimum radius of 18 metres. The track gauge is 184mm (7¼ inches) and the main route length is 2km plus 0.6 km of alternative paths. Some of the line side features are: the 65 metre long main station with three platforms, part of which is covered by a canopy roof; another two wayside stations; various bridges; two separate carriage shed/workshop complexes; two tunnels; two signal boxes; and extensive sidings totalling some 1.2km in length (Diamond Valley Railway).



Figure 15. A portion of track. (Source: Context 2020)

B Signal Box

The B Signal box sits to the south of the main station abutting the southwestern site boundary. It has a simple rectangular form with hipped roof clad in corrugated iron and surrounded by a rigid wire fence (Figure 16).



Figure 16. B Signal Box to the south of the main station abutting the southwestern site boundary. (Source: Context 2020)

Steel-framed overhead pedestrian bridge

The Steel-framed overhead pedestrian bridge allows access across the track at the southern end of the Station and platforms (Figure 17).



Figure 17. Steel-framed pedestrian bridge. (Source: Context 2020)

Other built elements across the site include:

- reinforced concrete pipe tunnels;
- bridges;
- triple arched, viaduct bridge;
- Chelsworth Bridge;
- other platforms;
- Meadmore Junction platform;
- Pine Creek platform;
- other sheds;
- Gnome's Home Garden Shed;
- Nillumbik workshop and clubrooms;
- sanctuary carriage storage;

- leisure infrastructure;
- gazebo; and
- BBQ facilities.

These other built elements are well integrated within the site's landscape setting. The landscape setting is broadly characterised by natural bushland, but also includes mature, deciduous exotic trees and certain well-maintained gardens, tended and curated by the Diamond Valley Railway members. This includes an Avenue of Honour located on the Inner Circle which is a tribute to deceased past members.

INTEGRITY

The Diamond Valley Miniature Railway, Lower Eltham Park, at part of 570 Main Road, Eltham, is largely intact with some later changes to original or early fabric. The complex retains early significant infrastructure and built elements such as the station and platforms, Carriage shed, William Pert workshop with turntable. The layout of the site and tracks has undergone some changes since the opening of the Railway in 1961, in line with its original use and intention as an operating miniature railway complex.

As an operational facility, the track and associated components require regular maintenance and ongoing renewal and upgrades. Additions are an important to the history of the place as a site of ongoing development. The integrity of the place is enhanced by the ongoing use of the site as a miniature railway and integration of the built elements within the landscape setting.

Whilst the complex contains additions and variations, overall, it has high integrity and expresses the vision of original club members for a miniature railway.

COMPARATIVE ANALYSIS

Miniature railways are a form of recreation and entertainment that emerged across Australia in the postwar period. In 1948, the introduction of the Forty Hour week gave Victorians increased leisure time which led to a boom in recreational activities. Many traditional forms of recreation underwent radical transformation and new ones emerged, of which the Diamond Valley Miniature Railway is an example (Heritage Alliance 2008:27).

Several other miniature railways exist across Victoria, however none appear to be listed in the Heritage Overlays of their respective planning schemes. The miniature railway complexes often include replica railway stations, miniature locomotives for public running and other auxiliary structures such as engine shed and signal boxes. Picnic facilities and kiosks are also often provided in the larger scale miniature railways, reflecting their recreational use.

The following examples outside the Shire of Nillumbik are comparable with the subject site in terms of scale and use.



Altona Miniature Railway Inc (No HO). (Source: Nearmap 2021)

The Altona & South Western Railroad was established in 1976 with the expressed objective to build and operate a passenger carrying miniature railway in the Western suburbs area, of Melbourne, Australia. The first official train ran on the Paisley Park site in 1985. Construction of a carriage shed/workshop commenced in 1988 (Altona Miniature Railway).



Box Hill Miniature Steam Railway (No HO). (Source: Nearmap 2021)

The Box Hill Miniature Steam Railway was established c1983 by the Box Hill Miniature Steam Railway Society, is a group of miniature steam railway and model engineering enthusiasts. The clubroom and engine shed were opened in 1983, with tracks completed for public running in 1985 (Box hill Miniature Steam Railway Society).



Figure 18. Mooroolbark & District Miniature Railway & Steam Club Inc (No HO). (Source: Nearmap 2021)

Mooroolbark & District Miniature Railway & Steam Club Inc was established in 1980, opening to the public in 1983 (Mooroolbark Miniature Railway). The complex is one of the relatively smaller miniature railways operating today.



Portarlington Bayside Miniature Railway (No HO).
(Source: Nearmap 2021)

Portarlington Bayside Miniature Railway was opened in 1999 for public running. Located on eight hectares of parklands, Portarlington Bayside Miniature Railway is Australia's only railway located on a foreshore (Portarlington Bayside Miniature Railway).



Figure 19. Cobden Miniature Railway, Graylands Road, Cobden (No HO). (Source: Nearmap 2018)

South Western Model Engineers, Cobden, was established in February 1994 opening in June 1994. It is located on the Cobden Racecourse reserve, which have been developed with other public facilities including mini gold park, dairy park, the Cobden Go-Kart Club and the Cobden Historical Society (<https://www.cobdenminiaturerail.org.au/>).



Figure 20. Steam Locomotive Society of Victoria, 128 Rowans Road, Moorabbin (No HO). (Source: Nearmap 2021)

Steam Locomotive Society of Victoria Inc, Moorabbin was opened in 1970 with a single loop. The track has been extended to about 700 meters in length. There is also a brick clubhouse seating about 50 members (<http://www.slsv.com.au/about-us/>)



Tullamarine Live Steam Society was established in 1974 and relocated 1997. It was re-opened in 2000 as Bulla Hill Railway. It has two ground-level dual gauge tracks (Bulla Hill Railway).

Figure 21. Bulla Hill Railway, 15 Green Street, Bulla (No HO). (Source: Nearmap 2021)

Examples of miniature railways in Victoria listed below are of a smaller scale or are no longer in operation. These examples are less directly comparable.

- Ballarat Society of Model Engineers Inc (established 1985);
- Campbelltown Miniature Railway (c1983, ceased operation 2018);
- Euroa Miniature Railway Inc.;
- Geelong Society of Model & Experimental Engineers;
- Gippsland Model Engineering Society (1978);
- Loddon Miniature Steam Locomotive Society; and
- Mooroopna-Shepparton Miniature Railway Society.

In comparison to the above examples outside Nillumbik, Diamond Valley Miniature Railway is distinguished as an early and unusually substantial miniature railway complex that demonstrates people's fascination with railways and their components. In previous assessments this miniature railway was considered likely to a rare and fine example in an Australia-wide context (Bick 1992). Compared to the examples listed above, the Diamond Valley Miniature Railway is far more substantial in scale, including more finely detailed replica buildings. Its design is more holistic and contains numerous buildings and landscape elements which enhance the experiential qualities of the recreational complex.

The Diamond Valley Miniature Railway at part of 570 Main Road, Eltham, is notable for the comprehensive nature of the complex compared to other miniature railways, and as an early example of the type. It is also notable as a recreational complex, serving the Diamond Valley community and rail enthusiasts since 1961.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Diamond Valley Miniature Railway, Eltham Lower Park, at part of 570 Main Road, Eltham, a miniature railway complex constructed from 1961, is significant.

Elements that contribute to the significance of the place include:

- ongoing use of the site as a miniature railway and integration of the built elements within the landscape setting, as well as its railway operation and construction largely based on that of the Victorian Railways;
- the original scale (as a 184 mm (7¼") gauge railway) and form of the complex within the natural bush landscape setting;
- Edwardian-style train stations and platforms (half full size), William G Pert railway workshop and picket fencing and their scales;
- key 1960s railway infrastructure including two reinforced concrete pipe tunnels, and triple arched viaduct bridge);
- other railway elements reflecting the use such as the B signal box and signals and their scale (1/4 full size);
- row of trees planted along the tracks and known as the 'Avenue of Honour'.

Other elements that support the general recreational use of the place contribute to the use of the place but should be open to alteration.

HOW IS IT SIGNIFICANT?

The Diamond Valley Miniature Railway Eltham Lower Park, at part of 570 Main Road, Eltham, is of local historic and representative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Diamond Valley Miniature Railway, Eltham Lower Park, at part of 570 Main Road, Eltham is historically significant as an early miniature railway complex built in Victoria. Operating at its current site since 1961, it is important as a popular long-term recreational facility within Nillumbik. It is evidence of the ongoing fascination with railways and their components. It provides physical evidence of a form of leisure activity, and tourism, that emerged during the postwar period and has remained popular as a community recreational complex. (Criterion A)

Constructed from 1961, the Diamond Valley Miniature Railway is significant as an early and detailed representative example of a miniature railway complex built in Victoria. It is distinguished as a substantial example that includes a comprehensive complex of buildings and infrastructure elements which are designed to be convincing replicas of an Edwardian railway system and its components. It contains numerous buildings and landscape elements which enhance the experiential qualities of the place. The incorporation of picnic facilities encouraging use, and gatherings, by the public and broader community for events and recreation is also significant. (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: Extent of Heritage Overlay is recommended as below, to cover the Diamond Valley Miniature Railway area, and extending to Diamond Creek to the east, within the Eltham Lower Park. Refer to the map below.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Nillumbik 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	No

Other



Figure 22. The extent of Heritage Overlay is recommended to cover the Diamond Valley Miniature Railway area, and extend to Diamond Creek to the east, within the Eltham Lower Park. The approximate area is highlighted in blue. (Source: Nearmap 2021)

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856 Main Road, Eltham

Former house

Prepared by: Context	Survey date: December 2020
Place type: Residential	Designer: State Savings Bank of Victoria (G Burridge Leith)
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: 1927



Figure 1. Primary (west) elevation of 856 Main Road, Eltham, with projecting verandah. (Source: Context December 2020)



Figure 2. Side (south) elevation of 856 Main Road, Eltham, from the carpark. (Source: Context December 2020)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.3 Interwar subdivisions and estates

In the interwar period there were numerous speculative subdivisions throughout the Nillumbik area. These were often marketed as combining possibilities for escape from the city and immersion in the natural values of the area. The introduction of the railway made such speculations possible and they were spurred on by the promise of its electrification. This meant greater frequency of services and therefore greater viability for commuting workers and weekenders. (Mills & Westbrooke 2016:71)

The suburban fringe of the metropolis was advancing towards the southern and south-eastern edges of Eltham Shire. With the advancing of the metropolitan fringe towards Eltham, and the closer subdivision in the main towns of the Shire, both the suburban dream and an alternative in the form of a weekend getaway from the city were on offer. (Mills & Westbrooke 2016:71)

The electrification of the railway to Eltham in 1923 eliminated the changeover to steam trains at Heidelberg allowing faster through-trains and so reducing commuting time. It was generally expected that this would soon convert Eltham into a suburban area. Certainly, there was a proliferation of subdivided new estates for the next few years. At first there was some infilling of Holloway's early Little Eltham subdivision. The 130 blocks of Sydney Haynes' Bellevue estate, situated on both sides of Main Road and the railway line to the north of Eltham station, were advertised from 1920. By 1923 prospective buyers were advised to take advantage of the cheap blocks before prices inevitably rose. Forty lots in the estate were sold in April 1923. (Mills & Westbrooke 2016:71)

Other subdivisions were carved from rural land, often starting with deceased estates. The local name for the estate often reflected the former rural landowners. In 1922 the View Hill estate was advertised as the 'highest point in the district, quite handy to [Eltham] station'. Twenty-three building blocks in the Mona Vale estate and two in Browne's subdivision were advertised in 1924. In 1925 the owners of the View Hill estate submitted a plan for roads on the estate to the shire council for approval. The following year an owner in the estate disposed of his two lots at a 'very satisfactory figure' to Messrs J. & H. Rowe, electrical engineers from the city who were planning to build two 'concrete villas'. (Mills & Westbrooke 2016:71)

In 1924 a 'leading Melbourne land agent' acquired a large tract of land in Eltham for subdivision purposes. This may have been the Eltham Electric Station Estate (known locally as the Pryor estate) opposite the station, where lots were auctioned in 1925. The estate included 11 shop sites in Main Street and 29 'beautiful elevated residential allotments'. Local reports found that Eltham was on the 'up grade'. 'The railway has given the necessary acceleration towards advancement

and not only is Eltham becoming popular as an outer suburban residential area, but also as an easily accessible tourist resort.’ (Mills & Westbrooke 2016:72)

In the late 1920s the developer’s tone remained optimistic. The Advertiser described the commencement of five new buildings in Eltham as a ‘mini boom’. ‘New buildings are springing up all round the district, which a progressive council has supplied with water and for which far-sighted residents have obtained the electric current from the Electricity Commission. For some time agents have been seeking out and securing the beauty spots around Eltham, for which there is a good demand, and there is every indication that, in the near future, a substantial increase in settlement will take place.’ (Mills & Westbrooke 2016:72)

LOCALITY HISTORY

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeri-willam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A small, short-lived reservation south of Eltham on the Yarra River was set aside for Aboriginal people in 1852. The area is situated near the junction of the Yarra River and its tributary, Diamond Creek.

Pastoral settlers moved into the area from around 1840 and took up pastoral leases (Bartolomei 2008). It was located proximate to the track used by the Ryrie brothers to provide access between their ‘Yering’ run, near Yarra Glen, and the Heidelberg village (Victorian Places 2015). In 1841, William Bell and Thomas Armstrong occupied land for a squatting run east of Diamond Creek in what was to become the Eltham district (Eltham District Historical Society 2000: np).

A plan for 50 allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of Diamond Creek and the Yarra River, was laid out in an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. The township plan shows that a track to a bridge across Diamond Creek and Main Road was noted as the ‘Track from Melbourne’ (Butler 1996:32). This area is known today as Eltham South.

Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). In 1851, Melbourne property developer Josiah Holloway purchased one square mile (or 5120 acres) of this land, which he subdivided immediately, calling the subdivision Little Eltham. The central area of current-day Eltham is contained within the Little Eltham subdivision. A number of large farming properties around the township were purchased from the early 1850s (*Nillumbik Parish Plan* 1951).

Eltham township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonia goldfields, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery, and a scattering of shops along Main Road (known in the 1850s as Maria Street). The town had a steam flour mill operated by Henry Dendy, and a tannery was located on the Diamond Creek. The Little Eltham School, opened by the Church of England, was built in 1853 near Swan Street and closed in 1872. A second school, a national school (later Eltham Common School No. 209) opened in Dalton Street in 1856. A Wesleyan chapel opened in 1858. Public buildings constructed at this time included a courthouse and a police station in Main Road in 1860. The ‘flat land’, which is now the Eltham Lower Park, near the Yarra, was used as a racecourse (Kellaway cited in Butler 1996:32-33; Eltham District Historical Society

2000:np). A cemetery was established in 1858. The township and wider area was administered by the Shire of Eltham, established in 1856.

Between the 1860s and the 1880s, Eltham supplied food and produce for the goldmining communities of the Caledonia goldfields at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on the route to the Woods Point diggings. Eltham's population grew in response (*Victorian Places* 2015).

A Primitive Methodist chapel was built in 1860. The following year St Margaret's Anglican Church, designed by the notable Melbourne architect Nathaniel Billing, was built. In 1881, a Wesleyan church was constructed by George Stebbing to the design of Melbourne architects Crouch and Wilson (Butler 1996:33). A new state school, constructed of local sandstone, opened in 1876.

Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or for sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

In 1884 Eltham was described as:

... a pretty little township on the Yarra Flats road ... It has a population of nearly 400 inhabitants, but in addition it is the centre of a large district extending over 208 square miles, having a population of 2344. The land in the district is mostly used for grazing purposes, although as a rule the small farms grow a good deal of wheat, oats and other agricultural produce. A large quantity of fruit, especially raspberries and strawberries, is also produced (Illustrated Australian News 20 December 1884, cited by Carlotta Kellaway in Butler 1996:33).

The *Australian News* noted that gold had been found in the vicinity of the township, 'but not in remunerative quantities' (cited by Carlotta Kellaway in Butler 1996:33).

In the 1880s agitation began for the extension of the railway line from Melbourne to Heidelberg to serve Eltham and districts further afield such as Kangaroo Ground. The railway station in Eltham opened in 1902, however the line was never extended to Kangaroo Ground. The railway brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne and to attractive countryside with farms and uncleared stringybark forest (*Victorian Places* 2015). The bush scenery attracted artists, writers and nature-lovers.

In 1903 the *Australian Handbook* described Eltham as part of an orcharding and grazing district. In 1901, 4289 acres were under cultivation, of which 2506 acres were planted with orchards and market gardens. The township, with a population of 377, included a state school, a branch of the Commercial Bank, and Catholic, Anglican, Wesleyan Methodist and Primitive Methodist places of worship (cited in *Victorian Places* 2015). From 1909, rural properties were increasingly subdivided to create residential estates on the outskirts of the Eltham township (Mills & Westbrooke 2017:69).

The electrification of the railway line was extended to Eltham in 1923, eliminating the need to change to steam train at Heidelberg and allowing faster through-trains and shorter commuting times. The establishment of new residential estates in Eltham followed (Mills & Westbrooke 2017:71). Reflecting the town's growth, a higher elementary school was opened in 1926 (*Victorian Places* 2015).

Eltham was described in 1940 as 'residential, horticultural, dairying and grazing ... a beauty spot for artists and picnickers'. By this time, the town had three recreation reserves, swimming baths, tennis courts and a fire brigade (Victorian Places 2015).

Eltham has attracted a number of writers and artists over the years. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. From 1910, painter William 'Jock' Frater and cartoonist Percy Leason often camped and painted in the area. Artist Justus Jorgensen established the notable Montsalvat artists' colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mudbrick construction in the area. Several local designers, including Alistair Knox, specialised in mudbrick housing in the postwar period (Victorian Places 2015). Others who have been inspired by Eltham and have made the Nillumbik region their home include landscape architect Edna Walling; authors Alan Marshall and Carolyn Van Langenberg; artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actor Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased steadily as a result. In 1933, only 927 residents were recorded in the town in 1933; this had increased to 7177 residents in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (Victorian Places 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment. Houses were often sited in bush gardens, especially after the 1970s. This style was also adapted to community buildings in the area, with the Eltham Library being constructed in mudbrick and recycled timbers in 1994 (Eltham District Historical Society 2019).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

PLACE HISTORY

The 1929 former house at 856 Main Road, Eltham, is located on Crown Allotment 12, Section 4, Parish of Nillumbik, 316 acres purchased by J M Holloway in 1853 (Nillumbik Parish Plan 1951).

By 1879, the allotment had been subdivided and streets formed as part of the survey of Eltham township. Postmistress Anne Hunniford purchased approximately four acres of the subdivision in that year, including land associated with the subject site. The majority of the four acres, fronting York Street, Bridge Street and Main Road, was transferred to farmer John James Burgoyne in 1886 (CT:V1118 F583; CT:V1982 F376).

Under Burgoyne's ownership, a portion of land (approximately one acre) was subdivided and sold in 1912. Burgoyne retained the rest of the land comprising approximately two acres at the corner of

Main Road (also known as Maria Road) and York Street (CT:V1982 F376). When Burgoyne died in 1918, his probate listed his real estate assets as comprising two properties in Holmes Street, East Brunswick and the land associated with the subject site in Main Road, Eltham. The extant buildings on the land at the time included a weather board shop (bakehouse) and dwelling fronting Main Road, a brick bakery at the rear fronting York Street and stables (PROV 1918).

In April 1920, John Neville Burgoyne, son of John James Burgoyne subdivided his father's estate into two allotments. John was hay and corn merchant, and owned a store at today's 820 Main Road, Eltham (CT:V4328 F509). In 1922, mechanics David Andrew and John Lyon purchased one of the subdivided allotments, which contained land associated with the subject site (CT:V4607 F306). David Andrew and John Lyon built and established Eltham's first motor garage in the 1920s. The Lyon Brothers Garage, which was the second RACV station in Victoria, was situated on the west side of Main Road opposite Arthur Street.

Under the Lyons' ownership, the subject site was further subdivided into three allotments in 1928. David Lyon retained one allotment, including the subject site, selling the other two allotments in 1949 and 1952 (CT:V4607 F306).

The subject building was built in 1929, when it was reported in the *Advertiser* that 'Mr D A Lyon' made an application to Eltham Shire council for the construction of a residence in Eltham (*Advertiser* 15 February 1929:4). In that year, the Commissioners of the State Savings Bank of Victoria took over ownership of the subject land, indicating that Lyon built the house through a loan financed by the State Savings Bank of Victoria. Lyon paid off the loan in 1934, when the ownership reverted to him (CT:5474 F727). The subject building was built to a 1927 State Savings Bank of Victoria standard plan, Type Number 42, supervised by the chief architect G Burridge Leith (Figure 3).

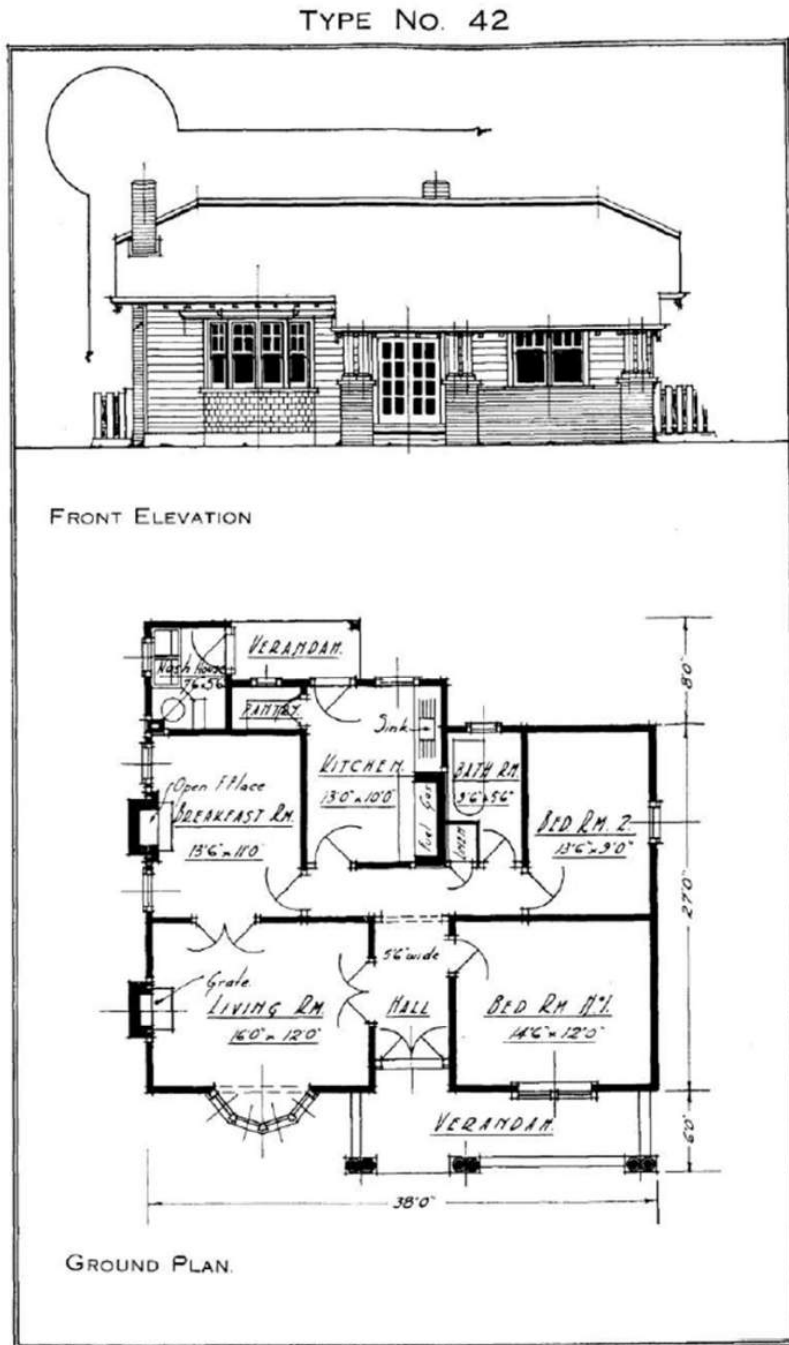


Figure 3. Showing the 1927 State Savings Bank Type No 42 standard plan, the design of the subject building, which was built in the period 1929-34. (Source: State Savings Bank of Victoria 1927:45)

David Lyon retained ownership of the property until 1957, when the ownership transferred to John and Elizabeth Scotland. Elizabeth was the daughter of David Lyon and his wife and Ada. The Scotlands sold the subject property in 1970 (CT:5474 F727; *Advertiser* 1 September 1951:22).

The land was subdivided again into two allotments in 1984. The subject residence was included in Lot 1 of the subdivision, forming the land today known as 856 Main Road (CT:V9554 F358). The subject building currently houses a medical practice.



Figure 4. Aerial imagery of the subject building in 1963, outlined in red. (Source: CPO, 'MELBOURNE (1963) PROJECT' 1963, Landata)

State Savings Bank of Victoria (G Burridge Leith, chief architect), designer

Following the First World War, Victoria faced housing shortages associated with an influx of returning soldiers and an increase in population. As a response to this situation, from 1920, the Victorian government offered workers on low incomes long-term loans at low interest to enable them to buy a home of their own. The State Savings Bank of Victoria managed the scheme, providing house plans and supervising the selection of contractors.

Under its credit foncier scheme, the State Savings Bank built thousands of homes in Melbourne's suburbs from 1921, particularly in suburbs serviced by newly electrified trains and trams. The *Housing and Reclamation Act 1920* and, from 1922, the *War Services Home Act 1918-20*, authorised the lending of funds for housing to approved persons and ex-servicemen at concessionary rates. Under the supervision of the bank's architect, G Burridge Leith, the bank initially built mainly detached stripped back Californian Bungalow styles, with designs regularly updated to incorporate emerging fashions and trends. The *Housing and Reclamation Act* authorised the bank to purchase land and build a house, or alternatively, to purchase land with a house already built and to sell it on hire

purchase. The total cost of the house and land was limited to £800 (O'Hanlon 2008; Murray & White 1992:208).

In the northern and western suburbs, smaller weatherboard houses were popular, while larger brick and weatherboard styles were more often found in eastern and southern suburbs. Size, fittings and finishes reflected price, with the smallest houses having two bedrooms, and the larger ones three. More expensive models featured separate dining and breakfast rooms and other 'modern' features (O'Hanlon 2008). Some of the middle-class suburbs attempted to maintain their status and values by declaring 'brick-only' areas (Murray & White 1992:213).

Most of the houses built up to the mid-1920s were small timber residences constructed within the £800 limit imposed by the *Housing and Reclamation Act* loans. Timber homes were chosen from the bank's pattern books of standard designs, the most popular being the 'cottage' and the 'bungalow'. The bungalow usually had five rooms (kitchen, dining or breakfast room, lounge room and two bedrooms) with a wide central passageway, and an internal bathroom and external toilet (Murray & White 1992:213).

The scheme was phased out in the 1960s, but even today the 'State Bank Home' remains an indicator of quality housing (O'Hanlon 2008).

DESCRIPTION

The former house at 856 Main Road, Eltham, is a single-storey weatherboard former house built in 1929, to a 1927 design by the State Savings Bank of Victoria. Located on the eastern side of Main Road, the site is positioned between York Street and Henry Street opposite the Alistair Knox Park.

856 Main Road is set on an irregular L-shaped block gently rising to the east, with the primary (west) elevation facing Main Road. The house occupies the northern half of the parcel, and an asphalt carpark covers the southern half. The property is unfenced along Main Road. There is a deep setback to the house with open mown lawn and small garden beds. The carpark is accessed from both Main Road and the private driveway on the southern boundary. A driveway to the new townhouse complex at 852 Main Road (Lot 2 of the 1984 subdivision) adjoins the southern boundary.

The former house has a broadly rectangular plan with a forward-facing porch containing the main entry to the southern end of the west façade (Figure 1 and Figure 6). It is clad in timber weatherboards and has a jerkinhead roof clad in terracotta tiles. Eaves are timber-lined and have exposed rafters. A skillion corrugated iron extension has been added to the rear (Figure 5).



Figure 5. Aerial imagery showing the original roof and corrugated iron skillion roof addition to the rear. (Source: Nearmap 2021)

The entry porch has brick balustrading with integrated piers with rendered capping. The brick piers support Double columns that carry the projecting terracotta-tiled roof. The west façade features a central double door, flanked by a pair of timber-framed double-hung sash windows (to the south) and a bow window (to the north). The bow window has a flat projecting canopy and is clad in square-edged timber shingles (Figure 7). Three unadorned simple red brick chimneys penetrate the roof (Figure 8).

The side (north and south) elevations have weatherboard cladding with vertical batten detailing to the jerkinhead gable ends. The south elevation features a ramp leading to an entrance portico and doorway in the southeast corner on the building. Terracotta tiled roofing supported by simple timber posts extends over the doorway. A timber lattice balustrade lining the ramp appears to be later addition, likely dating from the post-1970 conversion (Figure 9).

An extension with corrugated iron roof cladding is located to the rear of the building, but this is not readily visible from the public domain.



Figure 6. View of the main elevation from the entrance driveway on Main Road (Source: Context 2020).



Figure 7. Bow window with canopy on the northern side of the main elevation with shingles. (Source: Context 2020)



Figure 8. Two red brick chimneys on the northern elevation penetrate the jerkinhead gable. (Source: Context 2020)



Figure 9. View of 856 Main Road from the southwestern corner. (Source: Context 2020)



Figure 10. Secondary elevation showing weatherboard cladding with vertical batten detailing to the jerkinhead gable end, ramp and rear extension. (Source: Context 2020)

INTEGRITY

856 Main Road, Eltham, is largely intact with a few changes visible to original or early fabric. The building mostly retains its original built form and detailing, including the transverse jerkinhead roof clad in terracotta tiles, weatherboard cladding, projecting brick porch, pattern of early fenestrations, shingled bow window with projecting canopy, and brick chimneys. The rear extension does not distract the overall legibility of the original design. Overall, the building has high integrity.

COMPARATIVE ANALYSIS

From the 1890s, the defined area of Greater Melbourne had been expanded to include Eltham and the surrounding district for the purpose of censuses. Despite being included within these boundaries, the area continued to be predominantly rural. The interwar period, however, saw an increase in development and suburbanisation of within the broader Nillumbik area. Following World War I, the ideal of small detached houses set within gardens became increasingly popular, causing a 'dramatic expansion' of the greater metropolitan areas of cities (Raworth 1991:9). This preferred housing form, along with the introduction of regular railway services, affordable land and the promise of electrification, encouraged many to come to the Nillumbik area and build homes in the interwar period.

Likely due to a combination of continuing agricultural land use and lack of suburban utilities, development in areas outside the main streets of townships in Nillumbik was still slow. Most houses that appeared in new subdivisional estates in the early twentieth century were modest weatherboard, timber framed structures.

Reflecting the popular architecture of the time, many chose to build '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 small, single-storey, double-fronted dwellings with dominant verandahs with exposed rafters and beams (Raworth 1991:11).

Houses designed by the State Savings Bank of Victoria proliferated across Melbourne from 1921. The State Savings Bank scheme saw that customers would be lent money to build their own home, with the plans of which would be provided by the bank. This scheme made housing affordable for many in the interwar period.

Early State Savings Bank houses designed in the 1920s were simple 'bungalows', with roofs clad in corrugated iron or terracotta tiles. The chief architect G Burridge Leith designed around 50 types in Victoria, initially mostly of timber and generally of five main rooms (Butler 2010:42-43). In the northern and western suburbs of Melbourne, smaller-scaled standard weatherboard houses were more popular, while larger houses of brick or weatherboard constructions were more often found in eastern and southern suburbs. Despite their popularity across Melbourne, there are limited examples of State Savings Bank of Victoria designed houses covered by the Heritage Overlay outside the metropolitan Melbourne area.

Although Eltham and the broader Shire of Nillumbik experienced a rapid growth in the interwar years, there are no State Savings Bank-designed houses currently listed on the Heritage Overlay. This type of house is less common in Nillumbik, as they were predominantly constructed in suburbs serviced by newly electrified trains and trams. There were also only few State Savings Bank branches in the area. State School No. 2105 at 275 Eltham-Yarra Glen Road, Kangaroo Ground (HO47), had a small room built on the front verandah of the residence in c1920s that served as a State Savings Bank agency until c1934.

The following examples in the Shire of Nillumbik are comparable with 856 Main Road, Eltham.



200 Ryans Road, Eltham North (recommended as Individually Significant in this study). (Source: Context 2021)

The property at 200 Ryans Road, Eltham North, is a 1933 single-storey asymmetrical timber house that has a main gabled roof form with an intersecting transverse gable to the principal façade. The house demonstrates the uptake of land in the area during the interwar period.



Worlingworth, 10-26 Banoon Road, Eltham (HO7). (Source: VHD)

The property at 10-26 Banoon Road, Eltham, is historically significant for its associations with the notable anthropologist Donald Thomson, who lived there from the mid-1930s. Built c1922, it is also important as one of a few substantial homes erected in the Shire during the interwar period, illustrating Eltham's development into a desirable residential locality. It survives as one of few properties to retain its intact farm setting (VHD).



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).



836 Heidelberg-Kinglake Road, Hurstbridge (HO264). (Source: VHD)

The property at 836 Heidelberg-Kinglake Road, Hurstbridge, is aesthetically significant as a substantially intact example of an interwar bungalow constructed c1923. Its aesthetic value is enhanced by the intact front garden and fence, including the two Canary Island Palm trees framing the entry to the residence. The residence is demonstrative of the township's dominant period of development which was stimulated by the orchard industry and introduction of the railway line in 1912 (VHD).

Outside the Shire of Nillumbik, there are a few comparative examples of the typical State Savings Bank-designed houses included on the Heritage Overlay. The following examples are located in other surrounding municipalities that experienced similar transition towards suburban development during the interwar period.



Lilydale Interwar House Types, 30 Anderson Street, Lilydale (Significant within HO412, Yarra Ranges Shire). (Source: Google 2019)

30 Anderson Street, Lilydale is a modest suburban interwar house. It is one of a group of similar houses in Lilydale built in the 1920s and 1930s that illustrate the shift from rural living to a more suburban mode of development during the interwar era with housing types that reflected popular typologies and style used in other built-up areas of Melbourne (VHD).



272 Mt Dandenong Road, Croydon (HO110, Maroondah City). (Source: VHD)

272 Mt Dandenong Road, Croydon, is a timber Californian Bungalow, built c1925, probably to a State Savings Bank of Victoria design. It is historically significant locally as embodying family life in Croydon between the wars and of the housing initiatives of the bank. It is architecturally significant as an intact example of this domestic type enhanced by its grouping with 274, 276, 280 (HO110), 284, 290, 294, 296, 298 (HO111), 315-317 (HO112) and 316 (HO113) Mount Dandenong Road (VHD).



149 Mt Dandenong Road, Croydon (HO105, Maroondah City). (Source: VHD)

149 Mt Dandenong Road, Croydon is a timber Californian Bungalow built c1929, likely to a State Savings Bank of Victoria design. The house is historically significant as it represents the way in which housing was provided in the predominantly rural area of Croydon during the late 1920s. The property is significant as a highly intact and representative example of a State Savings Bank house in the area, which features two linked groups of similar houses (VHD).

Discussion

Established in a more suburban setting than the above earlier local bungalow examples, 856 Main Road, Eltham, is distinguished from the local examples for its use of a State Savings Bank of Victoria's standard design, a type that was prevalent throughout Melbourne but that appears to be less common in the Shire than other suburban municipalities.

856 Main Road, Eltham, demonstrates the interwar development of residential subdivisions of larger land parcels that had been evident in the Victorian period township. It reflects the transition towards suburban living in Eltham during this period. 10-26 Banoon Road, Eltham, and 25 Cottles Bridge-Strathewen Road, Cottles Bridge, were erected on more substantial blocks of land with bush setting. Like 856 Main Road, Eltham, 836 Heidelberg-Kinglake Road, Hurstbridge, is located within the more suburban areas of the municipality and is more closely comparable.

The house at 200 Ryans Road, Eltham North, is an example of a slightly later timber residence that was erected on a subdivision that had been created out of a larger allotment. This subdivision, known as the 'Glen Park Estate,' sits outside the original township area, however, still characterises the uptake of smaller allotments for residential purposes in the shire during the interwar period.

Designed to a 1927 State Savings Bank Type No 42 plan, the subject building retains key stylistic features of the interwar bungalow type and is largely intact to its State Savings Bank of Victoria

design. The shingled bow window with a flat projecting roof, terracotta tiled jerkinhead roof, exposed rafters and brick entry porch characteristic elements of this plan type exhibited by the building.

856 Main Road, Eltham, compares well to the above examples of modest interwar State Savings Bank of Victoria bungalows listed on the Heritage Overlay in surrounding municipalities (30 Anderson Street, Lilydale, 149 and 272 Mt Dandenong Road, Croydon), in terms of scale, design elements, materials and setting. Both the subject building and the above examples have a generous setback fronting a main arterial road with a dual carriageway.

Overall, 856 Main Road, Eltham is differentiated from the interwar dwellings already listed on the Nillumbik Shire Heritage Overlay as a somewhat rare example of a State Savings Bank of Victoria house design. Its simple form, modest detailing, suburban character, and high level of intactness to the original State Savings Bank of Victoria design is an example of a bungalow typology and corresponding period of development that is underrepresented in the Schedule to the Heritage Overlay.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The former house at 856 Main Road, Eltham, built in 1929 to a design by the State Savings Bank of Victoria, is significant.

Elements that contribute to the significance of the place include:

- original single-storey built form, scale and jerkinhead roof form;
- original pattern of openings;
- materiality including weatherboard cladding, vertical batten jerkinhead gable-end detailing, face brick entry porch and timber column roof supports, brick chimneys, terracotta tiled roof cladding; its design to the State Saving Bank of Victoria (Type No 42);
- other characteristic features of the State Saving Bank of Victoria bungalow style including the bow window with projecting flat roof canopy and shingle cladding, timber-lined eaves with exposed rafters, and double-hung timber framed sash windows; and
- the deep front setback from Main Road.

Later changes including the rear extension and new side entrance (post-1970) are not significant.

HOW IS IT SIGNIFICANT?

The former house at 856 Main Road, Eltham, is of local historic and representative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The former house at 856 Main Road, Eltham is historically significant for its association with the residential development of Eltham in the late 1920s and early 1930s. As a timber interwar bungalow situated on a suburban block it represents the consolidation of Eltham into a commuter suburb, following the electrification of the railway line, which reduced the journey into the city. The subject building was erected in 1929 for mechanic David Andrew Lyon, through a loan financed by the State Savings Bank of Victoria. David Andrew Lyon and his brother John established Eltham's first motor garage in the 1920s. The Lyon Brothers Garage was the second RACV station in Victoria, situated on the west side of Main Road opposite Arthur Street. The former house is also significant as a somewhat rare example of this type in Eltham, financed and built to a standard design by the State Savings Bank of Victoria. (Criterion A)

The former house at 856 Main Road, Eltham is of representative significance as a fine, highly intact, representative example of a standard State Savings Bank bungalow built in the mid-1920s. The former house is an intact example of the 1927 Type No 42 design, created under the supervision of the bank's chief architect, G Burridge Leith, who designed around 50 types in Victoria. The building showcases characteristic features of the State Savings Bank bungalow type including weatherboard cladding, roof clad with terracotta tiles, vertical timber batted detailing to the jerkinhead gable-ends, bow window with flat roof canopy and shingle cladding, and face brick porch and timber column roof supports. (Criterion D)

The former house at 856 Main Road, Eltham is also representative of the type of housing being built in formerly rural areas surrounding Melbourne, as they rapidly suburbanised during the interwar period. Although State Savings Bank houses were rarer in these outer districts, 856 Main Road fits

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with the general type of modest timber housing that appeared in these areas during the interwar period. (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: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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42 and 1/44 Park Road West, Eltham

Alan Martin House and Studio

Prepared by: Context	Survey date: April 2021
Place type: Residential	Designer: Not known
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: 1946-47; 1952; 1954; 1956 and 1977 (house), 1964 (painting studio), 1971-72 (pottery studio)



Figure 1. 42 Park West Road, Eltham. (Source: Context 2020)



Figure 2. 42 Park West Road (front) and 1/44 Park West Road (rear), Eltham. (Source: Context 2020)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.4 Postwar growth and experimentation

At the end of World War II there was a severe housing shortage in Melbourne, which had been escalating since the Depression and was made worse by wartime conditions. Davison and Dingle describe how in Melbourne 'thousands of families were living in sleepouts, boarding houses, garages and other makeshift dwellings'. It would be a decade before the worst of the shortage was overcome. (Mills & Westbrooke 2016:75)

The shortage in the city was exacerbated by the lack of readily available land on which to build. In the inner suburbs rental controls deterred owners from rebuilding at greater density. Most of the rest of the suburbs were built out, with some space available to fill up in the east in areas such as Kew, Studley Park and Ivanhoe. These conditions propelled a rush to the city fringe. The Nillumbik area provided an abundance of cheap blocks in thinly developed estates. (Mills & Westbrooke 2016:75)

The difficulty of providing new housing was increased by the scarcity of building materials resulting in very high prices. Some materials were still subject to government restrictions introduced during the war. Finally, there were insufficient builders to service the demand resulting in a great increase in owner building. By the early 1950s around 40 per cent of houses completed were constructed by owner-builders. The distribution in the Nillumbik area was probably in line with these figures. (Mills & Westbrooke 2016:75)

On the city fringe owner-builders often sought permission to put temporary housing such as old caravans on their land, rather than travel long distances to work on their houses. In the Nillumbik area the low density of development, the large bush-covered blocks originally intended for weekends and the flexible rural council favoured this approach. The prewar weekends were being replaced by a set of more permanent residents, including people working in the district, workers commuting to the city and retirees. (Mills & Westbrooke 2016:75-76)

The artistic and intellectual milieu that had existed since the nineteenth century drew a new generation of artists and thinkers. Philip Goad found that '... at Warrandyte and Eltham artists and intellectuals returned to the earth and savoured the bush'. Filmmaker Tim Burstall, who was among a number of newcomers who bought very cheap blocks at 'The Hill' around Napier Street in the Panorama estate, would describe the Eltham of the 1940s and 50s as 'the socio-aesthetic centre of Melbourne' and 'a rural Bloomsbury'. At the same time, the same qualities of the Nillumbik area bushland, which had drawn generations of picnickers and weekends now drew a new wave of settlers. (Mills & Westbrooke 2016:76)

9 SHAPING CULTURAL AND CREATIVE LIFE *Achieving distinction in the arts*

Artists, writers and intellectuals continued to be among those who were attracted to the area in the decades after the Second World War. At Warrandyte, potters began to outnumber painters. In 1958 five local potters, Phyl Dunn, Arthur Halpern, Gus McLaren, Reg Preston and Charles Wilton, along with John Hipwell, established a 'Potters Cottage' in Moonlight Cottage selling their wares and demonstrating their craft. Soon the Potters Cottage was moved to a new location south of the river, but other young potters continued to live and work in North Warrandyte. Similarly, Eltham continued to attract artists of all types. (Mills & Westbrooke 2016:116)

Two postwar artists attracted to the area, and concerned to protect and maintain its unique environmental characteristics, were Clifton Pugh, who built Dunmoochin at Cottles Bridge (HO8) in the 1950s and Neil Douglas, largely responsible for the Environmental Living Zone at the Bend of Islands in the 1970s. Pugh attracted a number of other artists to join him in an artists' colony at Dunmoochin. Several of them also built mudbrick homes at Cottles Bridge. (Mills & Westbrooke 2016:116)

Pugh developed Dunmoochin into Dunmoochin Artist's Community and it still provides artist residencies today. Among those who lived in the Cottles Bridge community were the artists Frank Werther (HO40), John Howley, John Olsen and Mirka Mora; potters Alma Shanahan (HO9), Peter and Helen Laycock (HO148) and Peter and Chris Wiseman, and the sculptor/engraver Kevin Nolan and his wife. The architect, Maurice Shaw, built a house close to Dunmoochin for Leon Saper (HO41), who became a successful potter. Other artists have lived in the Dunmoochin area since, including Rick Amor, Heja Chong (HO10) and Geoffrey Davidson. A number of important artists were friends of Clifton Pugh and frequent visitors to the property during the 1960s and 1970s. These include Fred Williams and Albert Tucker. Clifton Pugh's home at Dunmoochin burned down in 2001 but early studio buildings and other original features remain. (Mills & Westbrooke 2016:117)

A new generation of artists in the Shire of Nillumbik upholds this strong artistic tradition. Montsalvat is still a centre for the arts. Dunmoochin continues to be a place for artists to work and live and maintains an artist-in-residence program. The tradition of artists opening their homes and studios to the public, which began in the 1960s, is maintained as part of the Nillumbik Shire Artists Open Studio program. (Mills & Westbrooke 2016:117)

LOCALITY HISTORY

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeri-willam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A small, short-lived reservation south of Eltham on the Yarra River was set aside for Aboriginal people in 1852. The area is situated near the junction of the Yarra River and its tributary, Diamond Creek.

Pastoral settlers moved into the area from around 1840 and took up pastoral leases (Bartolomei 2008). It was located proximate to the track used by the Ryrie brothers to provide access between their 'Yering' run, near Yarra Glen, and the Heidelberg village (Victorian Places 2015). In 1841,

William Bell and Thomas Armstrong occupied land for a squatting run east of Diamond Creek in what was to become the Eltham district (Eltham District Historical Society 2000: np).

A plan for 50 allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of Diamond Creek and the Yarra River, was laid out in an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. The township plan shows that a track to a bridge across Diamond Creek and Main Road was noted as the 'Track from Melbourne' (Butler 1996:32). This area is known today as Eltham South.

Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). In 1851, Melbourne property developer Josiah Holloway purchased one square mile (or 5120 acres) of this land, which he subdivided immediately, calling the subdivision Little Eltham. The central area of current-day Eltham is contained within the Little Eltham subdivision. A number of large farming properties around the township were purchased from the early 1850s (*Nillumbik Parish Plan* 1951).

Eltham township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonia goldfields, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery, and a scattering of shops along Main Road (known in the 1850s as Maria Street). The town had a steam flour mill operated by Henry Dendy, and a tannery was located on the Diamond Creek. The Little Eltham School, opened by the Church of England, was built in 1853 near Swan Street and closed in 1872. A second school, a national school (later Eltham Common School No. 209) opened in Dalton Street in 1856. A Wesleyan chapel opened in 1858. Public buildings constructed at this time included a courthouse and a police station in Main Road in 1860. The 'flat land', which is now the Eltham Lower Park, near the Yarra, was used as a racecourse (Kellaway cited in Butler 1996:32-33; Eltham District Historical Society 2000:np). A cemetery was established in 1858. The township and wider area was administered by the Shire of Eltham, established in 1856.

Between the 1860s and the 1880s, Eltham supplied food and produce for the goldmining communities of the Caledonia goldfields at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on the route to the Woods Point diggings. Eltham's population grew in response (*Victorian Places* 2015).

A Primitive Methodist chapel was built in 1860. The following year St Margaret's Anglican Church, designed by the notable Melbourne architect Nathaniel Billing, was built. In 1881, a Wesleyan church was constructed by George Stebbing to the design of Melbourne architects Crouch and Wilson (Butler 1996:33). A new state school, constructed of local sandstone, opened in 1876.

Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or for sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

In 1884 Eltham was described as:

... a pretty little township on the Yarra Flats road ... It has a population of nearly 400 inhabitants, but in addition it is the centre of a large district extending over 208 square miles, having a population of 2344. The land in the district is mostly used for grazing

purposes, although as a rule the small farms grow a good deal of wheat, oats and other agricultural produce. A large quantity of fruit, especially raspberries and strawberries, is also produced (Illustrated Australian News, 20 December 1884, cited by Carlotta Kellaway in Butler 1996:33).

The *Australian News* noted that gold had been found in the vicinity of the township, 'but not in remunerative quantities' (cited by Carlotta Kellaway in Butler 1996:33).

In the 1880s agitation began for the extension of the railway line from Melbourne to Heidelberg to serve Eltham and districts further afield such as Kangaroo Ground. The railway station in Eltham opened in 1902, however the line was never extended to Kangaroo Ground. The railway brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne and to attractive countryside with farms and uncleared stringybark forest (*Victorian Places* 2015). The bush scenery attracted artists, writers and nature-lovers.

In 1903 the *Australian Handbook* described Eltham as part of an orcharding and grazing district. In 1901, 4289 acres were under cultivation, of which 2506 acres were planted with orchards and market gardens. The township, with a population of 377, included a state school, a branch of the Commercial Bank, and Catholic, Anglican, Wesleyan Methodist and Primitive Methodist places of worship (cited in *Victorian Places* 2015). From 1909, rural properties were increasingly subdivided to create residential estates on the outskirts of the Eltham township (Mills & Westbrooke 2017:69).

The electrification of the railway line was extended to Eltham in 1923, eliminating the need to change to steam train at Heidelberg and allowing faster through-trains and shorter commuting times. The establishment of new residential estates in Eltham followed (Mills & Westbrooke 2017:71). Reflecting the town's growth, a higher elementary school was opened in 1926 (*Victorian Places* 2015).

Eltham was described in 1940 as 'residential, horticultural, dairying and grazing ... a beauty spot for artists and picnickers'. By this time, the town had three recreation reserves, swimming baths, tennis courts and a fire brigade (*Victorian Places* 2015).

Eltham has attracted a number of writers and artists over the years. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. From 1910, painter William 'Jock' Frater and cartoonist Percy Leason often camped and painted in the area. Artist Justus Jorgensen established the notable Montsalvat artists' colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mudbrick construction in the area. Several local designers, including Alistair Knox, specialised in mudbrick housing in the postwar period (*Victorian Places* 2015). Others who have been inspired by Eltham and have made the Nillumbik region their home include landscape architect Edna Walling; authors Alan Marshall and Carolyn Van Langenberg; artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actor Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased steadily as a result. In 1933, only 927 residents were recorded in the town in 1933; this had increased to 7177 residents in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (*Victorian Places* 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment. Houses were often sited in bush gardens, especially after the 1970s. This style was also adapted to community buildings in the area, with the Eltham Library being constructed in mudbrick and recycled timbers in 1994 (Eltham District Historical Society 2019).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

PLACE HISTORY

The residence at 42 Park West Road is located on Crown Allotment 6, Section 10, Parish of Nillumbik, 146 acres purchased by J Frank in 1855 (*Nillumbik Parish Plan* 1951).

By 1924, the allotment had been subdivided, with Robert Woodcock owning 54 acres of the land (CT:V4871 F001). Under Woodcock's ownership, the 54 acres were subdivided into a number of residential allotments and sold in the period 1925-29 (CT:V4871 F001).

Investor John Quinn purchased land on the subdivision in 1929, and undertook further subdivision, selling lots from 1929 to 1957 (CT:V5549 F724). Dorothy Kenderdine purchased Lot 73 (the subject land) and Lot 74 of this subdivision in 1948 (CT:V7159 F656).

Student Alan Martin from Reservoir subsequently purchased Lot 73, the subject site, in 1948. In 1963, the property was owned by dental mechanic Alan Albert Martin and his wife, Lesly Dorothy Martin (CT:V7196 F050).

In 1966, Alan and Lesly Martin of 42 Park Road, Eltham, purchased neighbouring Lot 74. By this year, Alan Martin was listed on the certificate of title as an artist and teacher (CT:V8054 F249). In 1976, the Martins amalgamated both lots under the one title (CT:V8054 F249).

According to information provided by Lesly Martin in 1992, the couple came to Eltham in 1946 and moved the first part of the subject house onto the current site in 1947, a room which eventually became the kitchen. This construction pre-dates Alan Martin's ownership of the land in 1948. As finances became available, additions to the house, mostly timber, were built by the Martins in stages. These additions occurred in 1946-47; 1952; 1954; 1956 and 1977, with a painting studio built in 1964 and a pottery studio in 1971-72 (Bick and Kellaway 1992:1398-1402).

In 1972, Alan Martin advertised an exhibition of his early paintings at 42 Park Road, Eltham (*Age* 4 November 1972:16). Martin advertised other shows, 'Paintings from Europe and Centre' and 'Week of Landscape Painting', at the same address in 1978 (*Age* 12 August 1978:20). The site comprising the house, studio and pottery was shown on a 1978 aerial photograph (**Error! Reference source not found.**).

Alan Martin lived at 42 Park West Road until his death in 1989, with Lesly Martin continuing to live at the property. The two blocks were subdivided into three lots in 2007, and addressed as 42, 1/44 and 2/44 Park West Road, Eltham (CT:V11031 F137).

Alan and Lesly Martin's timber residence is located at 42 Park West Road and Alan Martin's split level timber studio is located at 1/44 Park West Road. A small bungalow building at 2/44 Park West Road is believed to have been built by the Martins during their ownership to accommodate visiting artists and friends. This building was in evidence by 1978 (Figure 2).

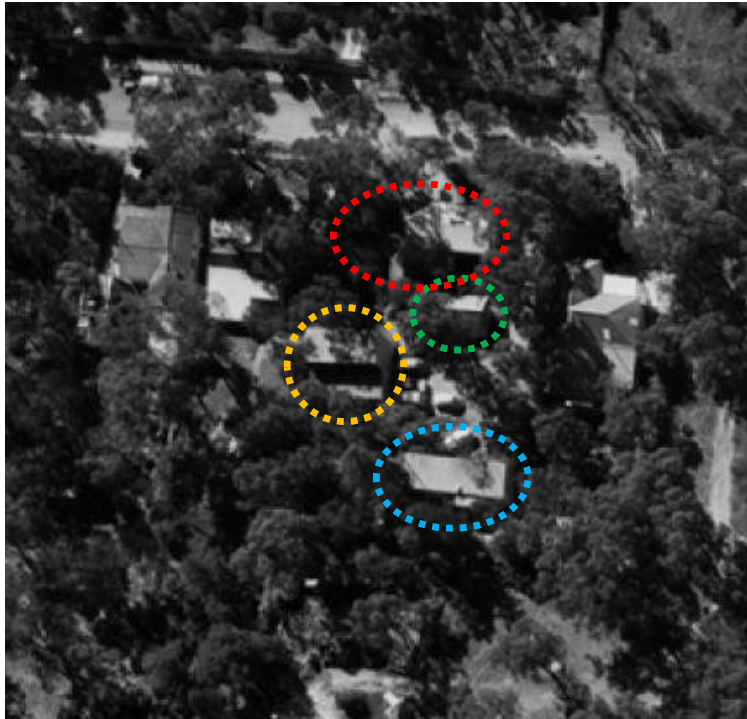


Figure 2. An aerial view of the site from 1978. The house is circled in red; the art studio in yellow and the since removed pottery studio in green. The rear bungalow building at 2/44 Park West Road is circled in blue. (Source: CPO, 'DIAMOND CREEK (4/1978)', 1978, via Landata)

Alan Martin, artist and owner c1948-1989

Alan Martin was born in Melbourne in 1923. Martin studied under Max Meldrum at the National Gallery School and at the Royal Melbourne Institute of Technology. He later established his own art school, the Alan Martin Painting School, with lessons held in Eltham at the subject property, and Kew. A painter in oils, he favoured landscapes, still life, and portraits, and was a finalist in the Art Gallery of New South Wales Archibald Prize in 1959. Martin won several prizes in provincial art shows and entered work in the prestigious Archibald Prize in 1962 (Furphy nd; AGNSW 2021). Martin was known to have found the Eltham district conducive to painting, and was one of the earliest artists to arrive in the immediate postwar period (Marshall 1971:123).

One of Martin's students, Don James, in writing about Martin's career recalled that Martin started as a student of painting with Meldrum in 1938 at the age of 15, remaining with him for the next 15 years. Meldrum told Martin that he needed to have a job to support his studies and early years, and arranged for Alan to work with John Heath, a Melbourne dentist, as a dental mechanic. This position not only enabled him to attend classes but also gave him the skills for one of his enduring sidelines, that of mould making and casting. Martin also studied design at the Working Men's College (now RMIT University), and later with Sir William Dargie at the National Gallery School in Melbourne (James 2020).

In 1979, Martin was noted as being a 'very busy teacher' with a large number of pupils in his art classes, held in his studio at home (Marshall 1971:123). Don James, a painter who had been taught by Martin at the home studio, was later invited to teach classes in the same studio by Lesly Martin following Alan's death (Montsalvat 2021).

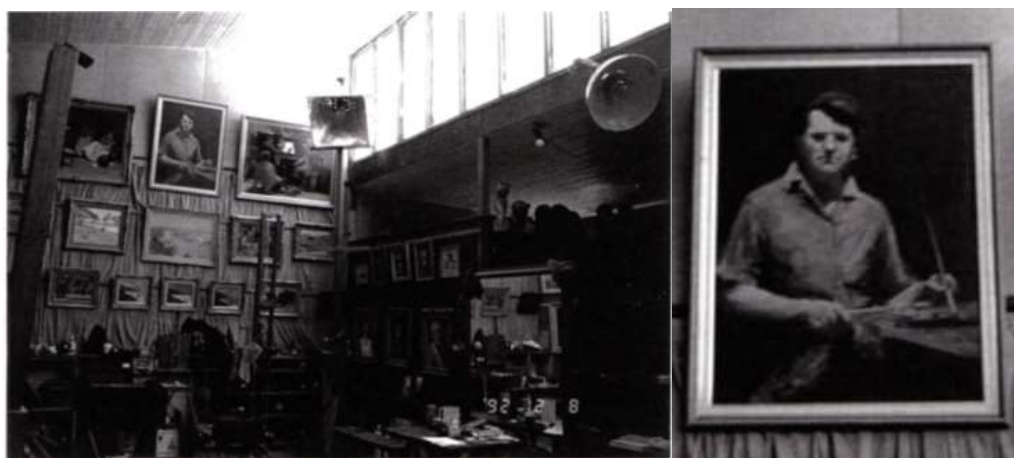


Figure 3. A view of the interior of the studio, built and used by Alan Martin. To the right is a closer image of Martin's self-portrait on the wall. (Source: Bick 1992)

DESCRIPTION

42 Park West Road, Eltham, is an elevated single storey timber house with corrugated iron gable roof built in stages between 1946 and 1977, with a painting studio built in 1964 (now at 1/44 Park West Road). The house sits on the south side of Park West Road, with the land falling towards the street.

Built over 30 years the house now consists of two connected L-shaped wings with the eastern wing sitting forward on the block. Both wings present a gable to the street at their western end, while a transverse gable runs east.



Figure 4. Aerial imagery of the site. (Source: Nearmap)

The upper walls of the house are clad with stained vertical timber boards while at street level the walls are clad in plywood sheets with timber framed corrugated iron doors. A small skillion roofed porch is located midway along the street facing elevation. Windows across the front of the house at the upper level are timber framed with a large, fixed centre panes and awning sashes either side. An exception to this is the window in the street facing gable of the recessed wing which comprises a large picture window with three small overlights.

The rear section of the western wing of the main house is taller than the rest of the wing and is constructed of mudbrick. Behind this is a separate mudbrick building with gable roof that appears to abut Martin's studio.



Figure 5. A c1992 image of the studio on the left, showing its original timber cladding. To the right is a current view of the studio, with new corrugated iron cladding. The small mudbrick room is visible in this image. (Source: Bick 1992; Context 2021)

The painting studio at 1/44 Park West Road is a simple square building, with corrugated iron skillion roofs. The northern half of the roof is raised significantly higher than the southern half, which allows

for a large row of south-facing clerestory windows. The building has been recently re-clad in corrugated iron.

The pottery building that stood to the south of the house, visible in **Error! Reference source not found.**, is not extant.

INTEGRITY

42 Park West Road, Eltham, is moderately intact with a some change visible to original or early significant fabric. The house retains its built form, evidencing the stages in which it was constructed between 1946 and 1977. Cladding on the house, including the vertical timber boards on the principal floor and corrugated metal on the lower portion, appears to have been recently installed.

The rear painting studio also retains its original built form and scale, with large south-facing clerestory windows. Earlier images indicate that this was clad in vertical timber boards, however it has been reclad in corrugated iron. The mudbrick portion, with gable roof, appears to be intact.

It appears that the pottery building was removed, likely following the subdivision of the site in 2006.

Overall, the site has moderate integrity.

COMPARATIVE ANALYSIS

The Nillumbik area has a longstanding association with artistic and intellectual communities, going back to the earliest years of the nineteenth century. The period following Second World War saw a new generation of artists and thinkers, who appreciated the natural surrounds of the area and the communities that had developed. Many newcomers were attracted by the cheap and readily available blocks that had gone unsold in the numerous subdivisions from the prewar and interwar periods. The area was later referred to as 'the socio-aesthetic centre of Melbourne' and 'a rural Bloomsbury', a reference to the famous group of intelligentsia, artists and philosophers in London (Knox 1980: 76).

The Alan Martin House and Studio at 42 and 1/44 Park Road West, Eltham are directly associated with Alan Martin, a local artist and art teacher who was part of the post-World War II artist community in Nillumbik. While not of the same profile as other more well-known local artists such as Clifton Pugh and Neil Douglas, Martin achieved some success, becoming a finalist in the Art Gallery of New South Wales Archibald Prize in 1959 and winning several prizes in provincial art shows. His career represents many aspects of the cultural lifestyle and artistic community for which Eltham was well known. Martin resided at the site from 1947 until his death in 1989. He is intrinsically linked to the fabric of the place, with the studio to the rear of the property purpose built for the artist in 1964. Martin's achievements as an artist and teacher were centred on the studio in which he worked and taught. As his personal studio, the property is better than any other to demonstrate associations with Martin and as an example of the low-key artist-owned studios that were common in Eltham at the time.

Within the Shire of Nillumbik, several surviving places are on the Heritage Overlay for their historical (associative) significance in demonstrating their connection to artists, writers, and intellectuals that contributed to this important layer of Nillumbik's development. The following places are comparable to the Alan Martin House and Studio, 42 and 1/44 Park West Road, Eltham, for their direct association with a person who contributed to the course of the Shire's history of being associated with artists, writers, and intellectuals and for the tangible evidence the physical fabric of the place provides of this association and the achievements of the person.



Southernwood, 250 Bolton Street, Eltham (VHR 2235, HO13). (Source: VHD)

Southernwood, Walter Withers's house, was first built as a four-room cottage in 1891, and in 1903 it was purchased by the artist Walter Withers. The house is of historical significance as the home of the prominent Australian artist Walter Withers from 1903 until his death in 1914. As a member of the 'Heidelberg School' Withers was the first commercially successful painter to come and live in Eltham. Withers played a part in attracting other artists to the area and, thereby, in establishing Eltham's reputation as an artistic community (VHD).



Peter Garner mudbrick studio and adjacent shed 62 Brougham street, Eltham (HO17). (Source: VHD)

The 1969 studio and shed are significant for its use of highly creative structures constructed in the 'Eltham style'. The studio and shed were associated with Arthur Munday, Peter Garner, Lenore Garner and the Montsalvat artists' community more broadly (VHD).



Stanhope Residence and Garden, 10 Peter street, Eltham (HO149). (Source: VHD)

The c1910 residence is historically significant for its connection with Will Longstaff, the official war artist, Bishop Reginald Stephen (warden of Trinity college in the 1930s) and with the prominent journalist turned builder, John Harcourt, who rented the residence while he and his partner were building their adobe home in the 1940s.

During the 1940s the residence was also connected with the important literary figures, Clem, and Nina Christesen (Clem was the founding editor of the influential Meanjin Quarterly). When owned by the Christesens the residence was visited by a number of distinguished writers, artists, and academics, including the Nobel Prize winner, Patrick White, and the world-famous cellist Mstislav Rostropovich (VHD).



Landscape, 60 Lavender Park Road, Eltham (HO113). (Source: VHD)

The 1926 residence and rear concrete studio are significant because they are connected with the artist, cartoonist and anthropologist, Percy Lesson. During Lesson's occupation (1926-1938) the property became a centre for visiting artists, including Max Meldrum, Justus Jorgensen, Clarice Beckett, 'Jock' Frater and Richard McCann (VHD).



Alan Marshall Bungalow, 13 Park West Road, Eltham (HO147). (Source: VHD)

The 1955 bungalow is significant for its connection with Alan Marshall, a noted author, storyteller and social documenter. While living and working at the bungalow between 1955 to 1972, several of Marshall's important publications were 'wholly written' within its walls. These include his trilogy of fictionalised autobiographies, several collections of highly popular short stories and humorous sketches as well as commissioned histories (including the history of Eltham itself). The bungalow was visited by many other famous Australian authors during Marshall's residence (VHD).

Discussion

The house and studio at 42 and 1/44 Park West Road, Eltham, are directly associated with Alan Martin, a local artist and art instructor in the Nillumbik area. Martin resided and worked at the site from 1946 until his death in 1989. The association of Martin to the fabric of the place is provided through evidence that shows the house and studio were built during the ownership of the Martins for their own use. The site served as Alan Martin's home and workplace from which he both worked as an artist and instructed art classes.

The Alan Martin House and Studio at 42 and 1/44 Park West Road, Eltham compares favourably against the above Individually Significant places for its demonstrated association with the life or works of a person of importance to the Shire of Nillumbik. The earlier examples such as Southernwood (VHR 2235, HO13) and Landscape (HO113) evidence Nillumbik's association with artists of earlier generations, who first attracted their peers to the area. The subject site is particularly comparable to the Peter Garner mudbrick studio (HO17) and Alan Marshall Bungalow (HO147) as examples contemporaneous to the subject site, which represent a later generation of artists and intellectuals who were attracted to the area and established their studios in the immediate postwar period. Despite its continued association with a number of important figures, Stanhope Residence and Garden (HO149) provides less direct comparison, as the house retains intact c1910 fabric and thus the associations are less directly legible from the fabric.

CONTEXT

Much like many similar artists' houses in the area, the subject house and studio were constructed in stages as needs arose and finances became available, using simple building forms and materials. In this way the house and studio are significant for their contribution to the ongoing understanding of the history of the Shire of Nillumbik and particularly Eltham as a centre for artists, writers, and intellectuals.

While living and working at the house (and later the studio) between 1946 and his death in 1989, Alan Martin produced much of his artwork as well as holding open days and painting classes for the public. The use of the site for the instruction of art classes contributes directly to the general understanding of the site as being associated with the artist for many. The site is Martin's only known place of residence in the municipality between 1946 and his death in 1989 and the house and studio have more strong connection with him than most other places with a connection to Alan Martin in the Shire of Nillumbik.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Alan Martin House and Studio at 42 and 1/44 Park West Road, Eltham, consisting of a house and artist's studio, built in stages between 1946 and 1977 (with painting studio dating to 1964) for the owners Alan and Lesly Martin, is significant.

Elements that contribute to the significance of the place include:

- the form and scale of the house, which shows the incremental nature in which it was built; and
- the form of the artist's studio, including the large south-facing clerestory windows.

HOW IS IT SIGNIFICANT?

The Alan Martin House and Studio at 42 and 1/44 Park West Road, Eltham, is of local historic and associative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Alan Martin House and Studio at 42 and 1/44 Park West Road are historically significant as examples of the artistic lifestyle that the area became known for in the postwar period. Much like similar artists houses in the area, the house and studio were constructed in stages as needs arose and finances became available, using simple building forms and materials including mudbrick, vertical timber boards and corrugated iron. In this way, the house and studio are significant for their contribution to the ongoing understanding of the history of the Shire of Nillumbik and particularly Eltham as a centre for artists, writers, and intellectuals. The Alan Martin house was associated with the life and works of the artist Alan Martin. The house and studios were built by Alan Martin and his wife Lesly, to serve especially as their own home and workspaces. Alan Martin also used the site as a place to instruct art classes, directly informing the association of the place with the artist for many. (Criterion A and H)

RECOMMENDATIONS

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

Extent of overlay: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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61 York Street, Eltham

Macmahon Ball House and Study

Prepared by: Context	Survey date: April 2021
Place type: Residential	Designer: Alistair Knox (1948 mudbrick study and 1959 extension), John Harcourt (c1948 pise house)
Significance level: Significant	Builder: Alistair Knox, Sonia Skipper, Peter Glass
Extent of overlay: To title boundaries	Major construction: 1948 (mudbrick study), c1948 (pise house), 1950 (pottery studio) 1959 (extension)



Figure 1. 61 York Street, Eltham. (Source: T Knox nd, Alistair Knox Foundation)



Figure 2. 61 York Street, Eltham (viewed from North). (Source: Nearmap 2020)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.4 Postwar growth and experimentation

Paralleling the activity of the Modernist architects, another more prolific experiment in residential building was germinating in the Eltham-Warrandyte area. The trend was characterised by an acceptance of the characteristics of the site, including the local bush, topography and geology and an attempt to blend and adapt to these conditions through building form and siting, choice of materials and landscape approach. The best-known spokesperson for this trend, Alistair Knox, gave it the label 'Australian environmental building'. (Mills & Westbrooke 2016:78)

Externally the Warrandyte Rustic or Australian Environmental Building style was distinguished by use of a palette of honest natural materials including earth in the form of pisé and mud brick, local stone, expressed structural timber, vertical varnished boards for cladding and corrugated iron, slate or shingle roofs. Recycled materials including timber and brick were also popular. Of all these materials earth and especially mud brick, would become the most ubiquitous in the Nillumbik area. The materials for mud brick were free and usually available on the owner's property. Mud brick building was better suited to the large semi-rural house sites common in the area, which had ample space for drying bricks and for using farm machinery to help in making and moving them. Owner-builders generally had great difficulty getting home loans in the early postwar period and use of labour-intensive mud brick as a major component could compensate for lack of capital. There was also an ideological and aesthetic element in the choice of this material that appealed to the increasing population of artists and academics who were drawn to the area. 'Amongst the artistic and literary community in the bush, the participatory hands-on nature of mud brick construction evoked the noble ideals of the Arts and Crafts movement.' (Mills & Westbrooke 2016:78)

From the early 1940s John Harcourt, who had settled in Eltham in the 1930s, constructed a number of residences in the area in pisé and mud brick. In 1941 his wife was the main driving force in building a mud brick house on the banks of Diamond Creek. Material for the mud bricks came from the excavation of the hillside for footings and the reinforcing straw also came from the property. This may have been the beginnings of the two-storey house Clay Nuneham in Stanhope Street, Eltham (completed around 1950) (HO165). The Harcourts held large New Year's Eve parties in this house in the 1940s and 50s. (Mills & Westbrooke 2016:79)

Harcourt also sold a number of pisé or mud brick house-and-land packages on land he had purchased and possibly also re-subdivided, in the interwar Handfield's subdivision in Eltham (also known as The Hill). The pisé Langi Dorn (HO55), the stone, brick and slate roofed Florrie's Cottage (HO37) and the mud brick Rocknall (HO36) may be part of this group. Miles Lewis suggests there were at least eight pisé or mud brick houses by Harcourt in the locale and describes the style as

'English cottage character'. Harcourt left the area in the 1950s. (Mills & Westbrooke 2016:79)

Sympathetic treatment by the shire council was another vital element in the rise of earth building. Justus Jorgensen and John Harcourt dealt with a shire secretary who approved building applications without consulting council, provided the plans 'complied with general building regulations' (Cuffley 1993, p. 130). When Knox started his first house the council was starting to review such applications. It was opportune that at this time GF Middleton of the Commonwealth Experimental Building Station had just published a pamphlet titled 'Earth Wall Construction', which Knox was able to distribute to councillors before they considered his permit. Subsequently, Knox observed, the shire adopted 'a practical commonsense approach to the innovative building proposals'. In 1947 owner-builder in pisé Vyvyan Williams thought himself 'fortunate in choosing a site in the Eltham Shire, considering the attitude to earth building of some municipal councils.' (Mills & Westbrooke 2016:79)

Alistair Knox was the most prolific of the mud brick designers and builders in the district. He was inspired by his visits to Montsalvat in the early 1940s and, after the war, he studied building at the Melbourne Technical College. Knox's early work in Eltham falls into two main categories: simple rectilinear forms, which were the basis for most of his work up to the 1970s, and a first flush of complex exploratory designs. (Mills & Westbrooke 2016:79)

Knox's first commission in the area, the English house in Godalmin Street, Eltham (1947) was a simple rectangle in plan with a skillion roof supported on long yellow box pole beams. He was assisted by Sonia Skipper, an experienced mud builder from Montsalvat, who worked on a number of Knox's buildings. Subsequent projects increasingly explored the potential of the plasticity and flexibility of mud brick. Knox started three houses in 1948. The McMahon Ball [sic] studio was very simple in form and was the first time he used a reinforced concrete slab base, a practice that would become standard for most of his mud brick buildings. Both the Busst house in Eltham (HO162) and the Holmes house (Periwinkle house) (HO11) were more exotic designs, featuring extensive curved walls in mud brick. On the Dowling/La Gallienne house in Yarra Braes Road (HO172), started in 1949, the owners persuaded Knox to return to a simpler gabled rectangular form for their weekender. He later labelled this use of simple forms as 'the key of all that was to take place during the succeeding years.' (Mills & Westbrooke 2016:79)

The Lim Joon house (HO119) (started 1950) in Main Road Eltham was a small single-roomed polygonal dwelling with brick walls. The floor-to-ceiling windows were an advanced architectural feature for this time. On the McClennan house in Ryans Road Eltham (1951), Knox returned to the use of curved mud brick walls, with an imposing two-storey half drum on one corner. The next two stages of the Dowling/La Gallienne house were also adventurous with complex geometry and impressive rooflines. Subsequently, as the price of labour rose, mud brick made sense only for the owner-builder and most of Knox's building commissions would be in more conventional materials, albeit often recycled. (Mills & Westbrooke 2016:80)

Alistair Knox was also a very effective spokesperson for the mud brick pioneers. His promotion of the principles of environmental building in a variety of publications would have a lasting influence on perceptions of the Eltham area. Mud brick and Australian environmental building became an integral part of the regional identity. Knox's writings would also ensure that the movement would have a far greater impact Australia-wide than the number of completed houses would indicate. (Mills & Westbrooke 2016:80)

LOCALITY HISTORY

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeri-willam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A small, short-lived reservation south of Eltham on the Yarra River was set aside for Aboriginal people in 1852. The area is situated near the junction of the Yarra River and its tributary, Diamond Creek.

Pastoral settlers moved into the area from around 1840 and took up pastoral leases (Bartolomei 2008). It was located proximate to the track used by the Ryrie brothers to provide access between their 'Yering' run, near Yarra Glen, and the Heidelberg village (Victorian Places 2015). In 1841, William Bell and Thomas Armstrong occupied land for a squatting run east of Diamond Creek in what was to become the Eltham district (Eltham District Historical Society 2000: np).

A plan for 50 allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of Diamond Creek and the Yarra River, was laid out in an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. The township plan shows that a track to a bridge across Diamond Creek and Main Road was noted as the 'Track from Melbourne' (Butler 1996:32). This area is known today as Eltham South.

Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). In 1851, Melbourne property developer Josiah Holloway purchased one square mile (or 5120 acres) of this land, which he subdivided immediately, calling the subdivision Little Eltham. The central area of current-day Eltham is contained within the Little Eltham subdivision. A number of large farming properties around the township were purchased from the early 1850s (*Nillumbik Parish Plan* 1951).

Eltham township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonia goldfields, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery, and a scattering of shops along Main Road (known in the 1850s as Maria Street). The town had a steam flour mill operated by Henry Dendy, and a tannery was located on the Diamond Creek. The Little Eltham School, opened by the Church of England, was built in 1853 near Swan Street and closed in 1872. A second school, a national school (later Eltham Common School No. 209) opened in Dalton Street in 1856. A Wesleyan chapel opened in 1858. Public buildings constructed at this time included a courthouse and a police station in Main Road in 1860. The 'flat land', which is now the Eltham Lower Park, near the Yarra, was used as a racecourse (Kellaway cited in Butler 1996:32-33; Eltham District Historical Society 2000:np). A cemetery was established in 1858. The township and wider area was administered by the Shire of Eltham, established in 1856.

Between the 1860s and the 1880s, Eltham supplied food and produce for the goldmining communities of the Caledonia goldfields at Queenstown (St Andrews) and Panton Hill. It also became a stopping

place on the route to the Woods Point diggings. Eltham's population grew in response (*Victorian Places* 2015).

A Primitive Methodist chapel was built in 1860. The following year St Margaret's Anglican Church, designed by the notable Melbourne architect Nathaniel Billing, was built. In 1881, a Wesleyan church was constructed by George Stebbing to the design of Melbourne architects Crouch and Wilson (Butler 1996:33). A new state school, constructed of local sandstone, opened in 1876.

Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or for sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

In 1884 Eltham was described as:

... a pretty little township on the Yarra Flats road ... It has a population of nearly 400 inhabitants, but in addition it is the centre of a large district extending over 208 square miles, having a population of 2344. The land in the district is mostly used for grazing purposes, although as a rule the small farms grow a good deal of wheat, oats and other agricultural produce. A large quantity of fruit, especially raspberries and strawberries, is also produced (Illustrated Australian News 20 December 1884, cited by Carlotta Kellaway in Butler 1996:33).

The *Australian News* noted that gold had been found in the vicinity of the township, 'but not in remunerative quantities' (cited by Carlotta Kellaway in Butler 1996:33).

In the 1880s agitation began for the extension of the railway line from Melbourne to Heidelberg to serve Eltham and districts further afield such as Kangaroo Ground. The railway station in Eltham opened in 1902, however the line was never extended to Kangaroo Ground. The railway brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne and to attractive countryside with farms and uncleared stringybark forest (*Victorian Places* 2015). The bush scenery attracted artists, writers and nature-lovers.

In 1903 the *Australian Handbook* described Eltham as part of an orcharding and grazing district. In 1901, 4289 acres were under cultivation, of which 2506 acres were planted with orchards and market gardens. The township, with a population of 377, included a state school, a branch of the Commercial Bank, and Catholic, Anglican, Wesleyan Methodist and Primitive Methodist places of worship (cited in *Victorian Places* 2015). From 1909, rural properties were increasingly subdivided to create residential estates on the outskirts of the Eltham township (Mills & Westbrooke 2017:69).

The electrification of the railway line was extended to Eltham in 1923, eliminating the need to change to steam train at Heidelberg and allowing faster through-trains and shorter commuting times. The establishment of new residential estates in Eltham followed (Mills & Westbrooke 2017:71). Reflecting the town's growth, a higher elementary school was opened in 1926 (*Victorian Places* 2015).

Eltham was described in 1940 as 'residential, horticultural, dairying and grazing ... a beauty spot for artists and picnickers'. By this time, the town had three recreation reserves, swimming baths, tennis courts and a fire brigade (*Victorian Places* 2015).

Eltham has attracted a number of writers and artists over the years. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including

members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. From 1910, painter William 'Jock' Frater and cartoonist Percy Leason often camped and painted in the area. Artist Justus Jorgensen established the notable Montsalvat artists' colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mudbrick construction in the area. Several local designers, including Alistair Knox, specialised in mudbrick housing in the postwar period (*Victorian Places* 2015). Others who have been inspired by Eltham and have made the Nillumbik region their home include landscape architect Edna Walling; authors Alan Marshall and Carolyn Van Langenberg; artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actor Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased steadily as a result. In 1933, only 927 residents were recorded in the town in 1933; this had increased to 7177 residents in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (*Victorian Places* 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment. Houses were often sited in bush gardens, especially after the 1970s. This style was also adapted to community buildings in the area, with the Eltham Library being constructed in mudbrick and recycled timbers in 1994 (Eltham District Historical Society 2019).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

PLACE HISTORY

The complex of buildings at 61 York Street was built for William Macmahon (Mac) Ball, who, with his wife Katrine (Kay) and daughter Jenny, came to Eltham from Kew in 1942. In 1945 the Ball family moved into an 1890s timber cottage on 18 acres (7.28 hectares) at the eastern end of York Street. The land was part of Crown Allotment 12, Section 4, Parish of Nillumbik, sold to J M Hollow in the early 1850s. Hollow named Crown Allotment 12 'Little Eltham South' and subdivided the land into smaller residential allotments ('Plan of Little Eltham South' c1850s). York Street became part of the town grid from this time.

The extant complex of buildings was supervised and partially constructed by Sonia Skipper to a design by Alistair Knox, with assistance from Tony Jackson, Jack McCarthy, and Gordon Ford. A separate mudbrick study for Mac was built on the site in 1948 (Figure 3, Figure 4 and Figure 5) (Alistair Knox, *Building With Mud Bricks*:np; and Alistair Knox, *We Are What We Stand On*:np in Alistair Knox Foundation).

The study was the second of Knox's mudbrick designs and the first in Eltham (the other being a house for Frank English at 47 Phillip Street, Lower Plenty (City of Banyule) in 1947). It was a simple rectangular building with few windows as wall space was needed to store books. Like Knox's earlier residence for Frank English, it used a brick that was 12" x 9" x 6" (300mm x 225mm x 150mm) laid in a stretcher bond exposing the 12" x 6" on both sides (Alistair Knox, *We Are What We Stand On*:np in Alistair Knox Foundation).

In his article *We Are What We Stand On* Knox fondly reminisces on the experience of constructing the study with Tony Jackson and Gordon Ford. He also describes 'The Pottery', a studio built for Ball's wife Katrine, designed by Peter Glass:

The second construction I undertook was a study for Professor Macmahon Ball. William Macmahon Ball has been a political scientist of considerable international repute for many years. We built his studio around the time he was Australia's delegate in the Japanese peace negotiations. Our small community drew a quiet sense of reflected glory from him as if we felt we were involved in the negotiations ourselves. It was a pleasant simple construction and both 'Mac' and Katrine encouraged earth building. Peter Glass at about this time built a beautiful earth building for Katrine called 'The Pottery'. He tells an interesting story about it. One of the main walls was not as straight as it could have been and he kept trying to doctor it up, but nothing he did made it agreeable to his accurate artistic eye. One day in a combined fit of despair, rage and conscience he lost his usual gentlemanly calm and rushed in and pushed it all over and started again.

Tony Jackson, a dynamic eccentric, worked with Gordon Ford on the Macmahon Ball Studio. Many hilarious activities took place during the course of its construction. The bricks were made by digging a pit about a foot deep and partly filling it with water. The dam walls were continually widened as the edges were broken back into the water and pugged as it was walked on by the digger moving forward. It was a hard primitive system because the mixing was all done manually and the mixture had to be lifted up to get it out of the hole. Brickmaking has always been a contract deal, which tends to produce a frenetic tinge into otherwise logical people. They are always beset by the decision as to when a brick is a brick and not just a heap of mud. In addition, they are also pursued by the possibility of rain destroying them when in a half-dry condition. If it wasn't too much rain, it could be too little water.

The shortage of water was another hazard. Eltham had a most inadequate water supply, that always failed on the high sides of the central amphitheatre on the hot summer days. The taps were left on full overnight to try and fill the brick-making dams, but the flow was so slow that there would often be only a few inches in the bottom in the morning. Work would begin early before the heat became-too intense and at any time from about 9 a.m. onwards, voices could be heard from the highest point of the hill calling out, 'The water's off'. Once this happened it nearly always stayed off until after dark, unless a cool change came during the day and the taps that always flowed in the valley were turned off.



Figure 3. The interior of William Macmahon Ball's study, built in 1948. (Source: Alistair Knox, *Building With Mud Bricks*:np in Alistair Knox Foundation)



Figure 4. The Macmahon Ball study, built in 1948. (Source: Alistair Knox, *Building With Mud Bricks*:np in Alistair Knox Foundation)

In the late 1940s (likely c1948), Ball commissioned designer-builder John Harcourt, to build a pise addition to the existing 1890s house on the site. Harcourt had been active as a builder in the area and had built his own house in Eltham in 1941. The addition comprised two bedrooms (one an attic bedroom), shower, toilet, and fireplace and chimney of local sandstone (Marshall 2008:140; Alistair Knox Foundation; *Argus* 18 January 1941:9).

In 1959, Ball had the 1890s cottage demolished replacing it with an extension that abutted Harcourt's pise section of the house (Figure 6 and Figure 7). The extension was built to an Alistair Knox plan titled 'MCMAHON BALL REBUILDING PROJECT' (Figure 8 and Figure 9). (Alistair Knox Foundation).

Over the successive years, Ball subdivided the original land parcel in York Street. By the time of his death in 1986 the parcel of land that today is addressed as 61 (59-71) York Street was left to his daughter Jennifer (Jenny) and her children Michael, Bronwyn and David. It is believed that the subject property is still owned by Ball's family members (CT:V9796 F805; CT:V10126 F922).

The subject complex at 61 York Street today retains private residential use (Figure 10 and Figure 11). It is believed that 'The Pottery' was converted to a dwelling with a two-storey addition by 2002 (BP 02/2254) (Figure 12). As a site visit was not possible at the time of assessment, this will require further research to confirm.

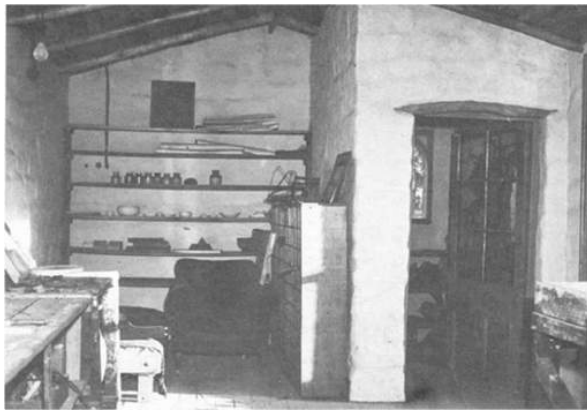
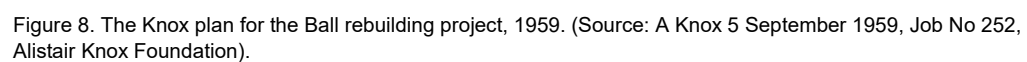
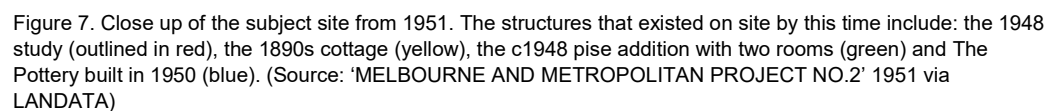


Figure 5. The interior of Katrine Ball's studio, The Pottery, built in 1950. (Source: Alistair Knox, *We Are What We Stand On*:np in Alistair Knox Foundation)



Figure 6. Subject site shown on the 1951 (upper) and 1963 (lower) aerial photograph. Approximate extent of the subject site is outlines in red, with Ball's earlier landholding outlined in yellow. (Source: CPO, 'MELBOURNE AND METROPOLITAN PROJECT NO.2' 1951; 'Melbourne Project' 1963, via Landata)



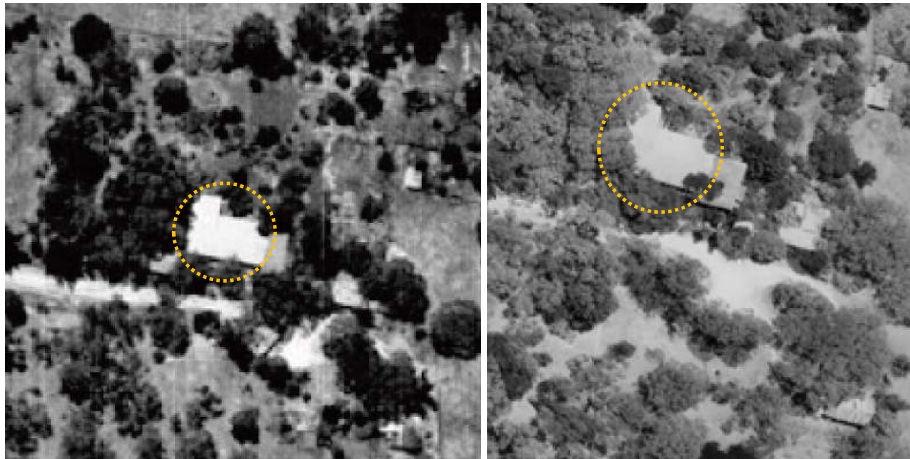


Figure 9. Close up of the subject complex from 1963 (left) and 1978 (right). Note the main house that replaced the 1890s cottage in 1959, outlined in yellow. (Source: 'Melbourne Project' 1963 & 'Diamond Creek' 1978, via LANDATA)



Figure 10. A photo of the Ball house, undated. (Source: T Knox nd, Alistair Knox Foundation).



Figure 11. The study, built in 1948. (Source: T Knox nd, Alistair Knox Foundation)

William Macmahon Ball, owner 1945-1986

The following has been abbreviated from *The Australian Dictionary of Biography* entry for William Macmahon Ball:

William Macmahon Ball (1901-1986), professor of political science, diplomat, author, journalist and radio broadcaster, was born on 29 August 1901 at Casterton, Victoria...An indifferent scholar, he left Caulfield Grammar School...without matriculating. He became a student-teacher at New College, Box Hill, and qualified for entry to the University of Melbourne (BA Hons, 1923)...

On 24 May 1924 at the Congregational manse, Eagle Junction, Brisbane, he married Iris Shield, a journalist; she died childless in 1926. At St Paul's Church of England, Gisborne, Victoria, on 20 December 1928 he married Muriel Katrine ('Kay') Sandys Cliffe Anderson, a clerk.

In 1929 Ball won a Rockefeller travelling fellowship in political science, enabling him to study under Harold Laski at the London School of Economics and Political Science...In 1932 he returned to the University of Melbourne as lecturer (later senior lecturer) in political philosophy and modern political institutions...

Ball's stature increased steadily throughout the troubled and emotional decade that led up to World War II: abroad were the Spanish Civil War, the regimes of Hitler, Mussolini and Stalin, and Japan's rampage in China; at home, the Depression, the dismissal of Premier Jack Lang, and the New Guard. In such unquiet and strident times, Ball's voice was one of calm and reason. He was active in the adult education movement as a university

extension lecturer...In this period, too, he began giving talks for the Australian Broadcasting Commission, a medium in which he shone. He also wrote articles on international affairs for the Melbourne Herald.

Working for disarmament and the peaceful settlement of international differences, Ball published his views in Possible Peace (1936)...In May 1938 he departed on another visit abroad. After witnessing the German occupation of the Sudetenland, he was given a conducted tour of the notorious Sachsenhausen concentration camp - a horror which never left his memory...

Invited by Prime Minister (Sir) Robert Menzies, in February 1940 Ball was appointed controller of broadcasting in the Department of Information. In June he became responsible solely for short-wave broadcasting...His section was transferred to the ABC in July 1942...Ball remained with the ABC and added to his public laurels by chairing the popular radio debates, 'Nation's Forum of the Air'.

In 1945 'Mac' Ball returned to his university as senior lecturer-in-charge of the department of political science...That year he was part of Evatt's entourage at the United Nations Conference on International Organization in San Francisco, USA...

Appointed British Commonwealth member of the Allied Council for Japan, and Australian minister to that country, Ball assumed office on 3 April 1946...

For a short while Ball worked as a special foreign affairs writer on the Melbourne Herald where his elegant articles, largely on relations with South-East Asia, enhanced that newspaper's best traditions...In 1949 he settled with contentment into the job [the foundation chair of political science at the University of Melbourne] which he was to retain until his retirement in January 1968...

The Balls lived in a several-times-extended timber house in semi-rural Eltham, north of Melbourne. Here Kay's practical abilities and hard work maintained the 'bush and garden' small estate which provided fresh produce for the table and space for Mac to keep his horse...Aided by Kay's splendid table, Eltham saw much quiet but significant entertainment of leading figures in Australian and overseas affairs (Ryan 2007).

William Macmahon Ball died in 1986 and Katrine Ball died in 1991. Both are buried in Eltham cemetery.

Part of the Ball's land backing onto Bridge Street was donated to Eltham Shire Council and is now a reserve called Macmahon Ball Paddock (EDHS).

John Harcourt, builder of the pise extension, date unknown (likely c1948-9)

Journalist John Harcourt was an Eltham resident in the 1930s and 1940s. A pioneer of mudbrick building in Eltham, he was inspired by what he saw at the artists' colony of Justus Jorgensen's Montsalvat, commenced in 1934, and started building pise-de-terre and mudbrick homes along classic French provincial lines from the late 1930s. He continued to build professionally in pise, mudbrick and stone in Eltham (approximately 20 houses) and various other places until about 1950. Harcourt built several of his residences in the 1940s in an area dubbed 'Harcourt Hill' that overlooked Diamond Creek in Eltham (Alistair Knox Foundation; Age 18 November 1972:35; 27 March 1982:39; and 9 September 2000:156).

Harcourt developed an automatic ramming technique which obviated much of the intense labour that ordinary pise required. It also reduced the risk of uneven ramming (Alistair Knox Foundation).

Harcourt, along with Alistair Knox and Peter Glass, played a significant role in the development of the 'Eltham style' of architecture and design and were associated with the development of the Australian bush garden aesthetic.

Alistair Knox, designer of study (1948) and residence (1959)

Alistair Knox (1912-1986) was a designer and builder, active in the Nillumbik area between 1946 and his death in 1986. Knox was responsible for over 1266 building designs, including 1000 homes, of which he built approximately 350. Throughout his four-decade long career, Knox was a leading figure in the development of the recognisably regional 'Eltham style' of architecture, and its associated landscapes. Through the sheer number of places designed by Knox in Nillumbik, he remains one of the most influential figures in the Shire's history (Alistair Knox Foundation; Peterson and Kusyk 2014:5-6).

Knox had an interest in design and construction, commencing a Diploma of Architecture and Building Construction at the Melbourne Technical College. Knox left the course after two years (Peterson and Kusyk 2014:9). Following a visit to the Montsalvat artist's colony in 1947, Knox was evidently impressed with the area and the artistic lifestyle that it was becoming known for. This love of the area was solidified in 1949, when he moved his young family to Eltham. The move coincided with Knox leaving his job as a bank clerk and establishing the Knox Building Service in Eltham (Age 19 July 1954:10; Peterson and Kusyk 2014:10). Knox was highly involved with the semi-rural, alternative lifestyle that Eltham and its surrounds had to offer (Alistair Knox Foundation).

The local environment was a constant inspiration to Knox through his career. Many of the homes he designed complemented their Australian bush settings, and his work pioneered forms including flat rooflines, clerestory windows and expanses of glazing that provided a connection between interiors and their settings (NMA 2021). Knox's work was characterised by its use of second hand bricks, large eaves, natural materials, timber walls and large beams. Perhaps most importantly, Knox was associated with the use of mudbrick and adobe walls (NMA 2021). Knox paid special attention to the placement of buildings in relation to their landscapes and the use of Australian plants.

Knox's work can be broadly broken into two phases: work completed before 1955, and work completed after 1955. The earlier phase focused on simple building forms, following the style of prominent architects such as Frank Lloyd Wright (Woodhouse 2007). His work was also greatly influenced by the economic austerity brought about by World War II, which encouraged him to use inexpensive and unconventional materials. The later period was defined by Knox's sophisticated, highly individual designs, often with reclaimed materials. These houses consciously explored uncommon forms and were almost exclusively built in mudbrick (Alistair Knox Foundation).

As Knox was not an architect, his work was often informed by his knowledge that arose from his experience as a builder. Many of his designs were economical and only required limited skills. A preference for reclaimed materials assisted the inexpensive draw of his designs (Alistair Knox Foundation). Although many houses were individually designed, Knox also produced 'spec' houses for general sale (Age 19 July 1980:101).

Towards the end of his career, Knox worked extensively with other designers. Some of these included John Pizzey, Peter Jarvis, Barbara Telford, Robert Marshall and Bohdan Kyzuk (Alistair Knox Foundation). Outside of his profession, Knox served as an Eltham Shire councillor in the period 1972-75, and as its president in 1975. Passionate about community activism and the environment, Knox consulted with groups across Melbourne to fight inappropriate development and loss of public space (Peterson and Kusyk 2014:14-15). Additionally, Knox wrote and spoke extensively on matters about

building and landscaping. Knox was a founding member of the Australian Institute of Landscape Architects, lectured on environmental design and building, and received an honorary doctorate in architecture from the University of Melbourne shortly before his death (Woodhouse 2007).

DESCRIPTION

61 York Street, Eltham, is located at the eastern end of York Street on a large heavily vegetated parcel of land. The parcel is divided into north and south parts by a curved shared driveway (Figure 12). The southern portion of the land is also known as 61A York Street. The site comprises a complex of key buildings of interest built between 1948-1959 (Figure 12), including:

- a house comprising an originally freestanding mudbrick study built in 1948 to a design by Alistair Knox; a pipe extension with attic floor constructed c1948 to a design by John Harcourt (an addition to now demolished 1890s house); and a timber dwelling built in 1959 also designed by Alistair Knox (replacement of the 1890s house); and
- 61a separate 1950 mudbrick pottery studio (understood to be extended with a two-storey addition).

All buildings of the complex were built for Professor (William) Macmahon Ball. A later carport is located to the south of the main mudbrick dwelling.

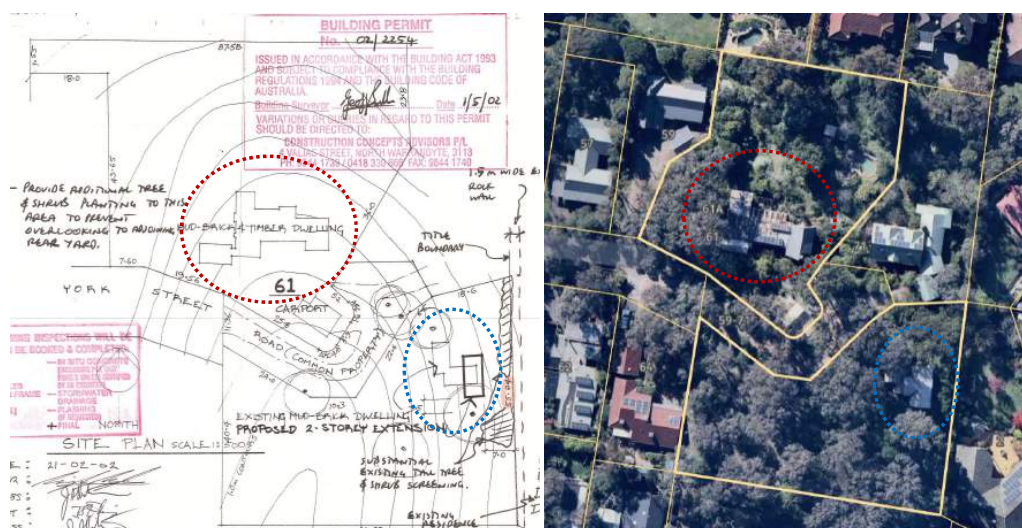


Figure 12. Site plan prepared in 2002, showing the structures of interest (left), and the aerial view of the subject site, with the site boundary outlined in thicker yellow lines (right). Note the house comprising 1948, c1948 and 1959 sections (outlined in red) and a freestanding 1950 pottery now converted to a house (blue). (Source: BP 02/2254; Nearmap 2021)

The 1948 study is a simple rectangular mudbrick room, with gable roof. The building is dominated by a mudbrick chimney with a stepped chimney breast and brick cappings, centrally located on the building's western elevation (Figure 14). The study was built to accommodate large expanses of bookshelves, historic images show a single vertically proportioned window along the southern elevation and a series of glazed doors to the north. Internally the building is distinguished by its exposed timber-trussed roof structure and timber lined ceiling.

The pise section of the house, built by John Harcourt in c1948, is rectangular in form, with a steep gable roof that allows for an attic area internally. The north end of the gable is recessed accommodating a balcony, while a shed dormer window is evident on the eastern plane of the roof. A chimney is present on the southern elevation of this building (Figure 13).



Figure 13 A 1992 image of the pise attic section of the house. (Source: Bick 1992)

The 1950 mudbrick pottery is believed to be the building on the southern portion of the site, which is now converted to a house and added with a two-storey timber addition that replaced the lower wing.

In 1959 Alistair Knox designed an extension to Harcourt's pise building. L-shaped in plan, this extension is attached to Harcourts building at its eastern end. It is of timber construction with a low - pitched corrugated iron gable roof. When originally built the extension did not abut the mudbrick study building which is located to its southwest. Comprising a recessed entry porch, entry, gallery, living/dining room, kitchen and bedroom, the external walls of the extension are lined with unpainted vertical boards above horizontal baseboards. The vertical boards are laid board-on-board. The outer boards are narrower than the inner boards; this provides a subtle textural depth to the wall plane. Windows and doors are timber framed, many with fixed glazed panels above. A broad brick chimney dominates the western elevation. Internally historic images show timber lined ceilings and exposed rafters and beams that follow the rake of the low-pitched gable roof (Figure 15, Figure 16 and Figure 17).



Figure 14. The mudbrick chimney of the study. (Source: Context 2020)



Figure 15. Gallery and entry of the 1959 extension. (Source. T Knox nd, Alistair Knox Foundation)



Figure 16. Living room of the 1959 extension showing brick fireplace and exposed timber raked ceiling (Source. T Knox nd, Alistair Knox Foundation)



Figure 17. An interior view of the study showing mudbrick fireplace and glazed doors along the northern elevation (Source. T Knox nd, Alistair Knox Foundation)

There are a couple of small buildings and a kidney shape swimming pool located in the northwest corner of the site.

INTEGRITY

Access to the complex of buildings at 61 York Street, Eltham was not possible for the purpose of this assessment. As the site is heavily vegetated only the western elevations of the 1948 study and 1959 extension could be viewed from the public domain. Both these elevations appear highly intact with the study retaining its gable roof form, mudbrick walls and chimney. The 1959 extension retains its low-pitched gable roof form, timber wall linings, brick chimney and original window openings. Overall, these elevations appear highly intact with minimal changes visible to original or early fabric.

Nearmap aerial imagery shows the 1948 study retains its original built form of a rectangular room with corrugated iron gable roof and chimney.

The pise section of the complex designed by Harcourt in 1948 retains its steeply pitched gable roof form. Historical images (Figure 10) show that the roof was originally tiled, however this appears to have been replaced with corrugated iron.

The Knox designed extension built in 1959 retains its L-shaped footprint with low gable roof form and brick chimney.

The pottery studio has been added with a two-storey addition. Further investigation is required to confirm the integrity of this building.

COMPARATIVE ANALYSIS

The Nillumbik area has a longstanding association with artistic and intellectual communities, going back to the earliest years of the nineteenth century. The period following World War II saw the arrival of a new generation of artists and thinkers, who appreciated the natural surrounds of the area and the like-minded communities that had developed. Many newcomers were attracted by the cheap and readily available blocks that had gone unsold in the numerous subdivisions from the prewar and interwar periods. The area was later referred to as 'the socio-aesthetic centre of Melbourne' and 'a rural Bloomsbury', a reference to the famous group of intelligentsia, artists and philosophers in London (Knox 1980: 76).

The house and study at 61 York Street, Eltham are directly associated with (William) Macmahon Ball, a noted professor of political science, diplomat, author, journalist and radio broadcaster. Ball resided at the site from 1945 until his death in 1986. Ball is intrinsically linked to the fabric of the place, as the 1948 study, c1948 pise house, 1950 pottery and 1959 extension were all commissioned by Ball and his wife Katrine.

In 1946 Ball was appointed British Commonwealth member of the allied Council for Japan. In his book *We Are What We Stand On* (1980) Alistair Knox comments:

We built his studio around the time he was Australia's delegate in the Japanese peace negotiations. Our small community drew a quiet sense of reflected glory from him as if we felt we were involved in the negotiations ourselves.

This highlights Ball's prominence in the local community and the sense of pride held by community members in creating a place for Ball to work and live. It is also noted in Ball's biography prepared for the Australian Dictionary of Biography by Peter Ryan that the Ball's property in Eltham 'saw much quiet but significant entertainment' of leading figures in Australian and overseas affairs (Ryan 2007). Ball wrote innumerable articles and book reviews while living at 61 York Street presumably working on many of these from his desk in the study. His publications included the volumes *Japan: Enemy or Ally* (1948); *Nationalism and Communism in East Asia* (1952); and an edited collection of documents

CONTEXT

and readings, *Australia and Japan* (1969). The 41-year long direct association of the subject site with William Macmahon Ball enables it to represent this association better than other places or objects in the Shire of Nillumbik.

Within the Shire of Nillumbik, several surviving places are on the Heritage Overlay for their historical (associative) significance in demonstrating their connection to prominent artists, writers, and intellectuals. The following places are comparable to the Macmahon Ball complex of buildings, 61 York Street, Eltham, for their direct association with a person who contributed to the course of the Shire's history of being associated with artists, writers, and intellectuals and for the tangible evidence the physical fabric of the place provides of this association and the achievements of the person.



Southernwood, 250 Bolton Street, Eltham (VHR 2235, HO13). (Source: VHD)

Southernwood, Walter Withers's house, was first built as a four-room cottage in 1891, and in 1903 it was purchased by the artist Walter Withers. The house is of historical significance as the home of the prominent Australian artist Walter Withers from 1903 until his death in 1914. As a member of the 'Heidelberg School' Withers was the first commercially successful painter to come and live in Eltham. Withers played a part in attracting other artists to the area and, thereby, in establishing Eltham's reputation as an artistic community (VHD).



Peter Garner mudbrick studio and adjacent shed 62 Brougham street, Eltham (HO17). (Source: VHD)

The 1969 studio and shed are significant for its use of highly creative structures constructed in the 'Eltham style'. The studio and shed were associated with Arthur Munday, Peter Garner, Lenore Garner and the Montsalvat artists' community more broadly (VHD).



Stanhope Residence and Garden, 10 Peter Street, Eltham (HO149). (Source: VHD)

The c1910 residence is historically significant for its connection with Will Longstaff, the official war artist, Bishop Reginald Stephen (warden of Trinity college in the 1930s) and with the prominent journalist turned builder, John Harcourt, who rented the residence while he and his partner were building their adobe home in the 1940s.

During the 1940s the residence was also connected with the important literary figures, Clem, and Nina Christesen (Clem was the founding editor of the influential Meanjin Quarterly). When owned by the Christesens the residence was visited by a number of distinguished writers, artists, and academics, including the Nobel Prize winner, Patrick White, and the world-famous cellist Mstislav Rostropovich (VHD).



Landscape, 60 Lavender Park Road, Eltham (HO113). (Source: VHD)

The 1926 residence and rear concrete studio are significant because they are connected with the artist, cartoonist and anthropologist, Percy Lesson. During Lesson's occupation (1926-1938) the property became a centre for visiting artists, including Max Meldrum, Justus Jorgensen, Clarice Beckett, 'Jock' Frater and Richard McCann (VHD).



Alan Marshall Bungalow, 13 Park West Road, Eltham (HO147). (Source: VHD)

The 1955 bungalow is significant for its connection with Alan Marshall, a noted author, storyteller and social documenter. While living and working at the bungalow between 1955 to 1972, several of Marshall's important publications were 'wholly written' within its walls. These include his trilogy of fictionalised autobiographies, several collections of highly popular short stories and humorous sketches as well as well as commissioned histories (including the history of Eltham itself). The bungalow was visited by many other famous Australian authors during Marshall's residence (VHD).

The complex of buildings at 61 York Street are also significant as examples of the work of John Harcourt and Alistair Knox. The following select examples compare well to the subject buildings as work by both designers within the Shire of Nillumbik:



Hazel's Cottage, 14 Peter Street, Eltham (HO150). (Source: VHD)

The cottage is historically significant because it was constructed by John Harcourt, the local builder and pioneer of adobe and pise building techniques. The cottage is historically and architecturally significant as an example of the work of John Harcourt and because it features an unusual attic design for that time, which was also used by Harcourt at 4 Fay Street and 61 York Street.



Langi Dorn, 4 Fay Street, Eltham (HO55). (Source: VHD)

The c1940-50 house is historically and architecturally significant as an early example of the use of pise-de-terre and mudbrick building techniques in the Shire and because it is associated with John Harcourt, a pioneer in this type of construction. The house is aesthetically significant because it forms part of a group of mudbrick homes constructed by John Harcourt in "The Hill" area above the Diamond Creek.



Downing-Le Gallienne House and Garden, 12 Yarra Braes Road, Eltham (HO172). (Source: Alistair Knox Foundation)

The house is architecturally significant as an important work by Alistair Knox. Like many other 'Eltham style' buildings, the house was constructed in stages over an extended period of time and featured the extensive use of mudbrick. The house is very unusual in both detail and arrangement - it comprises three separate but linked buildings.

The house is historically significant because it is connected with a number of important figures. It was commissioned by the musician and pioneering composer of modern music, Dorian Le Gallienne, and the economist, Richard Downing (who was later Professor of economics and chairman of the ABC). Several prominent local figures helped in the house's construction, including the renowned artists Clifton Pugh and John Howley, and the well-known actor Wynn Roberts. Le Gallienne and Downing's commission of the property illustrates the way in which intellectuals were drawn to Eltham in the period following the end of World War II. The design of the house and its bush setting epitomise the ideal of the 'Eltham lifestyle' that was developed from the 1940s to the 1960s.

Discussion

The Macmahon Ball House and Study at 61 York Street, Eltham, compares favourably with the above Individually Significant places for its demonstrated association with the life or works of a person of importance to the Shire of Nillumbik. It is particularly comparable to the above examples as the site served as Macmahon Ball's home and long-time private workplace during his lengthy career as a noted professor of political science, diplomat, author, journalist and radio broadcaster.

The Macmahon Ball House and Study complex compares favourably against the above Individually Significant places for its demonstrated association with the life or works of a person of importance to the Shire of Nillumbik. The earlier examples such as Southernwood (VHR 2235, HO13) and Landscape (HO113) evidence Nillumbik's association with artists of earlier generations, who first attracted their peers to the area. The subject site is particularly comparable to the Peter Garner mudbrick studio (HO17) and Alan Marshall Bungalow (HO147) as examples contemporaneous to the subject site, which represent a later generation of artists and intellectuals who were attracted to the area and established their studios in the immediate postwar period. Despite its continued association with a number of important figures, Stanhope Residence and Garden (HO149) provides less direct comparison, as the house retains intact c1910 fabric and thus the associations are less directly legible from the fabric.

Much like many similar artists houses in the area, the house and study were constructed in stages as needs arose, using simple building forms and materials. In this way the house and study are significant for their contribution to the ongoing understanding of the history of the Shire of Nillumbik and particularly Eltham as a centre for artists, writers, and intellectuals.

The portion of the subject site designed by John Harcourt is particularly comparable to 14 Peter Street, Eltham (HO150), as both places are examples of pise homes with steep gable roof forms that allow for attic floors. Along with the example at 4 Fay Street, Eltham (HO55), the subject site is representative of the work being designed and built by Harcourt at that period that was inspired by traditional building forms.

The Downing-Le Galiennie house at 12 Yarra Braes Road, Eltham (HO172), compares well to Knox's mudbrick portion of the subject site. The Downing-Le Galiennie residence was built in stages between 1948 and 1960, a period which very closely coincides with the phases of development by Knox at the subject site. Where the Downing-Le Galiennie house differs to the subject site is that its three stages of building were constructed of mudbrick whereas the two Knox sections at 61 York Street utilise different building materials with the 1959 section being of timber construction. The residence was commissioned by the musician and pioneering composer of modern music, Dorian Le Gallienne, and the economist, Richard Downing (who was later Professor of economics and chairman of the ABC), demonstrating the way in which many moving in intellectual circles were drawn to Eltham in the period following the end of World War II. When considered in the context of the Downing-Le Galiennie house, the subject site evidences the way in which many artistic or intellectual families established themselves in the area and continued to use the sites with additions and alterations in the postwar period.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Macmahon Ball House (pise section) and Study at 61 York Street, Eltham, comprising of a study built in 1948 to a design by Alistair Knox and a pise section with attic floor constructed c1948 to a design by John Harcourt, for the owner Professor (William) Macmahon Ball, is significant.

Elements that contribute to the significance of the place include:

- 1948 mudbrick study, inclusive of its mudbrick walls, chimney gable roof and original window and door openings and joinery; and
- c1948 pise portion of the house, inclusive of steep gable roof form, dormer window, chimney and original window and door openings and joinery; and

HOW IS IT SIGNIFICANT?

The Macmahon Ball House (pise section) and Study at 61 York Street, Eltham, is of local historic, representative, and associative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Macmahon Ball House (pise section) and Study at 61 York Street, Eltham, are of historical significance to the Shire of Nillumbik. Like many properties associated with other local artists and intellectuals houses in the area, the property was developed in stages as needs arose and finances became available, using simple building forms and materials. The buildings show the development of the site as the residence for prominent professor of political science, diplomat, author, journalist and radio broadcaster William Macmahon Ball who lived at the property between 1945 until his death in 1986. The complex of buildings provides important evidence of the collaborative work of key building designers active in Eltham in the postwar period, namely Alistair Knox and John Harcourt. In this way the buildings on the site are significant for their contribution to the ongoing understanding of the history of the Shire of Nillumbik and particularly Eltham as a centre for artists, writers, and intellectuals after World War II (Criterion A).

The mudbrick study (1948) at 61 York Street, Eltham, is an important example of the early work of designer and builder Alistair Knox in the suburb. The mudbrick study is predated only by the English House in Lower Plenty (now Shire of Banyule), and is the first example in Eltham of the earlier building forms and materials that would inform much of Knox's later career as a well-known and prolific local designer and builder. Between 1946 and 1986 Knox designed over 1000 houses, and a number of churches, schools and other buildings in Nillumbik. Knox built approximately 350 of these himself, and he is best remembered for his use of mudbrick throughout many of these sites. Knox was integral in the development of the recognisably regional 'Eltham style' of architecture and landscape practice. Alistair Knox and Peter Glass, played a significant role in the development of the 'Eltham style' of architecture and design and were associated with the development of the Australian bush garden aesthetic. (Criterion D)

The site is significant to the Shire of Nillumbik for its associations with William Macmahon Ball (1901-1986), prominent professor of political science, diplomat, author, journalist and radio broadcaster. Ball lived at the site for 41 years from 1945 until his death in 1986. In 1946 Ball was appointed British Commonwealth member of the allied Council for Japan and was Australia's delegate in the Japanese peace negotiations. Ball wrote innumerable articles and book reviews while living at 61 York Street. (Criterion H)

RECOMMENDATIONS

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

Extent of overlay: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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24 Glen Park Road, Eltham North

Eltham North Preschool and Infant Welfare Centre

Prepared by: Context	Survey date: December 2020
Place type: Community	Designer: S C Horne, Gordon Ford, Peter Glass
Significance level: Significant	Builder: Not Known
Extent of overlay: To title boundaries	Major construction: 1974



Figure 1. Main entrance to Eltham North Preschool. (Source: Context 2020)



Figure 2. Rear of the Infant Welfare Centre. (Source: Context 2020)

HISTORICAL CONTEXT

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

8 BUILDING COMMUNITY LIFE

8.2 Educating people

Mills and Westbrooke (2010:5) note the following in relation to baby health centres in the Eltham area:

The first Baby Health Centre in the region around Eltham was opened at Heidelberg in April 1926. It was funded by Heidelberg City Council and run by the VBHCA. Sub-centres were soon set up in Ivanhoe, Fairfield and Greensborough. The Greensborough centre serviced Greensborough and Diamond Creek in the Heidelberg Shire and it was anticipated that it could also support mothers from Briar Hill, Montmorency, Hurstbridge and Eltham, all in the Eltham Shire. The Greensborough centre operated one day a week from a room in an 1840s hotel building in the main road, known as Marble Hall. By 1933 up to sixteen Eltham residents were using this service at any one time. Up to this point the service had been provided to Eltham residents without a contribution from the Eltham Shire but by 1934 the Eltham Shire Council had been persuaded to provide a £30 annual contribution. A new purpose-built centre was opened at Greensborough in February 1935 (Mill & Westbrooke 2010).

LOCALITY HISTORY

Eltham North is located on the country of the Wurundjeri-willam clan of the Woi wurrung people.

Diamond Creek separates Eltham North from Eltham and was the dividing boundary between municipalities; Eltham North was in Heidelberg City and, from 1964, in Diamond Valley Shire. In 2001 Eltham North's western boundary moved from Ryans Road into St Helena. As a result, today Eltham North is located within two local government areas: the City of Banyule and Nillumbik Shire (*Victorian Places* 2015).

Eltham North, originally an outlying rural part of Eltham, became a separate locality with the opening of the Glen Park (later Eltham North) State School No. 4212 in 1924. At the time the locality was known as Glen Park, with that name recorded in street directories until the 1960s. The postal district, however, was Eltham North (*Victorian Places* 2015).

Extensive subdivision to the northeast and northwest of Eltham occurred from the first decades of the twentieth century, although residential development was slow due to an absence of electricity and water services. A new bridge across Diamond Creek, opened in 1915, improved connections between Eltham and Eltham North.

The Eltham and Glen Park Progress Association was formed in 1921 and called for the construction of a railway station at Glen Park (later Eltham North), midway between Eltham and Diamond Creek stations. In 1924, the Glen Park Progress Association expected such a station would service 387 blocks in the Bellevue and Beard estates and 313 blocks in the Glen Park Estate subdivision. Glen Park at this time had 89 houses with a largely working-class population of 198 people. It also had 97 weekenders (Mills & Westbrooke 2017:72).

Glen Park Primary School No. 4212 was subsequently opened after the Progress Association petitioned the Education Department, stating that the population of the area was growing and complaining that children had to walk two to three miles to Eltham or Diamond Creek schools. The

first school opened in May 1924, with 38 pupils, in a private house called 'Rest-a-While' in Lower Glen Park Road, where it operated for the next 17 months. In 1925 it was relocated to a single room transported by wagon from Greensborough and moved to land in Banks Road (Eltham North Primary School 2020; Blake 1973:138). The school's name was changed to Eltham North in that year (Blake 1973:138).

In 1925 a building for the Glen Park Gospel Mission was erected (*Advertiser* 4 December 1925:3).

Local builder Alistair Knox designed and constructed a number of mudbrick houses in the area from the late 1940s, contributing to a style of architecture that became known as the 'Eltham style'.

Reflecting the postwar growth in the area, by 1952 there were 62 children attending the Eltham North State School, and in 1953 a new school building was completed in Wattletree Road (Blake 1973:138).

Today the primary school is in the east of the suburb, adjacent to the Glen Park Gospel Church and local shops. There is a kindergarten in Glen Park Road. Eltham North has numerous bushland reserves and playgrounds (*Victorian Places* 2015).

PLACE HISTORY

The Eltham North Preschool and Infant Welfare Centre is located on Crown Allotment F, Section 11, Parish of Nillumbik, 57 acres purchased by H Stooke in 1852 (*Nillumbik Parish Plan* 1961). Stooke's allotment was later amalgamated with other nearby allotments and then subdivided into residential lots. The area near Glen Park Road was known as the Glen Park Estate, named after a residential subdivision first established in 1909 (Figure 3); by 1924 the estate comprised 313 blocks (Mills & Westbrook 2017:72). Because of a lack of services, residential development on the estate was initially slow. The subject building was erected in 1975 on Lots 9, 10 and 11.



Figure 3. Part of plan of subdivision at Glen Park, 1913, with approximate boundaries of the subject property outlined in green (LHS), and an advertisement for the Glen Park Estate in 1909 (RHS). (Source: CT:V3682 F252; Age 13 November 1909:19)

Before the construction of the building, between 1960-61 the Eltham North Baby Health Centre, open on Wednesday afternoons, was located at the Memorial Hall (Victorian Baby Health Centres Association 1960-61:44). The baby health centre movement, established to stem the high mortality rate of infants, was founded in Victoria in 1917 and was boosted in 1918 when the Victorian Minister for Health granted a pound for pound subsidy up to £125 to encourage councils to establish baby

health centres. By June 1918 nine centres had opened in Melbourne. The Victorian Baby Health Centres Association (VBHCA) was created in the same year. By 1944, there were over 150 centres in metropolitan and country Victoria (ANMF and VAMCHN 2017).

Preschools or kindergartens, concerned with the education of children, gained popularity during World War II when women were required to work outside the home. Additional creches and kindergartens were subsequently established, especially after 1944 when the Victorian Health Department announced that it would subsidise kindergartens for all children, regardless of their parents' financial status. Together with the work of the Nursery Kindergarten Extension Board, the subsidy led to the proliferation of kindergartens across Melbourne's suburbs in the postwar years (Barnard 2008).

Because of the postwar population increase in the Eltham North area, a centre to house a preschool was planned by the Shire of Diamond Valley. In 1972 the Shire advertised its intention to apply for a \$100,000 loan for permanent works and undertakings; \$7000 of this loan was allocated for the construction of a building for the Eltham North preschool centre (*Age* 20 December 1972:21).

On 12 December 1973, Alan Scanlan, Minister for Health, wrote to Shire of Diamond Valley deputy shire secretary, W M Balkin, informing him of the minister's support for the construction of a combined preschool and infant welfare centre. He also stated that council was eligible to apply for the maximum grant of \$15,000 on a 2:1 basis for the first preschool unit, and \$7,750 on a 1:1 basis for the second unit, in addition to \$12,000 on a 2:1 basis for the infant welfare centre (PROV 1973, Public Building File).

Designed by architect S C Horne of 83 Wattletree Road, Eltham, plans for the building were submitted to the Department of Health in January 1974 (see Figure 3). WL Meinhardt and Partners were the engineers for the project. The garden for the site was designed by Gordon Ford and Peter Glass (see Figure 4) (PROV 1974, Public Building File).

In April 1974, Horne advertised for builders for the construction of a steel framed, brick veneer combined infant welfare and preschool at Eltham North (*Age* 6 April 1974:120).

The building was completed by April 1975. Playground equipment, comprising a treehouse and tower, was designed by Charles Hanlin in 1976. A store for playground equipment was built adjoining the rear of the building in 1984 (PROV 1975-84, Public Building File).

As part of a program to remove asbestos cement debris from play area, in 2009 five eucalypt trees were removed from the garden site (BP).

Today the building houses the Eltham North Maternal and Child Health Centre and Eltham North Preschool, a not-for-profit kindergarten run by TRY Children's Services which provides sessional preschool programs for both three-year-old and four-year-old groups.

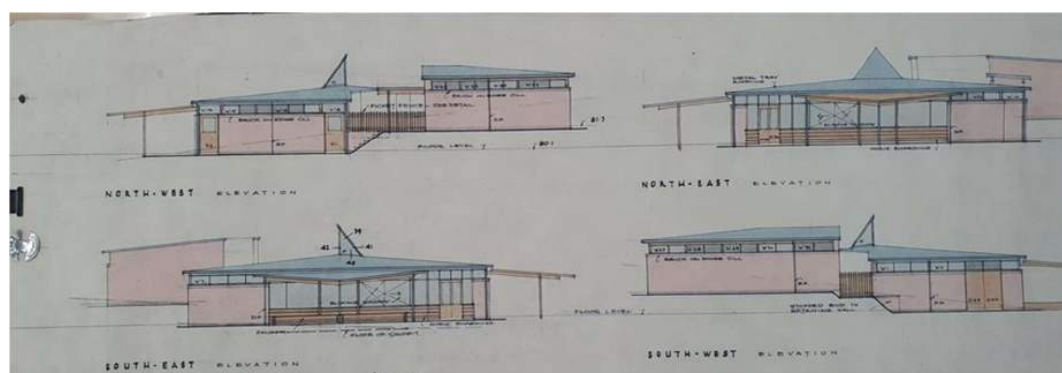
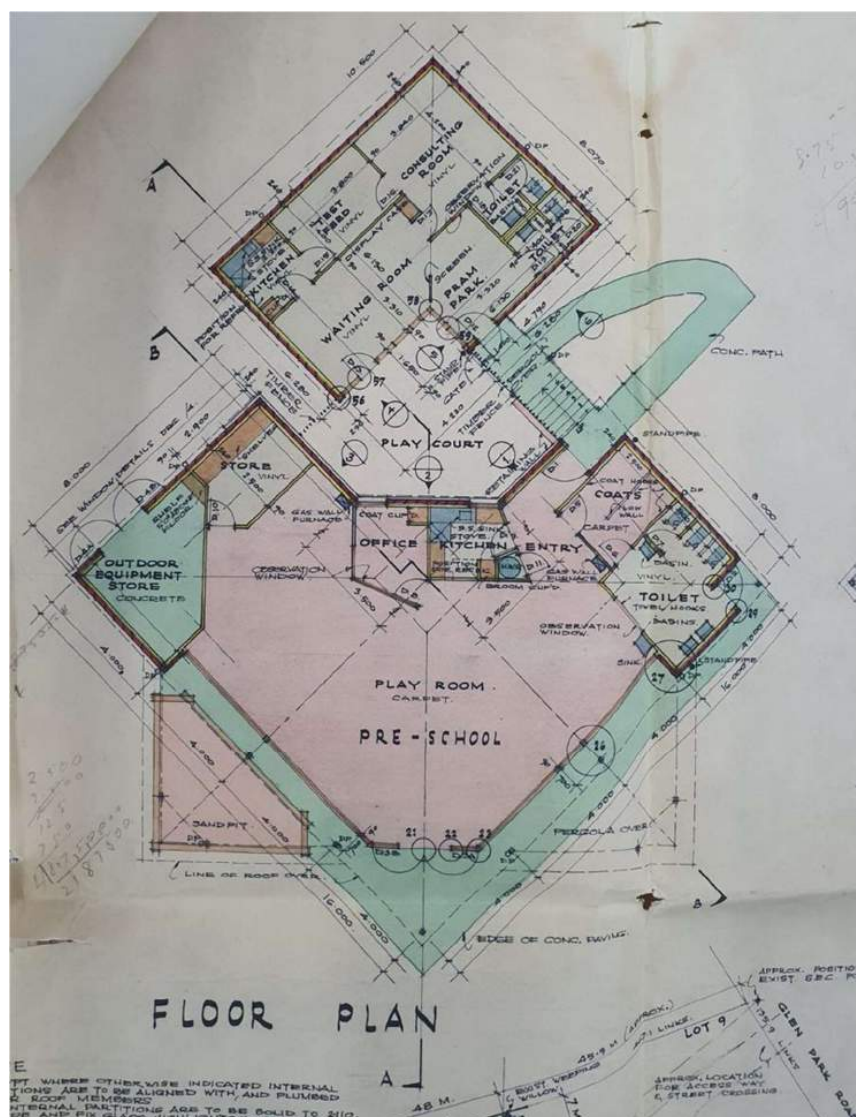


Figure 4. Plans by architect S C Horne for the Eltham North Preschool and Infant Welfare Centre, 1974. (PROV 1974, Public Building File - top and Public Building Plans - bottom).

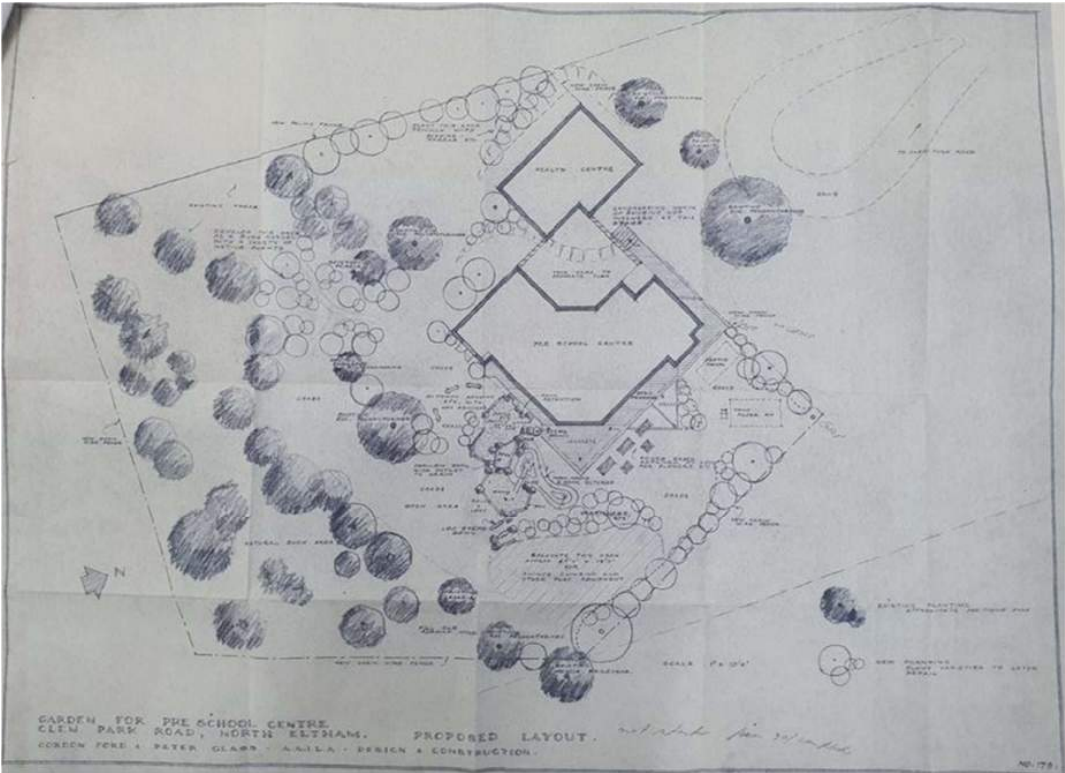


Figure 4. Plan for the proposed layout by landscape designer Gordon Ford and artist, conservationist and landscape architect Peter Glass for the garden at Eltham North Preschool and Infant Welfare Centre, c1973 (PROV c1973, Public Building File).

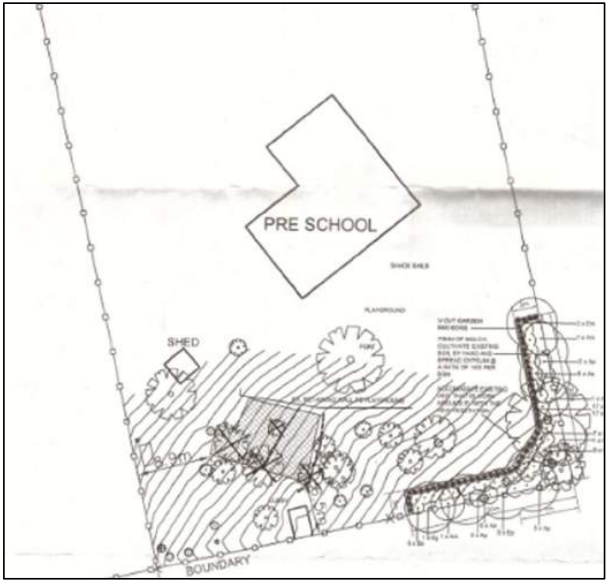


Figure 5. Showing trees to be removed marked with a cross, 2009. (Source:BP)

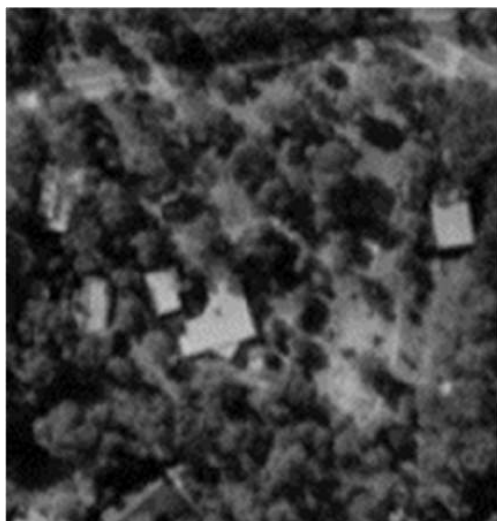


Figure 6. Aerial imagery of the site in 1987 showing the store addition of 1984 (Source: CPO, 'WESTERN PORT FORESHORE' 1987, via Landata)



Figure 7. The building in 2009 showing additional verandahs to the north and east of the preschool pavilion, shade sails, and the earthworks at the south of the site. (Source: Nearmap 2009)

Gordon Ford, landscape designer

Australian landscape designer Gordon Ford (1918-1999) was a pioneer of the natural Australian style of landscape design. Growing up in country New South Wales, he settled in Eltham, Victoria, after World War II. Ford began landscaping work in 1952-54 under noted landscape designer Ellis Stones (1895-1975), before commencing his own landscape company, working in partnership with his Eltham neighbour, landscape architect Peter Glass (1917-1997) in the 1960s and 1970s.

Over his 50-year career Ford became an important landscape designer and constructor. He had a significant influence on the evolution of a natural Australian style from the 1950s, alongside his predecessors and mentor (Edna Walling and Ellis Stones) and peers (Alistair Knox and Peter Glass). Ford, along with Glass and Knox, was instrumental in the foundation of the Australian Institute of Landscape Architects, established in 1967 (Alistair Knox Foundation).

Ford believed that garden and buildings should form a fully integrated whole, rejecting the notion that a house was simply surrounded by a garden (David Bick cited in Context 2010). Ford favoured Australian native plants, but integral to his design philosophy were spatial considerations (juxtaposing mass and void and concealing boundaries) and foliage texture and shape (Reid 2002:228). He worked on many commissions for domestic gardens, public parks and institutional landscapes. Noted landscape designs include those for his own properties, the Boomerang Residence, 195 Laughing Waters Road, Eltham, c1970 (HO111), and 'Füllung', 76 Pitt Street, Eltham (HO153), as well as the Billabong in the VHR listed Royal Park, Parkville (H2337), and at Monash University.

Ford died at home in 1999.

Peter Glass, artist, conservationist and landscape architect

Peter Glass (1917-1997) was an artist and a trained draftsman who started working for Alistair Knox as a carpenter and mud brick worker in 1948. As the Knox building business expanded, he progressed to working in the drafting office, eventually running the office through the 1960s (Alistair Knox Foundation).

Glass originally came to Eltham with his friends the jazz musicians, Graham and Roger Bell, and landscape designer Gordon Ford. He eventually built a house opposite Ford's in John Street, Eltham, and in the 1960s and 1970s worked in partnership with Ford, formed the firm Peter Glass and Gordon Ford. As landscape designers the pair undertook a number of projects, including the role of landscape architects for Monash University in the 1970s (Alistair Knox Foundation; Age 20 February 1971:27). In his work he was noted for his use of Australian plants. With his wife Cecile, he established a native plant nursery at their Eltham home in the 1960s (Clough 2002:263).

Glass, along with Knox and Ford, was instrumental in the foundation of the Australian Institute of Landscape Architects, established in 1967. Glass went on to design many gardens, some of which were done in partnership with Knox and Ford (Alistair Knox Foundation). In 1971, Glass, in association with Alistair Knox and Ivan Stranger, provided a plan, free of charge, for the Eltham town park (Age 4 July 1979:26).

Glass, along with Knox and John Harcourt, played a significant role in the development of the 'Eltham style' of architecture and design and were associated with the development of the Australian bush garden aesthetic.

DESCRIPTION

24 Glen Park Road, Eltham is an Infant Welfare Centre and Preschool built in 1974-5 to a design by SC Horne for the Diamond Valley Shire Council.

The Eltham North Preschool and Infant Welfare Centre, Eltham North is located to the west of a Council reserve on the south side of Glen Park Road, slightly west of Banks Road, and east of Ryans Road. Bounded by Glen Park Road Reserve to the east and surrounded by residential properties to the southern and western boundaries, the building is located at the end of a driveway. The site slopes away to the southeast. An open asphalt carpark accessed from Glen Park Road occupies the northern half of the site. The building sits to the rear of the site, behind the carpark, nestled within its landscape setting. Bush garden style landscaped gardens, and playground equipment surround the building and numerous trees are dotted across the site.

In plan the single-storey building complex has a square footprint with low pyramidal roof, that has had its western corner pulled away to create two pavilions that enclose a central play court. The smaller upper pavilion is located to the west and houses the infant welfare centre, while the larger pavilion, the preschool, sits down-slope to the east comprising the other three quadrants of the footprint.

The building has been cut into the site integrating it with its natural bushland setting. It maintains a low-profile within the streetscape due to its siting towards the rear of the site, positioned downhill from the road and with a low roof profile. The building is enclosed by a recent green loop top aluminium fence with access to both pavilions via a concrete path from the carpark. This path splits as beyond the gate from the carpark, leading down concrete steps to the preschool on the west, and via curved path to the infant welfare centre on the east. Concrete steps connect the two entrances while a brick retaining wall and timber picket fence separates the children's play court from the entrance court.



Figure 8. Aerial imagery showing the footprint of the building, carpark and broader layout of the site. The subject site boundary is outlined in blue. (Source: Nearmap 2020 with Context overlay)



Figure 9. The entrance to the Preschool from the carpark showing the pathways to both pavilions and concrete stairs behind the aluminium fence. (Source: Context 2020)

The building is steel framed with brick veneer walls. The roof is clad in 'Brownbuilt' metal tray roofing. Photovoltaic cells have been added to the roof. Wide eaves and deep timber fascias create an emphatically horizontal band around the building. Verandahs are supported by simple timber posts. External walls are clad in textured brown brick. The material palette is soft, in harmony with the bush aesthetic.



Figure 10. View of the building from the carpark.
(Source: Context 2020)



Figure 11. Entrance pathway to the infant welfare pavilion with picket fence and staircase in the background. (Source: Context 2020)

The infant welfare pavilion is small and compact with rooms designed for consultation. A skillion awning supported by simple square columns sits above the main entrance door. Glass louvred clerestory windows extend around the rear of the pavilion receiving natural light and maintaining privacy within.



Figure 12. View of the infant welfare pavilion entrance from the carpark. (Source: Context 2020)



Figure 13. Rear of the infant welfare pavilion showing clerestory windows and a double hung window. (Source: Context 2020)

The entrance to the preschool building is emphasised by a small gable set above a skillion roofed verandah extension clad in corrugated iron (Figure 14). This verandah provides weather protection to the building entry. A glazed triangular skylight in the centre of the building, acts as an architectural accent and allows light into the preschool room.

The preschool pavilion is larger and consists of a centralised playroom flanked by service areas, stores, kitchen and toilets to the north, west and south. The main playroom windows face towards the east and south. Extensive glazing facing the playground reflects the need for surveillance of the playground, and allows ample light into the main playroom area. Clerestory windows line continue around the façade. Services and storage areas are located to the sides. The triangular pergola extending to the south is original (Figure 15) and the rectangular verandah with corrugated iron cladding extending to the east is a later addition.



Figure 14. Small gable at main preschool entrance set above a skillion roofed verandah extension clad in corrugated iron. (Source: Context 2020)



Figure 15. Triangular pergola just visible behind the shade sails. (Source: Context 2020)



Figure 16. Sandpit and verandah on the eastern side of the building. (Source: Context 2020)



Figure 17. Detail of the glass louvred clerestory windows on the eastern side of the preschool (Source: Context 2020)

Landscape elements reflect the natural Australian landscape aesthetic championed by designers Gordon Ford and Peter Glass. Key landscape elements retained from the original layout concept by Ford and Glass prepared for the site include the overall natural aesthetic to the landscaping, boulders, and log steps. The original layout included a sand pit, but in a more organic form than the extant rectangular sand pit. More contemporary playground equipment includes the fort structure with green slide.



Figure 18. View of the playground towards the building showing boulders and log steps. (Source: Context 2020)



Figure 19. Window wall at the southern corner of the southern façade. (Source: Context 2020)



Figure 20. Playground to the south of the site. (Source: Context 2020)



Figure 21. Playground to the south the site showing sensitively placed boulders. (Source: Context 2020)



Figure 22. Garden beds beside the path the the main preschool entrance. (Source: Context 2020)



Figure 23. There are several substantial trees throughout the site. (Source: Context 2020)

INTEGRITY

The building at 24 Glen Park Road, Eltham is largely intact with limited changes visible to original or early significant fabric. The building retains its low-profile, soft material palette, bush aesthetic, built form, materiality and scale.

The exterior of the building is largely intact and has a high level of integrity. It has very few changes visible to original or early elements. The building retains its original built form, roof form, and openings, and continuous use as an infant welfare centre and preschool. Original details include the external cladding, windows and doors, the protruding triangular skylight and triangular pergola. Additional verandahs, shade awnings and photovoltaic roof cells do not detract from the integrity of the place.

The integrity of the place is greatly enhanced by its landscape setting, specifically the relationship to the contouring of the site and integration of the building with the surrounding playground layout originally designed by Gordon Ford and Peter Glass. Although the landscape has changed overtime, it retains essential features of the original including the natural bushland character, original boulders carefully sited and integrated into sloped parts of the site, and the log steps.

Overall, the building and landscape setting have relatively high integrity.

COMPARATIVE ANALYSIS

The Shire of Nillumbik contains a number of community facilities and preschools of which a few postwar examples are on the Heritage Overlay. These include the Eltham South Kindergarten, 35 Fordhams Road, Eltham, 1965 (HO202); the Eltham Community Centre, 801 Main Road, Eltham, 1977-78 (HO117); and the Eltham Library 4-10 Panther Place, Eltham, c1992 (HO239).

The place descriptions below are taken directly from Hermes.



Eltham South Kindergarten, 35 Fordhams Road, Eltham (HO202). (Source: HERMES)

Built c1970s, the Eltham South Kindergarten is crowned by its large and unique roof-top sculpture; this building is a good example of The Eltham idiom of design during the 1960's, 1970's. Features of the refined design include the triangular floor plan, quite steeply pitched slate roof, eaves, open eastern end, timber windows and the use of second-hand bricks.

The Eltham North preschool and infant welfare centre at 24 Glen Park Road Eltham compares well to Eltham South Kindergarten. Whilst Eltham South Kindergarten displays a higher degree of architectural detailing and aesthetic finesse, a similar geometric interest is expressed. The broad horizontality, material palette and depiction of organic principles in a non-residential context is evident.

Given the lack of comparable examples of postwar community facilities and preschools currently in the Nillumbik schedule to the Heritage Overlay, comparative examples have been selected from outside of the Shire of Nillumbik.

Comparable postwar examples of combined preschool and infant welfare buildings include:



Olive Phillips Free Kindergarten and Beaumaris Maternal and Child Health Centre (formerly Beaumaris Infant Welfare Centre) (Interim HO785, City of Bayside). (Source: HERMES)

The Olive Phillips Free Kindergarten and infant welfare centre is a single-storey concrete block building, expressed as two attached pyramid-roofed pavilions with a connecting flat-roofed breezeway. Erected in 1974 to replace an original community building destroyed by fire, the new centre was designed by local architect David Godsell.



Beaumaris Playhouse and Jack and Jill Kindergarten, 24 & 26 Grandview Avenue, Beaumaris (Interim HO787 City of Bayside). (Source: HERMES)

The Beaumaris Playhouse and Jack and Jill Kindergarten, built between 1966-68 to the design of Berg and Alexandra and in 1958 to the design of Douglas Alexandra, respectively, are significant.

Significant elements include:

- the original built form, scale and planned aspects of each of the buildings;
- the large window-wall to the playroom (including sliding doors and coloured glass and cross-bracing details to the end bays), vertical timber cladding, original doors and windows and covered entry porch of the Jack and Jill Kindergarten;
- the flat roof and roof lantern, timber lined eaves and splayed fascia, vertical timber lining to porches and porch ceilings and original doors and windows of the Beaumaris Playhouse.

Discussion

While 24 Glen Park Road, Eltham North is a simpler building than the examples listed, it demonstrates the simple forms, lightweight construction, natural material palette, broad horizontality and bush aesthetic typical of community building design in the postwar period. The functionality of the

kindergarten building is reflected in its form which creates a protected inner world for the young children for which it was designed. This is a world that interfaces freely with the outdoor setting. Paired with the kindergarten, the infant welfare centre displays through its more enclosed form the privacy required for consultation. The low profile of the building elements and their integration of the landscape design expresses a holistic design approach to early childhood education. The building form is directly related to its function. Stylistically the building shows elements of postwar geometric design principles but is primarily driven by functional requirements. The functionalism expressed in the design of the building has connotations of lightness and hygiene, and child development ambitions. This reflects the melding of architectural and social agendas.

24 Glen Park Road, Eltham North is also notable for the evidence it retains of a landscape design ethos that emerged in postwar Australia, and particularly in Eltham where it is known as the 'Eltham style'. The 'Eltham style' incorporated 'visual and experiential references to Australian natural landscapes that went beyond mere reference to Australian flora'(Saniga 2012:105). Inspired by prominent landscape designer Ellis Stones (1875-1975), Ford and Glass, with environmental architect Alistair Knox, were at the forefront in developing this style of landscape design which sought to translate the character of Australian rural landscapes into suburban and city settings.

The Shire of Nillumbik contains a number of gardens and landscapes designed with a natural Australian landscape aesthetic on the Heritage Overlay. These include Alistair Knox Park, corner Bridge Street and Main Road, Eltham, c1973-75 (HO14), Boomerang Residence, 195 Laughing Waters Road, Eltham, c1970 (HO111), the Coller House, 185 Mount Pleasant Road, Eltham, c1975 (HO136), and 'Füllung', 76 Pitt Street, Eltham, from 1945-99 (HO153).

Place descriptions are taken directly from HERMES.



Alistair Knox Park, corner Bridge Street and Main Road, Eltham, c1973-75 (HO14). (Source: HERMES)

The park and the lake are historically significant because they were designed by four of the major forces in the urban bush landscape movement: Gordon Ford, Peter Glass, Alistair Knox and Ivan Stranger. The park is historically and aesthetically significant because it contains a number of features that are associated with the urban bush landscape movement - these include the informal planting of Australian native species in an open and undulating grassed setting and the attempt to blend the man-made landscape of the park with the natural environs of the Diamond Creek to the park's west. The lake has also been carefully designed to integrate with the park; its perimeter, constructed from a set of large, flattish stones, is characteristic of other designs by members of the urban bush landscape movement. Socially, the park is now a vital part of Eltham's urban fabric and contributes to the quality of life in the central area of the township.



Boomerang Residence, 195 Laughing Waters Road, Eltham, c1970 (HO111). (Source: HERMES)

The property is aesthetically significant as a collection of buildings, landscape elements and infrastructure set amongst a protected bushland setting, which illustrate several characteristics of 'Eltham style' architecture including the use of mud brick and recycled materials, construction in stages, close involvement of the owner in the process, rock and water feature landscaping by Gordon Ford and metal windows crafted by local artist Matcham Skipper. The fountain and rock wall adjacent to Birrarung is aesthetically significant as an example of Gordon Ford's landscape design with the key water feature and carefully placed rocks and boulders fitted into the bush landscape.



Coller House, 185 Mount Pleasant Road, Eltham, c1975 (HO136). (Source: HERMES)

The house is architecturally significant as a good example of a 1970s 'Eltham style' house and as a definitive example of Knox's theory of integration between built structures and natural, or recreated, bushland settings.



'Füllung', 76 Pitt Street, Eltham, from 1945-99 (HO153). (Source: HERMES)

The garden is historically significant because it was designed by the noted landscape designer, Gordon Ford, who went on to have an enormous influence on the development of an Australian bush garden aesthetic. The garden is also significant because Ford was associated with a number of other prominent designers, who worked in the Shire - John Harcourt, Alistair Knox and Peter Glass-all of whom played a significant role in the development of the 'Eltham style' of architecture and design and were associated with the development of the Australian bush garden aesthetic. The garden also reveals the influence of other Australian landscape designers, including Ellis Stones (for whom Ford worked at one stage) and Edna Walling. The garden is historically and aesthetically significant because it epitomises the 'Eltham style' of design (with the garden and buildings designed together to form an integrated whole) and encapsulates the major themes and trends of Australian garden design in the 20th century.

The majority of landscape examples above were built in the mid-1970s, like the subject site. Boomerang residence and Füllung differ in that they were commenced earlier and, as places where Ford resided over longer periods, evolved over much longer time frames. They all display a landscape aesthetic and other elements that are characteristic of a so-called 'Eltham style', pioneered by Ellis Stones, Alistair Knox, Gordon Ford and Peter Glass, among others. Typical elements of Gordon Ford and Peter Glass's garden designs included an overarching natural aesthetic, predominantly (but not exclusively) Australian native plants (often incorporating existing native vegetation on the site), natural materials (brick, red gum sleepers, logs, large boulders), water, and the skilful arrangement and placement of large boulders in the landscape.

Both Füllung and Birrarung include rock and water feature landscaping, which is not present at the subject site, although carefully placed rocks and boulders integrated into the bush landscape were a part of the original layout concept and are extant.

Unlike the residential examples, the garden setting at the Eltham North Preschool and Infant Welfare Centre appears to have changed over time, most likely as features or materials have worn through high use or have been changed to meet changing standards and requirements for ongoing use by young children.

Although not intact, the original relationship with the building and use of the garden have been retained, and the garden setting retains essential attributes of the original, including the natural bushland aesthetic and several large boulders.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Eltham North Preschool and Infant Welfare Centre at 24 Glen Park Road, Eltham North, a preschool and infant welfare centre designed by SC Horne in 1974, and the surrounding landscape setting designed by Gordon Ford and Peter Glass, is significant.

Elements that contribute to the significance of the place include:

- the original single storey building complex that consists of two pavilions;
- geometric form and low profile roof, triangular pergola;
- brick construction and roof cladding;
- window and door openings;
- the relationship of the building's two pavilions surrounding the courtyard and integrated setting of the building within the topography of its immediate setting;
- the natural Australian landscape aesthetic of the garden setting; and
- large boulders.

Non-original materials that replicate or are in-keeping with the original or early design intent are of Contributory significance and include:

- mature Australian native trees and shrubs;
- newer bush style playground fabric, such as log seating and log stepping 'stones'; and
- newer wooden structures that support the continued original use.

Additional verandah structures, shade cloth structures, playground equipment, safety equipment, loop fencing are not significant.

HOW IS IT SIGNIFICANT?

The Eltham North Preschool and Infant Welfare Centre at 24 Glen Park Road, Eltham North, is of local historic, representative, aesthetic, associative and social significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Eltham North Preschool and Infant Welfare Centre at 24 Glen Park Road, Eltham, is of historical significance for its demonstration of the evolution of infant welfare and preschool education in the suburbs of Nillumbik in the mid-twentieth century. The design reflects the development in the design of kindergartens and infant welfare facilities that occurred from the late 1960s. These were developments that were informed by evolving ideas in early childhood development. The creation of an internalised and protected playroom set deep within a landscaped environment reflects an increasingly child-centred focus. (Criterion A)

The setting of the Eltham North Preschool and Infant Welfare Centre, including its natural Australian landscape aesthetic and large boulders, designed by prominent landscape designer Gordon Ford and artist, conservationist and landscape architect Peter Glass is significant. It evidences the distinctive landscape design ethos that emerged in the postwar decades in Eltham, known as the so-called 'Eltham style', pioneered by Ford and Glass along with Alistair Knox, and Ellis Stones before them. The Eltham North Preschool and Infant Welfare Centre is also significant as an example of the

postwar bush style 'Eltham style' architecture. the building planning, with its functional planning and direct connection with outdoor play spaces, reflects the child development principles that emerged in the 1960s and early 1970s. The separate but aligned programmatic functions of preschool and infant welfare are formally expressed in the arrangement of the two pavilions. (Criterion D)

The design and layout of the playground by prominent landscape designer Gordon Ford is aesthetically significant for its demonstration of the distinctive bush-style for which Ford was well known. (Criterion E)

The Infant Welfare Centre and North Eltham Preschool is of social significance for its long and continuing association with the free kindergarten movement and maternal and child health care to the local community since it was first established on the site in 1974. Similarly, it is socially significant for the provision of a community run kindergarten and Council-run infant welfare services on the subject site since 1974. The close spatial arrangement of these two community uses reflects their social alignment and a growing social appreciation of the functional concerns of families with young children living in the suburbs of Nillumbik in the 1970s (Criterion G)

The Infant Welfare Centre and North Eltham Preschool has associative significance for its associations with landscape designers Gordon Ford and Peter Glass who were key proponents of the Australian bush garden aesthetic. (Criterion H)

RECOMMENDATIONS

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

Extent of overlay: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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200 Ryans Road, Eltham North

Coombe House

Prepared by: Context	Survey date: March 2021
Place type: Residential	Designer: -
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: 1933



Figure 1. 200 Ryans Road, Eltham North, viewed from the west. (Source: Context, March 2021)



Figure 2. 200 Ryans Road, Eltham North. (Source: Context, March 2021)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.3 6.2 Pre-World War I subdivisions and estates

Historians of the Nillumbik area have often focused on the 'battler' aspect of settlement in the area but, in the late nineteenth century boom, some speculators had greater aspirations for the locale. In the late 1880s, land estate agents Robert Walker and Company set up a branch in Heidelberg in anticipation of increasing subdivision of estates. In 1888 the Christmas Hills Estate Company purchased land from Mr and Mrs French at £35 per acre, with the anticipation of selling at prices matching those achieved not long before at Mt Macedon, of over £200 per acre. The bottom went out of the land boom before a single block was sold. In all, the land boom of the 1880s had only a fleeting impact on the Nillumbik Shire. (Mills & Westbrooke 2016:69)

From the 1890s Eltham had been included within the boundaries of Greater Melbourne for the purpose of the census, but its setting was still decidedly rural. The first impact of the railway, when it reached Eltham in 1902, was a great expansion in tourism but it was a number of years before new residential subdivisions appeared on the outskirts of the town. These were typically breakups of rural properties from the nineteenth century. In 1909 the Franktonia estate (or Beard's estate) on the north-east side of Eltham bordering Research was created from land that had been held by the Beard family since 1860. The blocks of six to 29 acres were advertised as 'well suited for farming and fruit growing and adapted for rural suburban residential purposes, the blocks comprising beautiful crests, some picturesquely wooded'. (Mills & Westbrooke 2016:69)

Two other suburban estates bordering Eltham were subdivided in the same year. These were Bonsack's estate, which was located between Eltham and Greensborough and Glen Park estate, or Langland's estate, which was located three-quarters of a mile to the north-west of Eltham Railway Station (Mr John Langlands of Hurst having died in 1907). With all this new development it was expected that at last Eltham would lose its 'sleepy hollow' reputation. In 1910 the Evelyn Observer reported that 'within the last year or two many suburban and city people have invested in building blocks about Glen Park, the Terminus Estate and other parts.' The Terminus Estate mentioned in the article had 51 allotments, and was first advertised in 1909. In 1910 the council considered the layout of the Terminus Estate. It appears that the proposal included narrow street alignments, but council decided that they must be 'the full width'. In 1914 a fire threatened a cluster of small 'weekend' cottages on the south-east side of the Terminus Estate, near the railway station. At the opening of a new bridge over Diamond Creek at Glen Park in 1915 the chairman of the bridge committee and shire councillors made comments about how far Glen Park, 'Eltham's beautiful suburb', had progressed since it was opened up six years ago. The formation of a Glen Park Progress Association was initiated at this opening. (Mills & Westbrooke 2016:69)

In reality, much of this activity remained speculative and before World War I the area stayed predominantly rural, punctuated by a few small towns. Eltham was still surrounded by cultivated land. To the south, the edge of advancing metropolitan suburbia resulted in infill and consolidation in Montmorency and Greensborough. (Mills & Westbrooke 2016:70)

LOCALITY HISTORY

Eltham North is located on the country of the Wurundjeri-willam clan of the Woi wurrung people.

Diamond Creek separates Eltham North from Eltham and was the dividing boundary between municipalities; Eltham North was in Heidelberg City and, from 1964, in Diamond Valley Shire. In 2001 Eltham North's western boundary moved from Ryans Road into St Helena. As a result, today Eltham North is located within two local government areas: the City of Banyule and Nillumbik Shire (*Victorian Places* 2015).

Eltham North, originally an outlying rural part of Eltham, became a separate locality with the opening of the Glen Park (later Eltham North) State School No. 4212 in 1924. At the time the locality was known as Glen Park, with that name recorded in street directories until the 1960s. The postal district, however, was Eltham North (*Victorian Places* 2015).

Extensive subdivision to the northeast and northwest of Eltham occurred from the first decades of the twentieth century, although residential development was slow due to an absence of electricity and water services. A new bridge across Diamond Creek, opened in 1915, improved connections between Eltham and Eltham North.

The Eltham and Glen Park Progress Association was formed in 1921 and called for the construction of a railway station at Glen Park (later Eltham North), midway between Eltham and Diamond Creek stations. In 1924, the Glen Park Progress Association expected such a station would service 387 blocks in the Bellevue and Beard estates and 313 blocks in the Glen Park Estate subdivision. Glen Park at this time had 89 houses with a largely working-class population of 198 people. It also had 97 weekenders (Mills & Westbrooke 2017:72).

Glen Park Primary School No. 4212 was subsequently opened after the Progress Association petitioned the Education Department, stating that the population of the area was growing and complaining that children had to walk two to three miles to Eltham or Diamond Creek schools. The first school opened in May 1924, with 38 pupils, in a private house called 'Rest-a-While' in Lower Glen Park Road, where it operated for the next 17 months. In 1925 it was relocated to a single room transported by wagon from Greensborough and moved to land in Banks Road (Eltham North Primary School 2020; Blake 1973:138). The school's name was changed to Eltham North in that year (Blake 1973:138).

In 1925 a building for the Glen Park Gospel Mission was erected (*Advertiser* 4 December 1925:3).

Local builder Alistair Knox designed and constructed a number of mud-brick houses in the area from the late 1940s, contributing to a style of architecture that became known as the 'Eltham style'.

Reflecting the postwar growth in the area, by 1952 there were 62 children attending the Eltham North State School, and in 1953 a new school building was completed in Wattletree Road (Blake 1973:138).

Today the primary school is in the east of the suburb, adjacent to the Glen Park Gospel Church and local shops. There is a kindergarten in Glen Park Road. Eltham North has numerous bushland reserves and playgrounds (*Victorian Places* 2015).

PLACE HISTORY

The 1933 house at 200 Ryans Road is located on part of Crown Allotment B Section 11, 90 acres purchased by John Dane in 1852 (Nillumbik Parish Plan 1951).

In 1913, estate agent George Herne purchased the allotment along with neighbouring Crown Allotment D, a total of 198 acres. Herne then subdivided the Crown allotments to form a large residential subdivision, with lots sold from 1913 (Figure 3) (CT:V3682 F252). The area near Glen Park Road was known as the Glen Park, named after the residential subdivision Glen Park Estate established in 1909 (Figure 3). By 1924 the estate comprised 313 blocks (Mills & Westbrooke 2017:72). Because of a lack of services, residential development on the estate was initially slow (Mills & Westbrooke 2016:72).

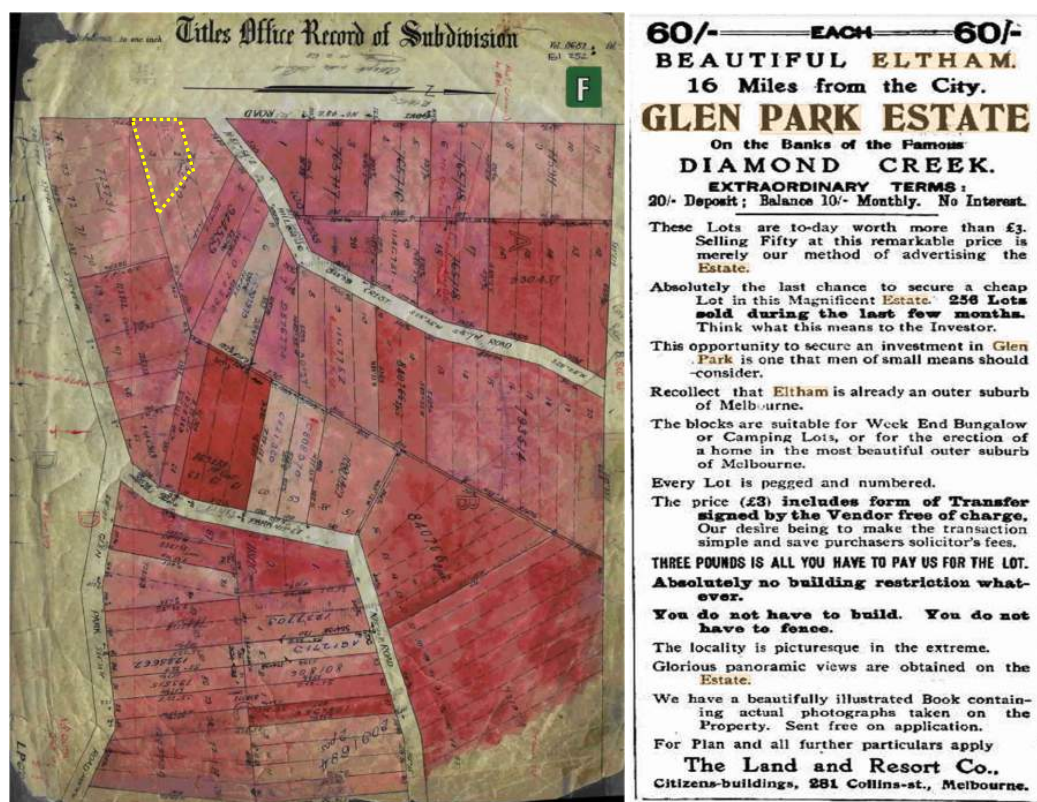


Figure 3. Part of plan of subdivision at Glen Park, 1913, with approximate boundaries of the subject property outlined in yellow (LHS), and an advertisement for the Glen Park Estate in 1909 (RHS). (Source: CT:V3682 F252; Age 13 November 1909:19)

The land comprising the subject site was sold in 1913, but the subject site remained undeveloped until the 1930s. Ironmonger Arnold Longbottom purchased Lots 2, 3, 70, 71, 72, 73 and 74 of Block B of the subdivision in 1913 (CT:V3739 F601). In 1922, carpenter Thomas Sidwell purchased the aforementioned Lots 2 and 3, along with neighbouring Lot 1 (CT:V4626 F196). Sidwell owned the

property until 1931, when his daughter Elsie Coombe (nee Sidwell) became the owner of the three allotments (CT:V4626 F196; *Age* 14 January 1932:1).

Elsie Sidwell married George William Coombe in 1928 (Ancestry 2021). In 1933, the *Hurstbridge Advertiser* reported that a villa for Mr Combe [Coombe], facing Ryans Road, was in the course of erection (*Advertiser* 5 May 1933:1). In 1934, the Commonwealth electoral roll for the subdivision of Diamond Creek listed Elsie Coombe, and traveller, George Coombe, as living at Ryans Road, Mt Hermon, Eltham (ER 1934). The Coombes lived at the property until around 1946 when ownership changed to Violet Hannah; William Wallace became the owner in 1948 (CT:V4626 F196).

The residential development in the 313-lot subdivision of the Glen Park Estate had not fully progressed in the postwar period. The house built for the Elsie and George Coombe was one of the few buildings constructed in the immediate area, shown on the aerial photographs from 1945 and 1951 (Figure 4 Figure 5). Not many houses depicted on the two aerials were replaced with later housing stock.

The property was subdivided in 1968, with Klaus and Ruth Klein becoming the proprietors of Lots 2 and 3 in that year (CT:V8733 F564). In 1992 the property was again subdivided with the subject property located on Lot 1 of that subdivision (CT:V10058 F056).

In 1998, a building permit for a garage with verandah was issued (BP).



Figure 4. Extract from a 1945 aerial photograph with subject property outlined in yellow. There was more residential development towards the east of Glen Park Road and in Lower Road at this time. (Source: 'Melbourne 1945', University of Melbourne)



Figure 5. Extract from a 1951 aerial photograph with subject property outlined in yellow. (Source: CPO, 'MELBOURNE AND METROPOLITAN PROJECT' 1951, via Landata)

DESCRIPTION

200 Ryans Road, Eltham North, is a single-storey timber-framed house built in 1933 for then owners Elsie and George Coombe. The subject site is located on the elevated eastern side of Ryans Road, between Glen Park Road and Hillcrest Road.

200 Ryans Road a single-storey asymmetrical timber house that has a main gabled roof form with an intersecting transverse gable to the principal façade. The roof is clad in corrugated iron, however this appears to be a later alteration. The house retains a narrow brick chimney topped with soldiered bricks; this chimney has been painted below the eaves and left as face brick above the roofline. The main front verandah is set beneath an extension of the main gable form, and supported by plain timber posts that may be later alterations. The verandah returns down the side of the house, and features a brick floor. To the projecting bay has a canted bay window with a flat roof on exposed rafters. The single-storey double-fronted built form with a projecting bay, canted bay window, use of exposed rafters, deep verandah and face brick chimney are typical of the small to medium size interwar bungalows built in the 1930s.

The house has been extensively altered beyond the primary roof form, particularly to the rear. The property also comprises other recent elements including a garage with verandah erected in 1998, in the northwest corner of the property. To the direct north of the house, an annexe building has been constructed; this is accessed from the main house by an enclosed walkway. Another outbuilding sits close to the northern boundary of the property. There is a swimming pool near the eastern corner of the property.

The property has a wide setback with front garden, comprising substantial trees mostly dating from the late twentieth century. Some early plantings include a rose bush near the northern boundary.

INTEGRITY

The Coombe House at 200 Ryans Road, Eltham North, is generally intact with minimal changes visible to the original 1933 fabric as viewed from the street. The building retains the original asymmetric form and transverse gables, and key stylistic detailing such as a canted bay window with exposed rafters, deep verandah and brick chimney. Significant alterations have been made to the rear and side of the house, including addition of an annexe building accessed by an enclosed walkway. Overall, the house remains clearly legible as an interwar house.

COMPARATIVE ANALYSIS

From the 1890s, the defined area of Greater Melbourne had been expanded to include Eltham and the surrounding district for the purpose of censuses. Despite being included within these boundaries, the area continued to be predominantly rural. The interwar period, however, saw an increase in development and suburbanisation of within the broader Nillumbik area. Following World War I, the ideal of small detached houses set within gardens became increasingly popular, causing a 'dramatic expansion' of the greater metropolitan areas of cities (Raworth 1991:9). This preferred housing form, along with the introduction of regular railway services, affordable land and the promise of electrification, encouraged many to come to the Nillumbik area and build homes in the interwar period.

Likely due to a combination of continuing agricultural land use and lack of suburban utilities, development in areas outside the main streets of townships in Nillumbik was still slow. Most houses that appeared in new subdivisional estates in the early twentieth century were modest weatherboard, timber-framed structures. Reflecting the popular architecture of the time, many chose to build '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 small, single-storey, double-fronted dwellings with dominant verandahs with exposed rafters and beams (Raworth 1991:11). The bungalow form became popular with speculative builders and institutional building schemes, such as that of the State Savings Bank in Victoria. Due to the financial constraints of the 1930s and influence of Modern styles, many bungalows of the 1930s moved away from rustic and crafts-based designs of the earlier decade and are difficult to classify within a specific style.

The following places are comparable to the subject site, being other examples of bungalows in Nillumbik.



The property at 856 Main Road, Eltham, is a single-storey timber residence constructed in 1929 to a 1927 design created by the State Savings Bank of Victoria. These State Savings Bank houses were generally modest adaptations of the bungalow style and allowed customers to build affordable houses in the interwar period.

856 Main Road, Eltham (recommended as Individually Significant). (Source: Context 2021)



836 Heidelberg-Kinglake Road, Hurstbridge (HO264).
(Source: Google 2019)

The property at 836 Heidelberg-Kinglake Road, Hurstbridge, is aesthetically significant as a substantially intact example of an interwar bungalow constructed c1923. Its aesthetic value is enhanced by the intact front garden and fence, including the two Canary Island Palm trees framing the entry to the residence. The residence is demonstrative of the township's dominant period of development which was stimulated by the orchard industry and introduction of the railway line in 1912 (VHD).



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).



10-26 Banoon Road, Eltham (HO7). (Source: VHD)

The property at 10-26 Banoon Road, Eltham, is historically significant for its associations with the notable anthropologist Donald Thomson, who lived there from the mid-1930s. Built c 1922, it is also important as one of a few substantial homes erected in the Shire during the interwar period, illustrating Eltham's development into a desirable residential locality. It survives as one of few properties to retain its intact farm setting (VHD).



The c1920s residence at 34 Clyde Street is of aesthetic significance as a substantially intact California Bungalow demonstrating distinctive design features, which respond to its corner siting with views. These features are the return corner verandah and the corner bay window, both taking advantage of the views from the corner of Cowin and Clyde Streets. The building is of significance for its associations with the Ryan family who were early and prominent residents in Diamond Creek (VHD).

20 Clyde Street, Diamond Creek (HO184). (Source: Google 2019)

Other areas outside the Shire of Nillumbik exhibit common land development patterns, changing from predominantly rural to semi-suburban areas during the interwar period. The following examples are located in other surrounding municipalities that experienced a similar transition towards suburbanisation at that time.



144-146 Mt Dandenong Road, Croydon, is an asymmetrical timber house built c1929. The land the house sits on has since been further subdivided, however retains early trees and fences in its garden setting. The house demonstrates the type of housing that was appearing in Croydon during the interwar period, as the area became increasingly transformed (VHD).

144-146 Mt Dandenong Road, Croydon (HO47, Maroondah City). (Source: Google Streetview)



30 Anderson Street, Lilydale is a modest suburban interwar house. It is one of a group of similar houses in Lilydale built in the 1920s and 1930s that illustrate the shift from rural living to a more suburban mode of development during the interwar era with housing types that reflected popular typologies and style used in other built-up areas of Melbourne (VHD).

Lilydale Interwar House Types, 30 Anderson Street, Lilydale (Significant within HO412, Yarra Ranges Shire). (Source: Google Streetview)



149 Mt Dandenong Road, Croydon (HO105, Maroondah City). (Source: VHD)

149 Mt Dandenong Road, Croydon is a timber Californian Bungalow built c1929, likely to a State Savings Bank of Victoria design. The house is historically significant as it represents the way in which housing was provided in the predominantly rural area of Croydon during the late 1920s. The property is significant as a highly intact and representative example of a State Savings Bank house in the area, which features two linked groups of similar houses (VHD).

Discussion

The Coombe House at 200 Ryans Road, Eltham North, is of later construction date (1933) than the examples above. As a house built during the time when a general lack of material affluence was evident, the subject house demonstrates key elements typical of 1930s bungalow, which generally incorporated more restrained decorative detailing. The house displays built form elements typical of bungalow types, including a main gabled roof form with an intersecting transverse gable to the principal façade and projecting bay with a flat roofed canted bay window.

The subject house's timber construction and siting within a suburban subdivision sets it apart from examples of the 1920s bungalows on the overlay such as 25 Cottles Bridge-Strathewen Road, Cottles Bridge, and 10-26 Banoon Road, Eltham, which are of brick construction and set within extensive grounds. The subject house forms a closer comparison with the timber bungalows at 836 Heidelberg-Kinglake Road, Hurstbridge, and 20 Clyde Street, Diamond Creek, located within the more suburban areas of the municipality.

200 Ryans Road, Eltham North, compares well to the above examples of modest interwar housing listed on the Heritage Overlay in surrounding municipalities (30 Anderson Street, Lilydale, 149 and 144-146 Mt Dandenong Road, Croydon), in terms of scale, design elements, materials and setting. Particularly comparable to the house at 144-146 Mt Dandenong Road, the subject building and the above examples have generous setbacks with front garden settings facing primary roads.

The subject house is an example of 1930s bungalow types which reflected the frugal economic context of their construction period in their simple forms and restrained detailing. It remains legible as an early home in the Glen Park Estate subdivision.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Coombe House at 200 Ryans Road, Eltham North, a single-storey timber-framed and clad interwar bungalow built c1933 for Elsie and George Coombe, is significant.

Elements that contribute to the significance of the place include:

- original asymmetrical bungalow form and scale;
- transverse gable roof form, with front verandah;
- remaining brick chimney;
- canted bay window with flat roof and exposed rafters; and
- deep setback, garden setting and elevated position above the roadway.

The outbuildings, front fence and rear extensions are not significant.

HOW IS IT SIGNIFICANT?

The Coombe House at 200 Ryans Road, Eltham North, is of local historic and representative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Coombe House at 200 Ryans Road, Eltham North, is historically significant as a house built in the Glen Park Estate area of Eltham North during the 1930s, demonstrating the uptake of properties during the interwar period. Although the Glen Park Estate had been subdivided prior to World War I, the interruptions resulting from the outbreak of war, the Depression, and a lack of services, meant that the land was not rapidly developed. The subject site is important as one of the earliest surviving houses from this initial development period of the Glen Park Estate area of Eltham. (Criterion A)

The house at 200 Ryans Road is also 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. The house displays elements of the bungalow style, including a main gabled roof form with an intersecting transverse gable to the principal façade and projecting bay with a flat roofed canted bay window. 200 Ryans Road is also representative of the type of housing being built in formerly rural areas surrounding Melbourne, as they rapidly suburbanised during the interwar period. (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: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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16 Warringah Crescent, Eltham

House

Prepared by: Context	Survey date: February 2021
Place type: Residential	Designer: Peter Carmichael
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: c1975



Figure 1. The principal elevation of 16 Warringah Crescent, Eltham, looking south-easterly. (Source: Context 2021)



Figure 2. The principal elevation of 16 Warringah Crescent, Eltham, looking north-easterly. (Source: Context 2021)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.6 1960s and 1970s suburbanisation

From the mid-1960s the main suburban expansion in the former Eltham Shire area was east from Eltham, aided by the construction of the new Fitzsimons Lane (Eltham–Templestowe) bridge in 1963. This expansion was limited by topography and by methods of corridor planning including the green wedge and rural zoning. As a result, the eastwards trend would not extend past Research. The occupants of this new residential area were typically high-income families commuting to work in the city. When author and diplomat Graham McInnes returned to Melbourne in 1969 after leaving in the 1930s, he said that one of the most noticeable differences was that 'Eltham was the country, now it is right in Melbourne.' (Mills & Westbrooke 2016:87)

Residents who had established themselves in the early postwar period questioned the bona fides of this new wave of aspiring bushland home owners. [Alistair] Knox described how 'the rich and affluent eastern suburbanites started casting sheep's eyes at this unkempt bushscape: 'Eltham was once again under threat from the land profiteer, who would butcher the living qualities of its inhabitants to make their Roman holiday.'. On the other hand, the middle-class professionals of this new influx were environmentally conscious, politically well informed and numerous enough to exert a profound effect on the conservation of the surrounding landscape. (Mills & Westbrooke 2016:87-88)

By the 1970s, the aesthetics of the bush that had been developing throughout Australia were influencing the more sought-after city fringe suburban developments. These suburban developments adopted some of the trappings of environmental building that had been developed, in part, by the Eltham mud brick pioneers. The environmental thinking had been translated into a set of standard approaches, including preservation of existing trees, adaptation to contours, underground services and establishment of a network of linked bush parks. Road planning strategies such as cul-de-sacs enabled isolation from busy through streets. Roads were softened with low-profile gutters and the transition from road to driveway was softened with the use of paving materials in the road surface. Even so, these developments substantially remade the landscape. (Mills & Westbrooke 2016:88)

In the 1970s the Nillumbik area and nearby suburbs were graced with a number of residences designed by up-and-coming architects of the day including Kevin Borland, Charles Duncan and Morrice Shaw. Philip Goad describes their works as 'free and inventive compositions' and 'programmatically innovative'. Their designs featured informality, woodsy detailing, mezzanine floors and sliding doors opening onto timber decks. Other features included bagged brick, or brick seconds, window frames stained brown or pale eucalypt green and diagonal timber lining boards. (Mills & Westbrooke 2016:89)

LOCALITY HISTORY

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeri-willam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A small, short-lived reservation south of Eltham on the Yarra River was set aside for Aboriginal people in 1852. The area is situated near the junction of the Yarra River and its tributary, Diamond Creek.

Pastoral settlers moved into the area from around 1840 and took up pastoral leases (Bartolomei 2008). It was located proximate to the track used by the Ryrie brothers to provide access between their 'Yering' run, near Yarra Glen, and the Heidelberg village (Victorian Places 2015). In 1841, William Bell and Thomas Armstrong occupied land for a squatting run east of Diamond Creek in what was to become the Eltham district (Eltham District Historical Society 2000: np).

A plan for 50 allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of Diamond Creek and the Yarra River, was laid out in an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. The township plan shows that a track to a bridge across Diamond Creek and Main Road was noted as the 'Track from Melbourne' (Butler 1996:32). This area is known today as Eltham South.

Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). In 1851, Melbourne property developer Josiah Holloway purchased one square mile (or 5120 acres) of this land, which he subdivided immediately, calling the subdivision Little Eltham. The central area of current-day Eltham is contained within the Little Eltham subdivision. A number of large farming properties around the township were purchased from the early 1850s (*Nillumbik Parish Plan* 1951).

Eltham township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonia goldfields, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery, and a scattering of shops along Main Road (known in the 1850s as Maria Street). The town had a steam flour mill operated by Henry Dendy, and a tannery was located on the Diamond Creek. The Little Eltham School, opened by the Church of England, was built in 1853 near Swan Street and closed in 1872. A second school, a national school (later Eltham Common School No. 209) opened in Dalton Street in 1856. A Wesleyan chapel opened in 1858. Public buildings constructed at this time included a courthouse and a police station in Main Road in 1860. The 'flat land', which is now the Eltham Lower Park, near the Yarra, was used as a racecourse (Kellaway cited in Butler 1996:32-33; Eltham District Historical Society 2000:np). A cemetery was established in 1858. The township and wider area was administered by the Shire of Eltham, established in 1856.

Between the 1860s and the 1880s, Eltham supplied food and produce for the goldmining communities of the Caledonia goldfields at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on the route to the Woods Point diggings. Eltham's population grew in response (*Victorian Places* 2015).

A Primitive Methodist chapel was built in 1860. The following year St Margaret's Anglican Church, designed by the notable Melbourne architect Nathaniel Billing, was built. In 1881, a Wesleyan church was constructed by George Stebbing to the design of Melbourne architects Crouch and Wilson (Butler 1996:33). A new state school, constructed of local sandstone, opened in 1876.

Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or for sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

In 1884 Eltham was described as:

... a pretty little township on the Yarra Flats road ... It has a population of nearly 400 inhabitants, but in addition it is the centre of a large district extending over 208 square miles, having a population of 2344. The land in the district is mostly used for grazing purposes, although as a rule the small farms grow a good deal of wheat, oats and other agricultural produce. A large quantity of fruit, especially raspberries and strawberries, is also produced (Illustrated Australian News 20 December 1884, cited by Carlotta Kellaway in Butler 1996:33).

The *Australian News* noted that gold had been found in the vicinity of the township, 'but not in remunerative quantities' (cited by Carlotta Kellaway in Butler 1996:33).

In the 1880s agitation began for the extension of the railway line from Melbourne to Heidelberg to serve Eltham and districts further afield such as Kangaroo Ground. The railway station in Eltham opened in 1902, however the line was never extended to Kangaroo Ground. The railway brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne and to attractive countryside with farms and uncleared stringybark forest (*Victorian Places* 2015). The bush scenery attracted artists, writers and nature-lovers.

In 1903 the *Australian Handbook* described Eltham as part of an orcharding and grazing district. In 1901, 4289 acres were under cultivation, of which 2506 acres were planted with orchards and market gardens. The township, with a population of 377, included a state school, a branch of the Commercial Bank, and Catholic, Anglican, Wesleyan Methodist and Primitive Methodist places of worship (cited in *Victorian Places* 2015). From 1909, rural properties were increasingly subdivided to create residential estates on the outskirts of the Eltham township (Mills & Westbrooke 2017:69).

The electrification of the railway line was extended to Eltham in 1923, eliminating the need to change to steam train at Heidelberg and allowing faster through-trains and shorter commuting times. The establishment of new residential estates in Eltham followed (Mills & Westbrooke 2017:71). Reflecting the town's growth, a higher elementary school was opened in 1926 (*Victorian Places* 2015).

Eltham was described in 1940 as 'residential, horticultural, dairying and grazing ... a beauty spot for artists and picnickers'. By this time, the town had three recreation reserves, swimming baths, tennis courts and a fire brigade (*Victorian Places* 2015).

Eltham has attracted a number of writers and artists over the years. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. From 1910, painter William 'Jock' Frater and cartoonist Percy Leason often camped and painted in the area. Artist Justus Jorgensen established the notable Montsalvat artists' colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced

future mud-brick construction in the area. Several local designers, including Alistair Knox, specialised in mud-brick housing in the postwar period (*Victorian Places* 2015). Others who have been inspired by Eltham and have made the Nillumbik region their home include landscape architect Edna Walling; authors Alan Marshall and Carolyn Van Langenberg; artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actor Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased steadily as a result. In 1933, only 927 residents were recorded in the town in 1933; this had increased to 7177 residents in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (*Victorian Places* 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment. Houses were often sited in bush gardens, especially after the 1970s. This style was also adapted to community buildings in the area, with the Eltham Library being constructed in mud brick and recycled timbers in 1994 (Eltham District Historical Society 2019).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

PLACE HISTORY

The residence at 16 Warringah Crescent, Eltham, is located on Crown Allotment 12, Section 4, Parish of Nillumbik, 316 acres purchased by JM Holloway in 1853 (*Nillumbik Parish Plan* 1951).

By 1925 the allotment had been subdivided. The subject site is situated on 25 acres owned by Blanche Thomas in that year (CT:V4646 F051). Under Thomas's ownership, the 25 acres was subdivided into four lots, which were sold between 1946 and 1954.

The largest lot of 21 acres, on which the subject property is located, was sold to Stirling and Anne Whittington in 1954 (CT:V4646 F051). The Whittingtons had subdivided the land into 16 residential lots by 1965, the majority of which fronted the newly constructed Warringah Crescent (CT:V8049 F875).

The subject site is on lots 9 and 16 of this subdivision (CT:V8540 F914). By 1975, both lots 9 and 16 came under the single ownership. This suggests that the subject house was likely built after 1975.

The current owner has confirmed that the residence was built to a design by architect Peter Carmichael.

Peter Carmichael, architect

Peter Carmichael studied architecture at the University of Melbourne graduating in 1966. Carmichael worked for Bernard Hanmer & Associates (1966), then Richardson Hanmer (1967-68) (*Merchant Builders* 2015:18).

In 1968, Carmichael, joined with Robin Cocks to form the practice of Cocks Carmichael which would later become Cocks Carmichael Whitford Pty Ltd. Robin Cocks had also studied architecture at the University of Melbourne, graduating in 1965. From the 1980s, the practice broadened its focus from

its initial specialisation in residential architecture. The firm operated for more than four decades (*Architect Victoria* 2010:24).

In the late 1960s and early 1970s, the firm's initial design approach was characterised by skillion roofing and brick seconds, then newly favoured among younger Melbourne architects. In the same period and into the late 1970s, Cocks and Carmichael designed some of Australia's most innovative project houses. Clients were provided with a modular grid and a range of components that allowed choice in location, size and character. Their design for the award-winning Civic Growth House (1974) was the most innovative. Some of their one-off designs in Victoria, such as the Falk house (1972), Eastern View, and the Woodley house (1974), Sorrento, were influenced by the designs of American architect, Charles Gwathmey. The later designs for the Johnstone house (1974), Mt Eliza, Carmichael house (1979), Sandringham, and Liberman house (1981), Toorak, depart from this source to create a distinctly local interpretation of Modernism. Larger commissions included the Ministry of Housing Estate (1983), Highett, Moorabbin Town Hall Annexe (1987), Moorabbin, and the Centreway Arcade (1987) in Melbourne (Goad 2003).

In 1977, Peter Carmichael of Cocks Carmichael became a consultant architect for Merchant Builders, a project house-building company founded in 1965 by Melbourne entrepreneurs David Yencken and John Ridge. Merchant Builders was one of the first Victorian development companies to take architect-designed houses to a mass market (*Merchant Builders* 2015:18).

Cocks and Carmichael won numerous awards for their residential, institutional and urban design commissions, including a RAI Victoria Chapter Energy-Efficient award for 'Solar House' in 1980; RAI Victoria Chapter Merit Award in residential category for Hopetoun Road House, Toorak, in 1984; RAI Victoria Chapter Merit Award in institutional category for Moorabbin Council Offices in 1988; RAI Victoria Chapter Merit Award in Alterations and Extensions Category for Centreway Arcade in 1989; RAI Victoria Chapter Merit Award in Urban Design Category for Bell-Banksia Street link in 1993 (*Architect Victoria* 2010:24).

DESCRIPTION

16 Warringah Crescent, Eltham, is a substantial concrete block and timber house built c1975 to a design by architect Peter Carmichael of Cocks Carmichael. Located on the western side of Warringah Crescent, the land falls steeply from east to west. The block is heavily treed.



Figure 3. View of the house from Warringah Crescent. The street facing concrete block wall is the carport. Note the deep parapet and flat steel deck roof. (Source: Google 2019)

The house is integrated into the landscape, sited below street level. It steps down the block towards the rear, following the natural fall of the land. Constructed primarily of clay-coloured concrete blocks the house is sculptural in form and presents to the street as a series of low interlocking angular and rectilinear volumes that formally contrast with the natural topography but that materially complement the house's bush setting. The entry to the house is demarcated by a double height volume clad in horizontal timber weatherboards which is also used for a small wing wall near the front path, and across the front of the double carport.



Figure 4. Entry to the house is via a narrow earth path leading past a series of interlocking geometric forms. (Source: Context 2021)



Figure 5. Entry to the house is demarcated by walls clad in horizontal timber weatherboards. The entry is double height with a skillion roof (Source: Context 2021)



Figure 6. The principal street facing elevation is made up of a series of interlocking rectilinear volumes giving a sculptural quality to the elevation (Source: Context 2021)



Figure 7. The carport to the front of the house and is enclosed on two sides with concrete block walls. The deep fascia across the front is clad in horizontal timber weatherboards (Source: Context 2021)

The house is built over two levels. The upper level, closest to the street comprises a series of single storey interlocking rectilinear volumes with flat steel deck roofs concealed behind high parapet walls, while the lower level to the rear of the house is more angular in form.



Figure 8. Aerial view showing the two sections of the house with a front single storey block of interconnecting rectilinear volumes and the rear spaces orientated towards the north (Source: Nearmap 2021)



Figure 9. Aerial view looking east showing the carport at the top of the block, single storey wing of interconnecting cubes towards the middle and rear lower portion of the house angled to the north and leading onto an open timber deck. (Source: Nearmap 2020)

INTEGRITY

16 Warringah Crescent, Eltham, is highly intact with minimal changes visible to original or early significant fabric. The building retains its original material palette of natural coloured concrete blocks and horizontal timber weatherboards. The building also retains its original built form and scale, which purposefully responds to the steeply sloping block. The site has retained its original open carport, built in matching materials. Overall, the building has very high integrity.

COMPARATIVE ANALYSIS

Architect designed homes became more common in Nillumbik and its surrounds in the postwar period. From the 1970s, up-and-coming Melbourne architects including Kevin Borland, Charles Duncan and Morrice Shaw turned their hand to designing residences in the area. Many architect-designed residences responded to the tradition of informality, natural materials and integration with the natural environment that had become hallmarks of the 'Eltham Style' in the immediate postwar period. Many of these designs, however, exhibit aesthetic differences that reflect a wider engagement with evolving ideas being explored within Australian architecture at the time of their construction. As noted in the *Nillumbik Shire Thematic Environmental History*, the architect-designed homes of this period featured 'informality, woodsy detailing, mezzanine floors and sliding doors opening onto timber decks.' The commonly observed construction materials included bagged brick or concrete, second-hand bricks, window frames stained brown or pale eucalypt green, and diagonal timber lining boards (Mills & Westbrooke 2016:89).

The house at 16 Warringah Crescent, Eltham, consciously references but departs from the 'Eltham Style' mudbrick homes that proliferated in the 1950s and 1960s. The house's form and natural coloured materials respond to the natural, sloping landscape of the site, while still presenting as a conspicuously man-made structure within its setting. Unlike earlier 'Eltham Style' houses, 16 Warringah Crescent does not exhibit the same purposeful affinity with the landscape, departing from the earthy, organic architecture that influenced the development of the style. 16 Warringah Crescent purposely engages with more abstract three-dimensional geometric forms than houses of the 'Eltham Style'. Though it materially it retains a chromatic connection with the surrounding landscape, through the use of clay-coloured concrete blocks and naturally timber panelling.

Architect-designed houses built after the 1970s are underrepresented on Nillumbik's Heritage Overlay. The following examples are comparable to 16 Warringah Crescent, Eltham, for their architectural expression or construction period.



Built for the well-known potter Leon Saper in c1967, the house is architecturally significant as a work of Morrice Shaw. Shaw was a Modernist architect who worked in the office of Kevin Borland. The house is one of the most creative and unusual dwellings built in Victoria and Australia during the 1960s. It combines the Modernist ideas with the use of mud brick and recycled materials that are characteristic of the 'Eltham style' (VHD).



The house is noted for its highly individualist expression, which Alistair Knox described as 'one of the most amazing designs that have occurred in mud-brick building'. The building combines a free-form plan with flowing pisé walls and fireplace under a complex organic roof form. It is the earliest known example in Victoria of a strand of the late-twentieth-century organic style (VHD; Mills & Westbrooke 2016:87-89).

Leon Saper Residence, 60 Dunmoochin Road, Cottles Bridge (HO41). (Source: Victorian Collections; Nearmap 2021)



The Burns House, known as 'Kangaroo', was designed by the architect and artist Peter Burns and built in stages from 1968 on an elevated sloping bush site. The Burns House is made up of three linked triangular-plan pavilions set in informal gardens established largely by Mary Burns. The use of cheap materials, such as fibro cement sheet cladding to the walls and Stramit system ceilings, reflects the relative austerity of the period and the lack of resources of the family (VHD). The inwardly-sloping walls, acrylic dome windows and flaps for ventilation are key design elements. 'Kangaroo' was designed not to blend in with the bush setting but 'as a gesture to come to terms with nature' (VHD).



The Burns House is architecturally and historically significant at state level.

Burns House 'Kangaroo', 644 Henley Road, Bend of Islands (VHR H2314, HO258). (Source: VHD; Nearmap 2021)



Nichols House, 17 Haldane Road, Eltham (No HO but identified in the *Nillumbik Shire Thematic Environmental History*). (Source: E. Willis 2009, 'Nichols House, Eltham, 1972-1973'; Nearmap 2021)

The Nichols House was built in 1973 to a design by architect Kevin Borland. Borland won The Age-RAIA House of the Year Bronze Medal for his design of this large sprawling house of brick and timber, built on a steeply sloping site. The house comprises five different levels with small and large spaces. By 1980 Norman Day wrote that the Eltham area was 'potted' with rugged Borland houses (cited in Mills & Westbrooke 2016:89). 'Their rude frames, rough nailed boards and spiky roofs surprise even the unconservative hill people up there.' Day further noted that Borland's signature style of 'bush-carpentered mixture of simple materials, complex planning and uncompromising form-making' was perhaps just as suited to the Eltham hillsides as the earlier visions of the mud brick houses (Mills & Westbrooke 2016:89).



Choong House, 10 Diosma Road, Eltham (recommended as an Individually Significant place in this study). (Source: realestate.com.au, 2016)

The Choong House is significant as a particularly well designed and detailed house built to the design of Biltmoderne between 1985 and 1987. The house is carefully sited within a bush garden landscape designed by Gordon Ford. The building's sculptural form is expressed in a palette of limestone, aluminium and glass that both references to and clearly breaks from the 'Eltham Style'. The property is further enhanced by the bush garden elements including Ford's signature use of ponds, volcanic boulders and native plantings. Also of note is the steel carport, built in 1988 to designs by Wood Marsh (as the firm Biltmoderne would become) in a complementary style to the house.

Beyond the Shire of Nillumbik, the following places are comparable to the subject site as buildings designed by the firm Peter Carmichael and his firm of Cocks Carmichael.



A split-level open plan Solar House designed by Cocks Carmichael for Landmark Solar Houses Pty Ltd, and constructed by that company for display purposes in 1978-79. The Solar House is technically and architecturally important as the first commercially available solar energy project house in Australia (VHD).

Solar House, 32 Rosco Drive, Templestowe (VHR H1312, HO149, City of Manningham). (Source: VHD)



A house designed by Cocks Carmichael within a larger precinct of merchant builders display houses in Templestowe. The houses have aesthetic significance as a representative example of a late twentieth century housing precinct, which remains very intact. The house at No. 412 illustrates the influence of post-modern design during the 1980s (VHD).

412 Porter Street, Templestowe (within HO17, City of Manningham). (Source: VHD)



A house of local architectural significance as a good example of the domestic work of the architects Cocks Carmichael, built in 1980. The house is carefully related to its site through its design (VHD).

18 Summit Drive, Bulleen (HO158, City of Manningham). (Source: VHD)

Discussion

16 Warringah Crescent, Eltham, compares well to the above examples of homes that were built in the Shire of Nillumbik from the 1970s onwards. The subject site is particularly distinguished as an example of a house that departs from the 'Eltham Style' mudbrick homes of the earlier decades.

These houses represent a period in Nillumbik's history when a group of architects formulated new and inventive responses to suit the hilly topography of the local area. These examples display individualistic designs that depart from earlier 'Eltham style' or Modernist houses that were characterised by far simpler forms, geometries and a more romantic and mimetic identification with the landscape in material terms. The key characteristics that are observed in these later houses include the informality displayed through the irregular geometric plans, the complex broken roof forms, and the sloping walls that reject orthogonal wall planes. Split-level designs with interconnected internal spaces and here-dimensional volumes are also common. Like their earlier 'Eltham Style' and Modernist counterparts these buildings responded to the environmental factors of the local landscape including views, typography, sun and wind. They represent, however, a more complex relationship between nature and the built environment with forms that are consciously articulated from and contrasting with their settling.

The house at 16 Warringah Crescent, Eltham, with its hardline abstract geometry is formally distinguished from the undulating organic form of the Leon Saper Residence (HO41) that was a pioneer of organic architecture in Victoria. The State-listed Burns House (VHR H2314, HO258) is more similar to 16 Warringah Crescent, Eltham, in use of a more angular geometry which visually articulates it as a sculptural object within its bush setting. Neither house blends in with the natural landscape in formal terms.

Although later (1988), the Choong House at 10 Diosma Road, Eltham (recommended as an Individually Significant place in this study), is the comparable to the subject site, as an example of a high quality and finely detailed architect-designed home within the locality. Similar to the subject site, the Choong House creates depth and scale through the placement of walls. 17 Haldane Road, Eltham (No HO but identified in the Nillumbik TEH), is also similar to the subject house, having a sprawling form that steps down the block following the natural fall of the land.

When compared to other houses by the firm of Cocks Carmichael beyond the Shire of Nillumbik, the subject site is a good example of the firm's work. 32 Rosco Drive (VHR H1312, HO149, City of Manningham) and 412 Porter Street (within HO17, City of Manningham), both in Templestowe sit within suburban contexts that are distinguished as precincts of merchant builders' homes. Both houses appear to have been designed for builders. As such they are smaller in scale, respond to their suburban surrounds and are less architecturally ambitious than the subject site. The house is most comparable to 18 Summit Drive, Bullen (HO158, City of Manningham), as an example of a larger-scale house commissioned by the firm for a private owner.

The house at 18 Summit Drive exhibits some formal similarities to the subject site, and both have been designed to embrace sloping blocks of land. Similarities include the use of angular walls, highlight windows, timber panelling and rooflines that slope with the land. The subject site is set apart, though, by its use of more elaborately interlocking geometric forms and volumes, clay-coloured concrete blocks and its heavily vegetated bushland setting. The house at 16 Warringah Crescent is a good example of the work of Cocks Carmichael in the suburbs of Melbourne. Within the Shire of Nillumbik, the house is a good example of the form of architecture that became popular in the later decades of the twentieth century that referenced, but broke with, the established 'Eltham Style.'

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The house at 16 Warringah Crescent, Eltham, a concrete block and timber house built c1975 to a design by Peter Carmichael of Cocks Carmichael, is significant.

Elements that contribute to the significance of the place include:

- original form and scale of the house, designed to embrace the steeply sloping site;
- original materiality of the house, including concrete blocks, concealed flat steel deck roofs and horizontal timber boarding;
- original window and door openings and joinery
- open carport, constructed out of matching concrete blocks and timber; and
- siting on a steeply sloping block of land with the retention of its bush setting.

HOW IS IT SIGNIFICANT?

The house at 16 Warringah Crescent, Eltham, is of local representative and aesthetic significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The house at 16 Warringah Crescent, Eltham, is of aesthetic and representative significance as a well-detailed architect-designed house that responds to its sloping bushland block. Designed by architect Peter Carmichael of Cocks Carmichael, the building's form is a carefully composed arrangement of low interlocking angular and rectilinear volumes set over two levels. Materially, the house has a restrained palette of clay-coloured concrete blocks and naturally finished horizontal timber weatherboard cladding. This palette responds chromatically to its landscape setting. The pursuit of complex and abstract geometry marks a distinct break from the 'Eltham Style' while the use of a natural palette of materials and low-lying forms maintains links with the earlier style. The property's aesthetic significance is further enhanced by the purposeful retention of its bush setting. (Criteria D and E)

RECOMMENDATIONS

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

Extent of overlay: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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125 and 173 Cherry Tree Road, Hurstbridge

‘Wendouree’ and Canary Island Date Palms, and Smith Orchard Houses

Prepared by: Context	Survey date: December 2020
Place type: Residential, Orcharding	Designer: -
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: 1910 (125), c1915 (173)



Figure 1. ‘Wendouree’ at 125 Cherry Tree Road, Hurstbridge. (Source: Context 2020)



Figure 2. 173 Cherry Tree Road, Hurstbridge. (Source: Context 2020)

HISTORICAL CONTEXT

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

2 PEOPLEING NILLUMBIK'S PLACES AND LANDSCAPES

2.8 Twenty-acre occupation licences

One of the most conspicuous features of the cadastral map of the Nillumbik area is the concentrated clusters of hundreds of small lots of around eight hectares (20 acres), which are located almost exactly over the old auriferous (gold-bearing) lands of the area. There are around 800 of these small lots, amounting to around 6,500 hectares, or 15 per cent, of the land area of the current Nillumbik Shire. This settlement pattern originated in a system of temporary tenure on auriferous Crown land that was introduced in the land Acts from the 1860s and would prove a useful safety valve to the problems that arose from selection (Mills & Westbrooke 2016:34).

Victoria's land acts are best known for the introduction of selection but this was accompanied by an evolving system for licensed occupation of Crown land for residential and cultivation purposes. The Nicholson Act 1860 provided for licences to occupy Crown lands for purposes such as stores, inns, ferries and bridges. This provision stretched to include 'occupation licences' and hundreds were taken up by miners and tradesmen on goldfields and on other Crown land (Mills & Westbrooke 2016:34).

By June 1866 more than 5,000 settlers had occupied over 120,000 acres in the colony under this section [Section 42 of the Land Act 1865] (Nelson & Alves 2009, p. 253; Powell 1970, p. 126). Section 42 licensees were typically tenant farmers, married farm labourers, working miners, storekeepers, small traders and carriers (Mills & Westbrooke 2016:34).

The success of Section 42 was also the cause of some dissent, as many considered the application of this section of the Act to be a distortion of the original purpose, which was to assist needy miners. As a result, under the Amending Land Act 1869, Section 42 was replaced with the more stringent Section 49 under which licensees could apply to occupy and cultivate a maximum of 20 acres exclusively on auriferous land. They could only hold one licence and there was no provision for later sale. This was soon found to be too severe and, by 1873 under new land Regulations, licensees could apply to have the land sold at public auction. Under Section 4 of the Amending Land Act 1880 licensees were able to purchase the land directly and could then take out further licences (Mills & Westbrooke 2016:36-37).

As mining slowed around Queenstown and Panton Hill in the late 1860s, miners turned to the land as another source of sustenance. Alan Marshall illustrated this process when he wrote about selectors including Burrows, Purcell, Smith, Owens, Clarke, Ellis and Harvey occupying Cherry Tree Road, (on the way to Panton Hill from Hurstbridge). The majority took up licences under Section 49 then purchased the land after 1880 and, in many cases, acquired further licences. One of these was Lot 3, Section C, Greensborough, later the site of the Smith Orchard House

(HO182), first licensed to E Smith in 1877 and purchased by him in 1880 (Mills & Westbrooke 2016:36-37).

4 TRANSFORMING AND MANAGING THE LAND AND NATURAL RESOURCES

4.4 Agriculture, orchards and viticulture

The spread of orchards began with the selectors in the 1860s and by 1900 orchards covered much of the west of the shire, from Diamond Creek up to Strathewen in the north. Auriferous or quartz-laden soil was said to be suitable for fruit growing and the slopes of the Diamond Valley offered well-drained soil for the trees. Fruit growing is a labour-intensive activity, well suited to the small blocks of land selected in the Diamond Valley. The growing population of Melbourne in the second half of the nineteenth century provided a handy market for the fruit of the Diamond Valley (Mills & Westbrooke 2016:61).

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. While many smaller orchardists probably struggled to make profits in a labour-intensive industry, those who planted on a larger scale did very well (Mills & Westbrooke 2016:61).

The Arthurs Creek Fruitgrowers Association was formed in 1890. Members held regular shows at Diamond Creek and were active in the fight for railway connections between the fruit-growing districts and Melbourne. By the turn of the century, Arthurs Creek dominated the Melbourne fruit market. In 1912, following the passing of the Cool Store Trust Bill, for which the Arthurs Creek Association had actively lobbied, a cool store was constructed at Diamond Creek (on the site now occupied by squash courts). As well as the co-operative coolstore there were, by 1931, two privately owned cool stores at Diamond Creek operated by TJ Clark and Burke Brothers respectively. Even in the 1950s and 1960s Yarrambat orchardist Otto Rupp was placing his apples and pears in Mr Collins' cool store. 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.' Writing of the 1920s, Graham McInnes recalled that from Hurstbridge to Panton Hill the 'immediate countryside was undulating park-like bush with the trees widely spaced, or else rolled aside by the fastidious patterns of orchards. As we bowled merrily on the downhill stretches the neatly planted rows of peaches, apples, nectarines and pears went by like wheel spokes and made a neat line from every angle' (Mills & Westbrooke 2016:61).

The Shire of Nillumbik orchards probably peaked around the turn of the century, when local fruit was being exported to other states and overseas. By the First World War however, many local orchardists were experiencing difficulties. The Australasian reported in 1910 that 'growers have been loath to part with their old trees and their hesitation has resulted in one of the most important fruit-growing districts being left in the background.' Smaller orchardists struggled at the best of times to make a living from their trees, turning to raising chickens, selling firewood like Otto Rupp, even working for other landowners or in goldmines as well as tending their fruit trees. Even large growers like Draper disadvantaged themselves

by offering too wide a variety of fruits at a time when dealers began to demand fewer varieties, but steady supplies, especially for overseas markets (Mills & Westbrooke 2016:62).

The Federation of Australia had removed tariffs between colonies so Tasmanian apples now competed with local produce, while the spread of railways throughout Victoria made fruit from the Goulburn Valley an equal competitor for the Melbourne market. There are still fruit growers in the shire today, but as a major local industry, orchards were finally defeated by the drop in exports to the United Kingdom during the Second World War. Disease wiped out some fruit trees and, as the city crept nearer, land became more valuable as building blocks rather than for farming or orcharding (Mills & Westbrooke 2016:62).

LOCALITY HISTORY

Hurstbridge, established near the junction of Arthurs Creek and Diamond Creek, is located on the country of the Wurundjeri-willam clan of the Woi wurrung people.

The Hurstbridge area, named after Henry Hurst and a ford he built over Diamond Creek in 1860, was originally known as Upper Diamond Creek, or Allwood, after Cornelius Haley's cattle run of the same name. 'Allwood' was taken up in 1841 and occupied by Robert Hurst, father of Henry, and his family from 1868 (Hurstbridge and District Local History Group). In 1894, Henry Hurst's daughter, Frances, and her husband, William (Bill) Gray, rebuilt the Allwood residence, incorporating a transported building, and named it 'Allwood House'. They developed the extensive Allwood Nurseries on the property, from which they exported fruit trees ('Hurstbridge Heritage Trail' n.d.).

A number of land Acts were introduced after the 1850s gold rushes in Victoria, to establish an agricultural industry. Land was made available in the Hurstbridge area under the 1869 land Act. Some of the land taken up under this Act was held freehold by the 1870s; other allotments were leased until the introduction of the 1901 land Act, and not held freehold until the first decades of the twentieth century (*Greensborough Parish Plan* 1961). Orchards and nurseries were subsequently established, with apples, in particular, grown in large quantities.

Hurstbridge was a part of a substantial area given over to the growing of apples, pears and stone fruit, the main agricultural industry in the Diamond Valley region (the area covered by much of the present Nillumbik Shire), from the 1880s to the 1930s. With its soil and climate suited to the growing of fruit, Diamond Valley formed a significant part of the wider fruit-growing region situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington. Orchards and nurseries were established on the hills and in the gullies of the catchments of Diamond Creek and Arthurs Creek, stretching from the township of Diamond Creek, through Hurstbridge, Cottles Bridge, Arthurs Creek and Panton Hill, to the foot of the Kinglake Ranges at Strathewen and Queenstown (now St Andrews) (National Trust Report, 'Shaws Cool Store, Cottlesbridge', B6979, cited in Butler 2006:140).

Up until 1900, when private subdivision commenced, Hurstbridge's businesses comprised only tearooms, a wine and billiard saloon, a butcher shop, a bakery and a blacksmith (Butler 1996:43). A public hall opened in 1892 (Eltham District Historical Society 2000).

When the Melbourne-Eltham railway line was extended to Hurstbridge in 1912, the railway station at today's Hurstbridge was named Allwood and a settlement subsequently developed (Hurstbridge Historical Trail; *Victorian Places* 2015). The Allwood Post Office and store opened in 1911 opposite the railway station (Eltham District Historical Society 2000). Fruit-drying works and a cool store for fruit

were constructed behind the station in 1912. The railway station became a central point for the transport of fruit and timber from surrounding areas (Eltham District Historical Society 2000).

Subdivision of residential estates followed. In 1913, a sale advertisement noted that 219 acres in the 'Home of the Wattle' at Hurstbridge had been subdivided into allotments 'admirably adapted for week-end homes, small farms, orchard blocks' (*Argus* 10 December 1913:5).

Most of the town's growth between 1912 and the mid-1920s took place along Main Road. Offices to house the *Evelyn Observer* newspaper opened in 1918 (the building now houses the Hurstbridge Post Office) (*Victorian Places* 2015; 'Hurstbridge Heritage Trail' n.d.). Hurstbridge State School No. 3939 opened in the Church of England Sunday school hall in 1916, with a dedicated school building opened in 1922 (the building was destroyed by fire in 2005) (Blake 1973:445). A memorial sports oval was opened at Hurstbridge in 1921 (Eltham District Historical Society 2000). A single lane bridge, designed by John Monash, opened in 1918 to replace the ford built by Henry Hurst.

Special trains ran to Hurstbridge so that Melbourne visitors could gather wattle. So great were their numbers and the destruction they wrought that a charity, the Wattle Day Red Cross afternoon tea, was established in the Hurstbridge to bring some control to the crowds (Butler 1996:48).

Further subdivision occurred in Hurstbridge in the interwar period. In 1920, for example, landowners Frances and Bill Gray subdivided 34 lots on the west side of Main Road in the northern part of what is now Hurstbridge; by 1925 a few lots had also been subdivided on the west side of Main Road. The Hurstbridge Railway Estate also opened in 1924 (Mills & Westbrooke 2017:72). Some soldier settlement also occurred on rural blocks in the area in the 1920s.

The township was renamed Hurstbridge in 1924 after Henry Hurst, although the derivations 'Hurst's Bridge' and 'Hurst Bridge' were in use until the 1950s. The section of railway line between Eltham and Hurstbridge was electrified in 1926, three years after the electrification of the line between Melbourne and Eltham.

Due to the increased competition in fruit-growing from irrigated districts after World War I and the impact of the economic depression of the 1930s, many of the area's orchardists turned to other pursuits such as raising poultry, selling firewood, or supplementing their incomes by working for other landowners or in the few goldmines still in operation in the Diamond Creek, Greensborough and Smiths Gully areas (Nillumbik Shire 2020; 'Victorian Gold Project' 1999:14).

By 1940, a recreation reserve, a croquet green and tennis courts had been established (*Victorian Places* 2015). The majority of the Hurstbridge township area was not subdivided into residential blocks until after World War II. With this subdivision and the availability of rail services to Melbourne, Hurstbridge's population nearly doubled between 1933 and 1954, increasing from 433 to 824. Electricity was supplied to the town in 1957, and in 1967 a high school was opened (*Victorian Places* 2015; 'Hurstbridge Heritage Trail').

Hurstbridge has been a tourist destination since the opening of the railway line in 1912, with visitor numbers rising with increased car ownership from the 1920s and particularly after World War II.

Like Eltham, Hurstbridge attracted artists, with Albert Tucker moving to a five-acre property with his wife, Barbara Bilcock, at Hurstbridge in the 1960s (Hurstbridge and District Local History Group).

The population had grown to 2350 residents in 1981. By the 1980s, Hurstbridge featured clubs, four churches and an active shopping centre (*Victorian Places* 2015).

PLACE HISTORY

'Wendouree' and Canary Island Date Palms at 125 Cherry Tree Road, and the two Smith Orchard Houses at 173 and 191 Cherry Tree Road, Hurstbridge were owned for long periods of time by the Smith family, who operated a number of orchards in the area.



Figure 3. Showing the subject properties at 125, 173 and 191 Cherry Tree Road, Hurstbridge, outlined in red.
(Source: Nearmap 2021)

125 and 173 Cherry Tree Road

Wendouree at 125 Cherry Tree Road is located on Crown Allotment 3, Section C, Parish of Greensborough. It was licensed in 1877 to Edwin Smith under the *Amending Land Act 1869*. Crown Allotment 3 was granted to Edwin Smith in 1888 (CT:V2110 F871; *Greensborough Parish Plan 1961*). 173 Cherry Tree Road is located on adjacent Crown Allotment 2, granted in 1888 to John Smith, baker of Yarra Flats (CT:V2110 F870; *Greensborough Parish Plan 1961*). In 1894, Edwin Smith, then a farmer of Panton Hill, became the owner of latter allotment (CT:V2110 F870).

After they married in 1873, Edwin Smith and his wife Louisa Georgiana (née Purcell) selected land on Cherry Tree Road. They subsequently cleared the allotments to start an orchard and farm, and built a house, 'Beaumont' (at today's 190 Manuka Road, see Figure 4). The Smiths continued to develop their commercial orchard, which in later years comprised apples, peaches, apricots, plums and pears (Smith 2013).

Following Edwin Smith's death in 1910, Edwin's son William Thomas Smith, orchardist of Panton Hill, became the owner of both Crown allotments (CT:V2110 F870 & F871). The existing houses at 125 and 173 Cherry Tree Road were built after this time.



Figure 4. Showing the Smith family home, 'Beaumont', then addressed as Cherry Tree Road, Pantton Hill (today at 190 Manuka Road, Hurstbridge), c1895. Pictured are Edwin and Louisa with the first 10 of their 11 children. From left: Florence Emily, Marian Louisa Sarah, Edwin (father) with Victor Albert on his lap, Edwin James Samuel, Lilian Rose, Louisa Georgina (mother), Alice Mary (at back), Bertram Edward (next to his mother), William Thomas (at back), George John, and Alfred George. (Source: Smith 2013)

125 Cherry Tree Road

The existing building at 125 Cherry Tree Road was built c1910 for George John Smith and his wife Barbara (née Bradley) shortly after their marriage. Their property 'Wendouree', was located near the Smith family home 'Beaumont'. George and Barbara established an orchard and brought up their family of three children on the property (Smith 2013).

In 1917, under William T Smith's ownership, Crown Allotment 3 was subdivided into two allotments. The ownership of both lots were to pass to orchardist George John Smith, of 'Wendouree' in Cherry Tree Road, Hurstbridge, in 1917 and 1921. George Smith retained ownership of both lots until 1952 (CT:V2110 F871).

In 1952, Lester (Les) George, son of George and Barbara Smith, and his wife Valeria (Val) Annie Smith, became the owners of the larger allotment, today's 125 Cherry Tree Road (CT:V4909 F751). Separate accommodation was built onto the existing home, 'Wendouree', for Les and Val, with George continuing to live in the house as well. At this time, the land was also used as a poultry farm, which was a common for smaller orchardists who were experiencing financial difficulties (Smith 2013; Mills & Westbrook 2016:62). The Smith family retained ownership of this allotment until 1993 (CT:V7687 F116).

In 1952, Dorothy Beeton became the owner of the other allotment (today's 145 Cherry Tree Road) of approximately one-quarter acre (CT:V4909 F751).

'Wendouree' is visible in the two aerial photographs taken in 1951 and 1987. The Canary Island Date Palms existed by 1951, indicating that they were planted between 1918 and 1951, during George and Barbara's ownership (Figure 6 and Figure 7). An extension or verandah is evident to east side of the original house by 1951. This is possibly the separate accommodation built for Les and Val Smith, who married in 1952. By 1987, a return verandah with an elongated eastern portion was extant, indicating

that the house was further extended during the Smith family's ownership. The southern portion of the land surrounding the house was also cleared by 1987 (Figure 7 and Figure 8).



Figure 5. 'Wendouree', the home of George and Barbara Smith, built 1910 at 125 Cherry Tree Road. (Source: Smith 2013)

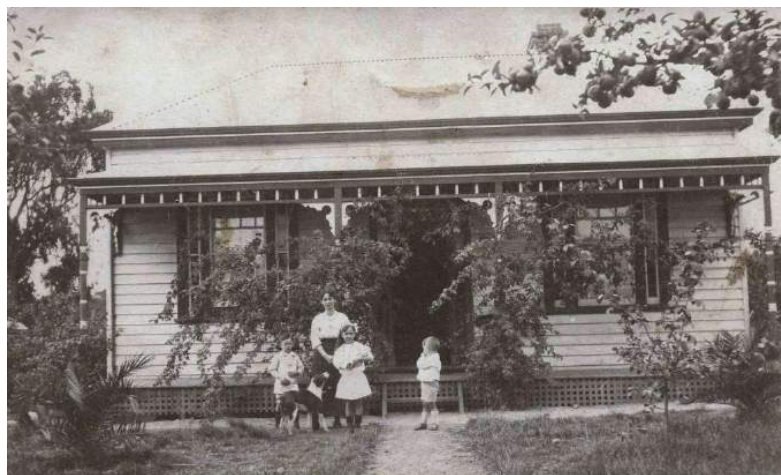


Figure 6. Barbara Smith with her three children and their dog, at 'Wendouree' in 1918. The Canary Island Date Palms (HO182) were planted after this time. (Source: Smith 2013)



Figure 7. Extract of a 1951 aerial photograph showing the property 'Wendouree', with the approximate boundaries of the pre-1952 subdivision shown in green dotted line, and approximate boundaries of today's 125 Cherry Tree Road in red. The rows of trees surrounding the house indicate that the surrounding land was still being used for farming activities. Two Canary Island Date Palms existed by this time (outlined in yellow). (Source: CPO, 'MELBOURNE AND METROPOLITAN PROJECT' 1951, via Landata)



Figure 8. Extract of a 1987 aerial photograph showing 125 Cherry Tree Road with its approximate boundaries shown in red dotted line. The southern portion of land was cleared by this time. The return verandah with an elongated eastern portion was added after 1951 (outlined in yellow). (Source: CPO, 'WESTERN PORT FORESHORES' 1987, via Landata)

173 Cherry Tree Road

Under William T Smith's ownership from 1910, Crown Allotment 2 was subdivided into four lots between 1917 and 1924: two lots comprised house blocks of approximately one-half to one acre each; another lot comprised a narrow strip of land on the western boundary of the allotment; with the balance comprising the majority of the land (see Figure 9).

One house block, part 839042, was transferred to Louisa Georgina Smith, Edwin Smith's wife and William's mother, in 1917. Louisa retained ownership of the block until 1928 (CT:V2110 F870;

CT:V4079 F670). This land comprised the Smith family home, 'Beaumont' at 190 Manuka Road (see Figure 9 and Figure 10).

In 1917, part 839043, at the southeast corner of Crown Allotment 2, was transferred to Bertram (Bert) Edward Smith, as was part 1184111 (today's 155 Cherry Tree Road) in 1924 (see Figure 9) (CT:V2110 F870). Bertram Smith, son of Edwin and Louisa Smith, owned both lots until 1970 with members of the Smith family retaining ownership until 1978 (CT:V4079 F671; CT:V9323 F431).

The subject house at 173 Cherry Tree Road was built for Bert Smith and his wife Mabel (née Suttie) around the time of their marriage in 1915 south the earlier Smith family home 'Beaumont' (see Figure 12) (Smith 2013). Bert and Mabel established an orchard on the land and brought up their two sons on the property (Smith 2013).

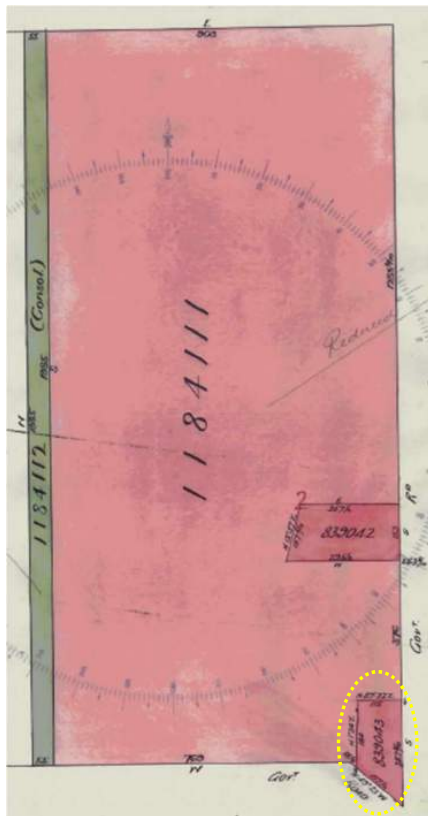


Figure 9. Crown Allotment 2, subdivided in 1917. Part 839043 (outlined in yellow) comprises the site at 173 Cherry Tree Road. Bert Smith also owned part 118411 and established an orchard on the land. (Source: CT:V2110 F870)



Figure 10. Extract of a 1951 aerial photograph showing the approximate boundaries of the land owned by Bertram Smith at that time (in green dotted line) and today's 173 Cherry Tree Road in red. The early Smith family home 'Beaumont' is shown in yellow. (Source: CPO, 'MELBOURNE AND METROPOLITAN PROJECT NO.2' 1951, via Landata)

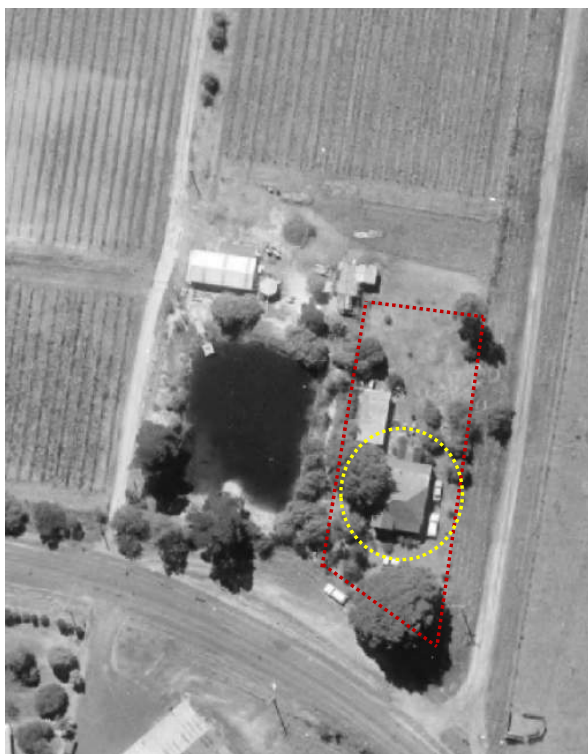


Figure 11. Extract of a 1987 aerial photograph showing 173 Cherry Tree Road with its approximate boundaries shown in red dotted line. The surrounding land was no longer owned by the Smith family but was still being used for farming at this time. A new shed was built to the northwest of the house (outlined in yellow). (Source: CPO, 'WESTERN PORT FORESHORES' 1987, via Landata)



Figure 12. Undated photograph of the home of Bertram, son of Edwin and Louisa, and Mabel Smith at 173 Cherry Tree Road. (Source: Smith 2013)

191 Cherry Tree Road

191 Cherry Tree Road is located on part of Crown Allotment 1, Section C, Parish of Greensborough. Edward Caledonia Purcell, labourer of Eltham, took up Crown Allotment 1, under the 1869 land Act, owning the allotment of approximately 20 acres by 1888 (CT:V2182 F385; Greensborough Parish Plan). It is likely that Purcell was a relative of Louisa Smith (née Purcell).

In 1894, Edwin James Samuel Smith, farmer of Panton Hill and the eldest son of Edwin and Louisa Smith, became the owner of the property (CT:V2182 F385). Shortly after their marriage in 1903, Edwin and Violet Smith (née Bartlett) built their home on the property, where they brought up nine children and established a commercial orchard. This house was next door to the earlier Smith family home 'Beaumont' which appears to remain extant at 190 Manuka Road, Hurstbridge (Smith 2013). Edwin and Violet's son Frederick married Bessie Gibbons in 1938 and lived in a small cottage next to Edwin and Violet on the same orchard (Smith 2013).

In 1949, the property passed into the ownership of Lloyd Richard Smith, son of Edwin and Violet. Lloyd Smith had left Panton Hill and moved to Yarra Glen where he worked as life assurance agent. The property was subdivided into two lots in 1974 under Lloyd Smith's ownership (see Figure 5) (CT:V2182 F385). Smith retained ownership of the larger lot of approximately seven hectares until 1980 (CT:V9386 F713).

A Planning Permit was issued in 1999 for an extension to the dwelling at 191 Cherry Tree Road (PP).

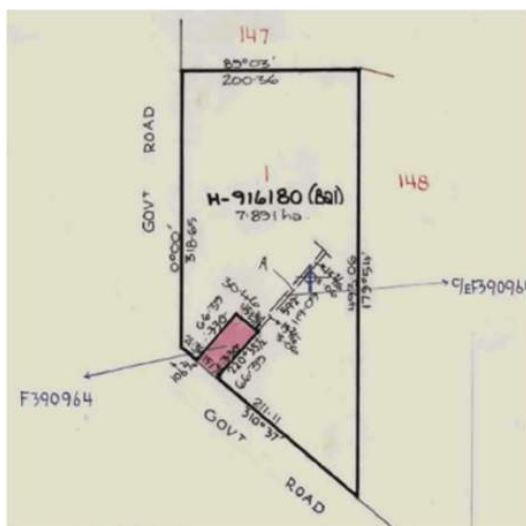


Figure 13. Showing the subdivision of today's 191 Cherry Tree Road in 1974. (Source: CT:V2182 F385)



Figure 14. To the left is an extract of a 1951 aerial photograph showing the approximate boundaries of the land owned by Edwin James Samuel Smith at that time (in green dotted line) and today's 191 Cherry Tree Road (highlighted in red). to the right is an extract of a 1987 aerial showing 191 Cherry Tree Road with additions to the front, side and rear of the original house. (Source: CPO, 'MELBOURNE AND METROPOLITAN PROJECT NO.2' 1951' & 'WESTERN PORT FORESHORES' 1987, via Landata)

Smith family, owners 1877-1980

The following extract from *Gold 'n' opportunity* by Leonie Smith, a fifth-generation Smith descendant, details the history of the Smith family.

Edwin Smith was born on the 3rd December 1848 at Bury, Lancashire, the 5th child of Samuel and Sarah Smith. He was almost 6 years old when he arrived in Australia in 1854 with his family. After he left school he worked as a miner at Caledonia Diggings. At the age of 25 he married Louisa Georgina PURCELL on the 2nd April 1874 at the Eltham Church of England...

Louisa, the first of...five children was born shortly after James and Sarah [Purcell] arrived in Australia [in 1853]. She was born at Sandridge (...Port Melbourne). James and Sarah Jane Purcell made their way to the goldfields area of Andersons Creek...then to Smiths

Gully/Queenstown...The Purcell's became the keepers of the Caledonia Hotel at Queenstown, said to have been situated near the Caledonia Creek...

After their marriage, Edwin and Louisa were one of the first to take up Crown land in Cherry Tree Road, Panton Hill. Edwin bought 10 lots of about 20 acres each at a cost of about half a crown an acre. For a short time Edwin and Louisa rented a cottage a little further down the road towards Hurstbridge while they cleared their land by hand and built their own cottage which they named "Beaumont". The cottage is still standing today, although it has seen some changes over the years.

The 10 lots Edwin originally purchased were eventually divided up amongst his children, some selling their lot to siblings and others staying on and working the land. At Beaumont, as he cleared the land Edwin began establishing an orchard, planting many varieties of apples, and peaches, apricots, plums and pears etc. and continually extended his plantings as he cleared the land.

Edwin and Louisa had 11 children over the 22 years following their marriage. As adults, those who didn't stay on the original property, stayed close by in the Panton Hill/Smiths Gully/Wattle Glen and Yarra Glen areas, the men established their own orchards, the Smith sisters with their husbands also established orchards or ran cattle...In the next generation of Edwin and Louisa's family, many of their grandchildren and a great grandson stayed in the local Panton Hill area and established their own orchards, the latter only to retire and sell his apple orchard in 2003...That ended well over a century of commercial fruit growing by the Smith family in the area.

Edwin Smith died on the 18th January 1910 and was buried at Nillumbik Cemetery in Diamond Creek...After the death of her husband, Louisa stayed on the family property for another 25 years, and died on the 24th October 1935. Like her husband, she was also laid to rest at the Nillumbik Cemetery in Diamond Creek (Smith 2013).

Other information about the Smith family can be gleaned from the obituary of Louisa Smith published in 1935:

The death occurred on October 24 of Mrs L. G. Smith, relict of the late Edwin Smith, of Panton Hill, at the residence of her eldest daughter (Mrs Arthur Jones) of Wattle Glen. The late Mrs Smith was born at Sandridge (now Port Melbourne) on May 22 82 years ago, a few weeks after her parents (the late Mr and Mrs James Purcell) had arrived from England in the sailing ship "Catherine Mitchell." Her childhood and girlhood days were spent in various parts of the district, Warrandyte (then Anderson's Creek), Diamond Creek, Eltham, Queenstown, and Panton Hill. In 1873 [1874] she was married to Edwin Smith, of Queenstown, and they selected land on Cherry Tree Road and commenced an orchard and mixed farm. Seven sons and four daughters were born of the marriage, three of the sons and one daughter are still living on the original property (Advertiser 15 November 1935:2).

DESCRIPTION

The three properties associated with the Smith family are located on the north side of Cherry Tree Road, a two-lane road connecting the Hurstbridge and Panton Hill townships. Built in the earlier decades of the twentieth century, 125, 173 and 191 Cherry Tree Road adopted various designs of Edwardian timber houses typically built on rural properties.

125 Cherry Tree Road

125 Cherry Tree Road, Hurstbridge, comprises a large land parcel of about 13 acres covered with moderate vegetation and a 1910 timber house 'Wendouree'. The land gently slopes down to the west. Three dams exist within the property boundaries, including one close to the southern property boundary. Built for George Smith, orchardist, and his wife Barbara, 'Wendouree' is a 1910 single-storey weatherboard house with an M-profile hipped roof clad in corrugated metal. The original house had a symmetrical façade with two windows with sidelights on the either side of the central doorway, and a concave profile verandah to the front of the building. The house has undergone various changes since 1918 (Figure 6). The changes on the primary (south) elevation include the timber verandah with simple timber posts and brackets (replaced the early verandah between 1951 and 1987), infills under the verandahs on both sides (by 1987), altered window openings and loss of a face brick chimney (date unknown). A modern iron ventilator penetrates the hipped roof on the left-hand side. The timber front fence with a gate is also a later addition. There is a post-1987 rear extension to the western portion of the house (Figure 17).

There are two corrugated metal-roofed sheds to the west and northwest of the main house. These sheds are likely the pre-1952 structures shown on Figure 7. A more recent slanted roofed shed and carport exist to the northeast of the house.

The two mature Canary Island Date Palm (*Phoenix canariensis*) trees that were planted between 1918 and 1951 (HO182) stand in front of the building. The Canary Island Date Palms are good specimens of a tree that was fashionable during the first decades of the twentieth century.



Figure 15. 'Wendouree' at 125 Cherry Tree Road. The return verandah supported by simple timber posts is an addition from between 1951 and 1987. (Source: Context 2020)



Figure 16. 'Wendouree' at 125 Cherry Tree Road, viewed from the south. The timber front fence and covered gateway is a later addition. (Source: Context 2020)



Figure 17. An aerial view of 125 Cherry Tree Road (left), and a close up of 'Wendouree' (right) with the post-1987 extension to the rear (outlined in yellow). (Source: Nearmap)

173 Cherry Tree Road

173 Cherry Tree Road, Hurstbridge, is a smaller allotment at the corner of Cherry Tree Road and Manuka Road, comprising a c1915 timber house. The allotment was formed by the 1917 subdivision under the ownership of William Thomas Smith, orchardist and son of Edwin and Louisa Smith. After the change of the ownership in 1978, the property is now separated from the large farmland at 155 Cherry Tree Road, formerly owned and operated by the Smith family as orchards. The existing weatherboard-clad house was built c1915 for orchardist Bertram and Mabel Smith. The house has a

high-pitched hipped roof with a transverse gable wing, clad in corrugated metal. The verandah is incorporated under the main roof form, and features turned timber posts and timber brackets. The façade is double fronted with a projecting gabled bay on the left-hand (west) side. The gable end is treated with half-timbering and rough cast render. The projecting bay features a three-light window with a corrugated metal awning. There is a face brick chimney behind this projecting bay. Another three-light window is provided on the right-hand side of the entrance. The front windows are later replacements. The central doorway features a sidelight and highlight. The property also comprises a metal-clad shed with a skillion roof (built between 1951 and 1987), to the northwest of the house.



Figure 18. 173 Cherry Tree Road, with a projecting gabled bay with half-timbering detailing. Note the face brick chimney behind the projecting bay (outlined in yellow). (Source: Context 2020)



Figure 19. 173 Cherry Tree Road, comprising a 1910 house and a shed built between 1957 and 1987. (Source: Nearmap)

191 Cherry Tree Road

191 Cherry Tree Road, Hurstbridge, is located near the corner of Cherry Tree Road and Manuka Road, comprising a c1903 timber house. The land was subdivided in 1974 during the ownership of Lloyd Richard Smith, son of Edwin and Louisa Smith who was living in Yarra Glen. The c1903 house built for Edwin James Samuel Smith, farmer of Panton Hill and the eldest son of Edwin and Louisa Smith, and his wife Violet. A large gable roofed extension was made to the original house in 1999 to the rear of the earlier house (Figure 20). The earlier weatherboard house exists in a substantially altered form. This house has a corrugated metal-clad gable roof. The primary (south) and west elevation is clad in painted sheets, while the east elevation retains the weatherboard cladding. The original portion of the house has an early rear wing clad in weatherboards with skillion roof. the gabled section next to this wing is a later addition. An attached garage has been added after 1987 to the east elevation. A new window opening is provided on the west elevation. All window and door joinery on the primary elevation are replaced. The front verandah with corrugated iron roof is also a replacement. There is no chimney extant. The 1999 extension has a gabled roof and an attached shed with a smaller gabled roof. As of 2023 in inspection of the property found the house while legible as an early house, its intactness was greatly diminished by its alterations and extensive remedial work would be required to bring the house back to a fair condition which would involve the removal of extensive fabric, resulting in integrity loss. While the house has historical value, its significance was better recognised through archival recording and interpretation.



Figure 20. Oblique view of 191 Cherry Tree Road. Note the attached garage (outlined in green), an early rear wing with skillion and gable roofs (outlined in red) and the rear extension dating from 1999 (outlined in yellow). (Source: Nearmap 2019)



Figure 21. The primary (south) elevation of 191 Cherry Tree Road, with an attached garage, replaced window and door joineries and extended verandah. (Source: Google 2019)



Figure 22. 191 Cherry Tree Road clad in painted sheets on the primary (south) and side (west) elevations. The window on the west elevation shown here and the verandah to the front of the house are later additions. (Source: Context 2020)

INTEGRITY

The three Cherry Tree Road properties display varying degree of changes.

Wendouree at 125 Cherry Tree Road is somewhat intact with some changes to the early built form and fabric. The building retains M-profile hipped roof and symmetrical double-fronted façade design. The overall legibility as an Edwardian timber house is interrupted by later additions such as the return verandah and infills, and the rear extensions.

173 Cherry Tree Road is highly intact to its c1915 design and form, retaining the asymmetric form with a steeply pitched hipped roof with a projecting transverse gable wing and the front verandah inset under the main roof form. Its intact elements and detailing characteristic of the period of its construction includes its weatherboard-clad elevations, corrugated metal-clad roofs, face brick

chimney, half-timbering treatment to the gable end, doorway with a sidelight and highlight, and turned timber verandah posts and timber brackets. The windows are latter replacements.

191 Cherry Tree Road retains the overall built form as a single-storey gable roofed house with skillion roofed rear wing but is substantially altered, having lost key elements of its early design as an Edwardian timber house. The changes include the new surfaces of the primary (south) and side (west) elevations finished with painted sheets, loss of chimney and verandah, replaced window and door joinery.

Overall, 125 and 173 Cherry Tree Road have moderate integrity, remaining legible of its original designs as Edwardian timber houses built on agricultural properties. The integrity of 191 Cherry Tree Road is compromised due the changes, but legible when viewed part of the group.

COMPARATIVE ANALYSIS

The planting of orchards in the municipality began in the 1860s with the selectors who applied for 20-acre occupation licences under the Amending Land Act 1869. By 1900 orchards covered much of the Shire of Nillumbik. Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Diamond Creek, Yarrambat and Research became key areas for a fruit-growing industry that was based at Diamond Creek. Orchard in Nillumbik peaked from the 1880s to the 1910s until World War I, when local orchards were exporting their produce to other states and overseas.

Although the industry declined from the 1930s, a few commercial orchards in more rural parts of the Shire remained productive into the 1990s and the present. Parts of Nillumbik played a major role in the wider orcharding regions situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington.

'Wendouree' and Canary Island Date Palms at 125 Cherry Tree Road, and the two Smith Orchard Houses at 173 and 191 Cherry Tree Road are demonstrative of a group of houses that exhibit characteristics of the smaller-scale houses associated with small orchards or farms. These houses were built on a large land parcels held by local families who look up lands to establish to grow fruits from the 1860s. Largely built from the late nineteenth century until World War I, these houses are mostly built of timber, smaller and more basic in size and design than the houses in the rural townships or suburbs in Melbourne. Like the Smith properties, many of these examples had direct access from the surrounding land, while some other examples had a clearer distinction between the workplace and home.

These houses demonstrate the type of houses built in the rural area prior to World War I, when land was increasingly being taken up for small-scale agricultural pursuits, such as the Smith family's orchards.

The following examples of pre-1920 houses established in local orchards are listed on the Nillumbik Heritage Overlay.



Weatherboard farm house and outbuildings, 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO89). (Source: VHD)

The property comprises a c1905 farmhouse and pre-1920 outbuildings. The farmhouse is of historical and associative significance for its association with the MacMillan family of orchardists over a long period of time and has strong links with Eltham's fruit-growing industry. The house is also historically and aesthetically significant as one of a small number of pre-1920s weatherboard dwellings in the rural areas of the shire, and as one of the most substantial examples (VHD). The house has a double-gable roof with return verandah, situated on a sloping land.



Weatherboard farm house, 710 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO88). (Source: VHD)

The house (built c1876-1880s with subsequent Federation period renovations and additions) is historically significant for its strong associations with orchardist, William Draper, a member of the noted fruit-growing firm started by the local pioneer and horticultural expert, Charles Draper, and its strong links with Eltham's fruit-growing industry, which reached its heyday in 1880-1910. The house is historically and architecturally significant because houses of this style are comparatively rare in the shire and because it has a number of unusual features, including a distinctive bay window (VHD). The house displays some changes from later periods, including the infill of the verandah (likely from the Federation period).



Nink farm and orchard complex, 265 Ninks Road, St Andrews (HO237). (Source: VHD)

The Nink farm and orchard complex comprises a group of pre-1940 buildings and exotic planting. The original front garden and driveway are also retained. This place is of historical and associative significance for the close link with the locally prominent Nink family. The main house and the associated buildings display various changes, reflecting the focus on practicality of the farm-associated buildings. The site is also important as an uncommon example late nineteenth century weatherboard farmhouse complex. Its collection of some major exotic plantings is reminiscent of its once quite substantial ornamental garden which is also rare in Nillumbik. The New Zealand cabbage tree palms are significant as the largest examples of their type in the shire (VHD).



Cracknell orchard house, 395-405 Kangaroo Ground-St Andrews Road, Panton Hill (HO221). (Source: VHD)

The c1889 Cracknell orchard house is significant for the long association with Sam Cracknell who had a Colony-wide prominence in the nineteenth century in equestrian business pursuits, and for the design of the house which is a rare and intact example in the shire of what is a standard design Victorian period timber house in some Melbourne suburbs. The site is also significant as a well-preserved house from an early orchard in the district. This house retains an ornamental front garden separated from the surrounding land (VHD). The house represents a slightly different type of living in farm, where the residence was carefully separated from the utilitarian nature farm workings.



Harless orchard house, 35 Ingrams Road, Research (HO218). (Source: VHD)

The Harless Orchard House, built in 1905, is described as 'as probably the best Edwardian era dwelling' in the former Shire of Eltham (VHD). Residential buildings from that era are not common, and many examples adopted the late nineteenth century standard house designs.

The orchard house is one of limited numbers of the surviving Federation period housing stock within the shire, and is a well-preserved example of an orchardist's house in an era of expansion for the industry (VHD).



English oaks (3) and farm house at the former Panton property, 270 Mt Pleasant Road, Eltham (HO235). (Source: Google 2020)

English oaks and farm house, at the former Panton property are significant for its retention of the oaks that are typical plantings for early farms in the area which now are uncommon at this maturity. The house is also historically significant as it recalls Edwardian-era cottage construction in the area, as weekenders and farm let houses, and for the property's historical association with the well-known Joseph Panton whose name has been memorialised in the Panton Hill locality (VHD).

Discussion

The subject buildings and the above examples also share associations with local families who look up lands in the local areas for orcharding. Like the subject properties, the above houses are mostly of small scale with basic designs that reflected the pragmatism of farming life.

The subject group of buildings is compares favourably to the above houses, in particular, 710 Hurstbridge-Arthurs Creek Road, Arthurs Creek, 265 Ninks Road, St Andrews and 270 Mt Pleasant Road, Eltham, which also evidence alterations to their original built form. These small-scale houses built on farmlands represent the shire's key historical development period - the hayday of fruit-growing industry between 1880 and 1910, and the continuation of the smaller-scale orcharding industry into the 1970s. Changes to these houses reflect the nature of the farm-associated buildings with their focus on practicality over aesthetic purity.

Although altered, 125 Cherry Tree Road is similar to 395-405 Kangaroo Ground-St Andrews Road, Panton Hill, as a house originally built to a standard design that was more common in suburban areas. 191 Cherry Tree Road would have been an example of typical Edwardian cottages of a more basic design, as seen at 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek, or 270 Mt Pleasant Road Eltham. 173 Cherry Tree Road is more directly comparable to 35 Ingrams Road, Research, for

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its high intactness to its original c1915 design. Residential buildings from the immediate prewar era are not common in the municipality, and most examples from that period often used the standard house designs from the earlier century.

Built for different members of the Smith family as the family expanded over time, 125, 173 and 191 Cherry Tree Road are a good example as a grouping of farming properties associated with one family. As a group they evidence how families frequently took out a number of occupation licences in close proximity under the names of various family members and continued to farm in association with each other into the twentieth century. As a cluster of buildings closely associated with local orchardists Smiths, the houses represent the orcharding that was major part of the shire's industry from the nineteenth to early twentieth century.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

'Wendouree' and Canary Island Date Palms at 125 Cherry Tree Road (built in 1910), and the Smith Orchard House at 173 (c1915) Cherry Tree Road, Hurstbridge, a group of houses associated with generations of the Smith family, is significant.

Elements that contribute to the significance of the place include:

- original single-storey forms and scale (125 and 173);
- original or early timber cladding and corrugated metal roofs (125 and 173);
- M-profile hipped roof and symmetrical double-fronted façade design (125);
- two mature Canary Island Date Palms (*Phoenix canariensis*) in the front garden of no 125;
- asymmetric form with a projecting gabled wing, high-pitch hipped roof with a transverse gable, front verandah inset under the main roof form (173);
- stylistic detailing including the face brick chimney, half-timbering treatment to the gable end, doorway with a sidelight and highlight, and turned timber verandah posts and timber brackets (173); and

Later changes (especially those applied after the Smith family's ownership), including 191 Cherry Tree Road are not significant.

HOW IS IT SIGNIFICANT?

Wendouree and Canary Island Date Palms at 125 Cherry Tree Road, and the Smith Orchard House at 173 Cherry Tree Road, Hurstbridge, is of local historical, representative and associative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The group of houses built for generations of the Smith family at 125 and 173 Cherry Tree Road, Hurstbridge, are historically significant for its demonstration of the shire's key historical development period. The cluster of properties evidence the heyday of the fruit-growing industry between 1880 and 1910, and the continuation of the smaller-scale orcharding industry into the 1970s. The houses are built of timber and are basic in form and design reflecting the rural origins of the area. The Smith properties had close association with surrounding land, where they operated commercial orchards and other agricultural businesses including poultry farm. The two mature Canary Island Date Palm trees in the front garden of no 125 are good specimens of a very fashionable tree during the first decades of the twentieth century. (Criterion A and D)

The group of houses at 125 and 173 Cherry Tree Road, Hurstbridge, is significant for their generational association with the Smith family. Edwin Smith and his wife Louise established orchard and farm from 1877 with 20-acre occupation licence issued under the *Amending Land Act 1869*. Edwin and Louisa raised their 11 children at the earlier family home 'Beaumont'. Some of their children continued working at the family orchards, settling in new homes built in the vicinity. 'Wendouree' at 125 Cherry Tree Road was built c1910 for George John Smith and his wife Barbara (née Bradley) shortly after their marriage. The c1915 house at 173 Cherry Tree Road was built for Bert Smith and his wife Mabel (née Suttie). The Smiths were among a number of local families who settled in the Hurstbridge/Panton Hill area, taking up a number of occupation licences in the 1860s in

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close proximity under the names of various family members. Members of the Smith family continued the agricultural operation for over 100 years into the 1970s. (Criterion A and H)

RECOMMENDATIONS

Recommended for inclusion in the Schedule to the Heritage Overlay of the Nillumbik Planning Scheme as a serial listing, to include HO182 Smith Orchard House at 125 Cherry Tree Road and the properties at 173 and 191 Cherry Tree Road, Hurstbridge.

Extent of overlay: To title boundaries

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

Nillumbik Planning Scheme

External paint controls	No
Internal alteration controls	No
Tree controls	Yes - Two Canary Island Date Palms (<i>Phoenix canariensis</i>) at number 125
Outbuildings or fences	No
To be included on the Victorian Heritage Register	No
Prohibited uses may be permitted	No
Aboriginal heritage place	No

Other

It is recommended that the early Smith family house at 190 Manuka Road, Hurstbridge, is investigated for potential inclusion in this serial listing.

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180 Cherry Tree Road, Hurstbridge

Timber cool store

Prepared by: Context	Survey date: December 2020
Place type: Orcharding	Architect: -
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: c1936



Figure 1. The cool store at 180 Cherry Tree Road, Hurstbridge, viewed from the northeast. (Source: Context 2020)



Figure 2. 180 Cherry Tree Road, Hurstbridge. Detail of the cool store showing the early timber section. (Source: Context 2020)

HISTORICAL CONTEXT

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

2 PEOPLEING NILLUMBIK'S PLACES AND LANDSCAPES

2.8 Twenty-acre occupation licences

One of the most conspicuous features of the cadastral map of the Nillumbik area is the concentrated clusters of hundreds of small lots of around eight hectares (20 acres), which are located almost exactly over the old auriferous (gold-bearing) lands of the area. There are around 800 of these small lots, amounting to around 6,500 hectares, or 15 per cent, of the land area of the current Nillumbik Shire. This settlement pattern originated in a system of temporary tenure on auriferous Crown land that was introduced in the land Acts from the 1860s and would prove a useful safety valve to the problems that arose from selection (Mills & Westbrooke 2016:34).

Victoria's land acts are best known for the introduction of selection but this was accompanied by an evolving system for licensed occupation of Crown land for residential and cultivation purposes. The Nicholson Act 1860 provided for licences to occupy Crown lands for purposes such as stores, inns, ferries and bridges. This provision stretched to include 'occupation licences' and hundreds were taken up by miners and tradesmen on goldfields and on other Crown land (Mills & Westbrooke 2016:34).

By June 1866 more than 5,000 settlers had occupied over 120,000 acres in the colony under this section [Section 42 of the Land Act 1865] (Nelson & Alves 2009, p. 253; Powell 1970, p. 126). Section 42 licensees were typically tenant farmers, married farm labourers, working miners, storekeepers, small traders and carriers (Mills & Westbrooke 2016:34).

The success of Section 42 was also the cause of some dissent, as many considered the application of this section of the Act to be a distortion of the original purpose, which was to assist needy miners. As a result, under the Amending Land Act 1869, Section 42 was replaced with the more stringent Section 49 under which licensees could apply to occupy and cultivate a maximum of 20 acres exclusively on auriferous land. They could only hold one licence and there was no provision for later sale. This was soon found to be too severe and, by 1873 under new land Regulations, licensees could apply to have the land sold at public auction. Under Section 4 of the Amending Land Act 1880 licensees were able to purchase the land directly and could then take out further licences (Mills & Westbrooke 2016:36-37).

As mining slowed around Queenstown and Panton Hill in the late 1860s, miners turned to the land as another source of sustenance. Alan Marshall illustrated this process when he wrote about selectors including Burrows, Purcell, Smith, Owens, Clarke, Ellis and Harvey occupying Cherry Tree Road, (on the way to Panton Hill from Hurstbridge). The majority took up licences under Section 49 then purchased the land after 1880 and, in many cases, acquired further licences. One of these was Lot 3, Section C, Greensborough, later the site of the Smith Orchard House

(HO182), first licensed to E Smith in 1877 and purchased by him in 1880 (Mills & Westbrooke 2016:36-37).

4 TRANSFORMING AND MANAGING THE LAND AND NATURAL RESOURCES

4.4 Agriculture, orchards and viticulture

The spread of orchards began with the selectors in the 1860s and by 1900 orchards covered much of the west of the shire, from Diamond Creek up to Strathewen in the north. Auriferous or quartz-laden soil was said to be suitable for fruit growing and the slopes of the Diamond Valley offered well-drained soil for the trees. Fruit growing is a labour-intensive activity, well suited to the small blocks of land selected in the Diamond Valley. The growing population of Melbourne in the second half of the nineteenth century provided a handy market for the fruit of the Diamond Valley (Mills & Westbrooke 2016:61).

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. While many smaller orchardists probably struggled to make profits in a labour-intensive industry, those who planted on a larger scale did very well (Mills & Westbrooke 2016:61).

The Arthurs Creek Fruitgrowers Association was formed in 1890. Members held regular shows at Diamond Creek and were active in the fight for railway connections between the fruit-growing districts and Melbourne. By the turn of the century, Arthurs Creek dominated the Melbourne fruit market. In 1912, following the passing of the Cool Store Trust Bill, for which the Arthurs Creek Association had actively lobbied, a cool store was constructed at Diamond Creek (on the site now occupied by squash courts). As well as the co-operative coolstore there were, by 1931, two privately owned cool stores at Diamond Creek operated by TJ Clark and Burke Brothers respectively. Even in the 1950s and 1960s Yarrambat orchardist Otto Rupp was placing his apples and pears in Mr Collins' cool store. 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.' Writing of the 1920s, Graham McInnes recalled that from Hurstbridge to Panton Hill the 'immediate countryside was undulating park-like bush with the trees widely spaced, or else rolled aside by the fastidious patterns of orchards. As we bowled merrily on the downhill stretches the neatly planted rows of peaches, apples, nectarines and pears went by like wheel spokes and made a neat line from every angle' (Mills & Westbrooke 2016:61).

The Shire of Nillumbik orchards probably peaked around the turn of the century, when local fruit was being exported to other states and overseas. By the First World War however, many local orchardists were experiencing difficulties. The Australasian reported in 1910 that 'growers have been loath to part with their old trees and their hesitation has resulted in one of the most important fruit-growing districts being left in the background.' Smaller orchardists struggled at the best of times to make a living from their trees, turning to raising chickens, selling firewood like Otto Rupp, even working for other landowners or in goldmines as well as tending their fruit trees. Even large growers like Draper disadvantaged themselves

by offering too wide a variety of fruits at a time when dealers began to demand fewer varieties, but steady supplies, especially for overseas markets (Mills & Westbrooke 2016:62).

The Federation of Australia had removed tariffs between colonies so Tasmanian apples now competed with local produce, while the spread of railways throughout Victoria made fruit from the Goulburn Valley an equal competitor for the Melbourne market. There are still fruit growers in the shire today, but as a major local industry, orchards were finally defeated by the drop in exports to the United Kingdom during the Second World War. Disease wiped out some fruit trees and, as the city crept nearer, land became more valuable as building blocks rather than for farming or orcharding (Mills & Westbrooke 2016:62).

LOCALITY HISTORY

Hurstbridge, established near the junction of Arthurs Creek and Diamond Creek, is located on the country of the Wurundjeri-willam clan of the Woi wurrung people.

The Hurstbridge area, named after Henry Hurst and a ford he built over Diamond Creek in 1860, was originally known as Upper Diamond Creek, or Allwood, after Cornelius Haley's cattle run of the same name. 'Allwood' was taken up in 1841 and occupied by Robert Hurst, father of Henry, and his family from 1868 (Hurstbridge and District Local History Group). In 1894, Henry Hurst's daughter, Frances, and her husband, William (Bill) Gray, rebuilt the Allwood residence, incorporating a transported building, and named it 'Allwood House'. They developed the extensive Allwood Nurseries on the property, from which they exported fruit trees ('Hurstbridge Heritage Trail' n.d.).

A number of land Acts were introduced after the 1850s gold rushes in Victoria, to establish an agricultural industry. Land was made available in the Hurstbridge area under the 1869 land Act. Some of the land taken up under this Act was held freehold by the 1870s; other allotments were leased until the introduction of the 1901 land Act, and not held freehold until the first decades of the twentieth century (*Greensborough Parish Plan* 1961). Orchards and nurseries were subsequently established, with apples, in particular, grown in large quantities.

Hurstbridge was a part of a substantial area given over to the growing of apples, pears and stone fruit, the main agricultural industry in the Diamond Valley region (the area covered by much of the present Nillumbik Shire), from the 1880s to the 1930s. With its soil and climate suited to the growing of fruit, Diamond Valley formed a significant part of the wider fruit-growing region situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington. Orchards and nurseries were established on the hills and in the gullies of the catchments of Diamond Creek and Arthurs Creek, stretching from the township of Diamond Creek, through Hurstbridge, Cottles Bridge, Arthurs Creek and Panton Hill, to the foot of the Kinglake Ranges at Strathewen and Queenstown (now St Andrews) (National Trust Report, 'Shaws Cool Store, Cottlesbridge', B6979, cited in Butler 2006:140).

Up until 1900, when private subdivision commenced, Hurstbridge's businesses comprised only tearooms, a wine and billiard saloon, a butcher shop, a bakery and a blacksmith (Butler 1996:43). A public hall opened in 1892 (Eltham District Historical Society 2000).

When the Melbourne-Eltham railway line was extended to Hurstbridge in 1912, the railway station at today's Hurstbridge was named Allwood and a settlement subsequently developed (Hurstbridge Historical Trail; *Victorian Places* 2015). The Allwood Post Office and store opened in 1911 opposite the railway station (Eltham District Historical Society 2000). Fruit-drying works and a cool store for fruit

were constructed behind the station in 1912. The railway station became a central point for the transport of fruit and timber from surrounding areas (Eltham District Historical Society 2000).

Subdivision of residential estates followed. In 1913, a sale advertisement noted that 219 acres in the 'Home of the Wattle' at Hurstbridge had been subdivided into allotments 'admirably adapted for week-end homes, small farms, orchard blocks' (*Argus* 10 December 1913:5).

Most of the town's growth between 1912 and the mid-1920s took place along Main Road. Offices to house the *Evelyn Observer* newspaper opened in 1918 (the building now houses the Hurstbridge Post Office) (*Victorian Places* 2015; 'Hurstbridge Heritage Trail' n.d.). Hurstbridge State School No. 3939 opened in the Church of England Sunday school hall in 1916, with a dedicated school building opened in 1922 (the building was destroyed by fire in 2005) (Blake 1973:445). A memorial sports oval was opened at Hurstbridge in 1921 (Eltham District Historical Society 2000). A single lane bridge, designed by John Monash, opened in 1918 to replace the ford built by Henry Hurst.

Special trains ran to Hurstbridge so that Melbourne visitors could gather wattle. So great were their numbers and the destruction they wrought that a charity, the Wattle Day Red Cross afternoon tea, was established in the Hurstbridge to bring some control to the crowds (Butler 1996:48).

Further subdivision occurred in Hurstbridge in the interwar period. In 1920, for example, landowners Frances and Bill Gray subdivided 34 lots on the west side of Main Road in the northern part of what is now Hurstbridge; by 1925 a few lots had also been subdivided on the west side of Main Road. The Hurstbridge Railway Estate also opened in 1924 (Mills and Westbrooke 2017:72). Some soldier settlement also occurred on rural blocks in the area in the 1920s.

The township was renamed Hurstbridge in 1924 after Henry Hurst, although the derivations 'Hurst's Bridge' and 'Hurst Bridge' were in use until the 1950s. The section of railway line between Eltham and Hurstbridge was electrified in 1926, three years after the electrification of the line between Melbourne and Eltham.

Due to the increased competition in fruit-growing from irrigated districts after World War I and the impact of the economic depression of the 1930s, many of the area's orchardists turned to other pursuits such as raising poultry, selling firewood, or supplementing their incomes by working for other landowners or in the few goldmines still in operation in the Diamond Creek, Greensborough and Smiths Gully areas (Nillumbik Shire 2020; 'Victorian Gold Project' 1999:14).

By 1940, a recreation reserve, a croquet green and tennis courts had been established (*Victorian Places* 2015). The majority of the Hurstbridge township area was not subdivided into residential blocks until after World War II. With this subdivision and the availability of rail services to Melbourne, Hurstbridge's population nearly doubled between 1933 and 1954, increasing from 433 to 824. Electricity was supplied to the town in 1957, and in 1967 a high school was opened (*Victorian Places* 2015; 'Hurstbridge Heritage Trail').

Hurstbridge has been a tourist destination since the opening of the railway line in 1912, with visitor numbers rising with increased car ownership from the 1920s and particularly after World War II.

Like Eltham, Hurstbridge attracted artists, with Albert Tucker moving to a five-acre property with his wife, Barbara Bilcock, at Hurstbridge in the 1960s (Hurstbridge and District Local History Group).

The population had grown to 2350 residents in 1981. By the 1980s, Hurstbridge featured clubs, four churches and an active shopping centre (*Victorian Places* 2015).

PLACE HISTORY

The timber cool store at 180 Cherry Tree Road, Hurstbridge, is located on parts of three Crown Allotments, all taken up under the 1869 *Land Act*: Crown Allotment 2, Section E; Crown Allotment 3, Section E; and Crown Allotment 10, Section E, Parish of Greensborough (*Greensborough Parish Plan* 1961). All allotments, as well as neighbouring Crown Allotment 11 of 20 acres, were owned by the Moore family from the early 1890s to 1940. The Moore family established an orchard on the approximately 60 acres of land, where they built the subject timber cool store. A residence is also located on Crown Allotment 3.

In 1891, Sarah Moore, farmer, took over the original Crown grantees the Crown Allotment 2 (20 acres), Crown Allotment 3 (20 acres) and Crown Allotment 10 (5 acres). After Sarah Moore died in 1893, her son John (Jack) Andrew Moore, fruit grower of Panton Hill, took over ownership of Crown Allotment 2 in 1898. In the same year, another son Joseph Everard Moore, fruit grower of Panton Hill, became the owner of Crown Allotments 3 and 10. Following the death of the Moore brothers in 1915, John's widow Elizabeth Moore of Cherry Tree Road became the owner (CT:V1936 F122; CT:V3932 F242). Three acres of Crown Allotment 2 were transferred to Leigh, Catherine and John Ellis-Henderson in 1936. In 1940, all remaining land on Crown Allotments 2, 3 and 10 was acquired by orchardist Thomas Clarke (CT:V1936 F122; CT:V3932 F242).

Orcharding continued on the subject property and surrounding land under the ownership of local orchardists. In 1940, Thomas Clarke, orchardist of Wattle Glen, owned all three aforementioned allotments as well as neighbouring Crown Allotment 11, a total of approximately 55 acres (CT:V8600 F157). In 1951, the land was sold to Frederick William Buck, orchardist of Hurstbridge, who subdivided it into three lots in 1966. The subject site is located on Lot 3, approximately 36 acres, of Buck's subdivision (CT:V6360 F948). Orchardists Raymond and Kenneth Bloom became the owners of the property in 1972 (CT:V8694 F662). Bloom ran the orchard until the late 1990s, and in 2001 it was leased to George Apted, whose family owned a large fruit growing property, 'Glen Ard', at Strathewen (Ken Bloom cited in Butler 2006:144; Lawson 2021). The Apteds continue to operate orchards in the area and a fruit retail business at Arthurs Creek.

From aerial photographic evidence, the northern section of the cool store was in existence prior to 1951. An extension was constructed to the existing cool store building by 1987 (Figure 3 and Figure 4).

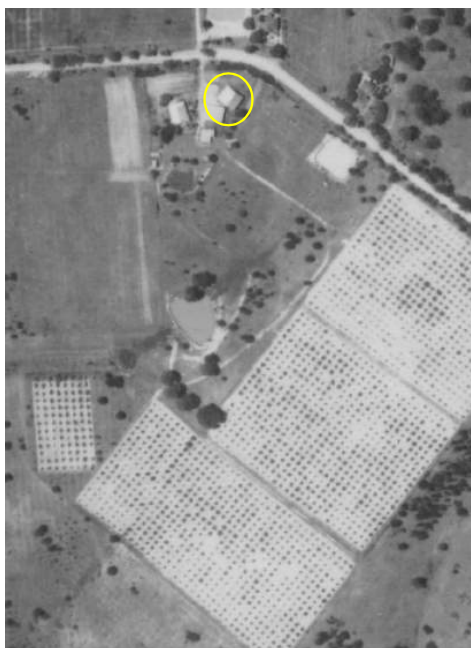


Figure 3. Extract of a 1951 aerial photograph showing the early part of the subject cool store (outlined in yellow) at 180 Cherry Tree Road. A cool chamber is also shown at the rear of the cool store. The rows of planting to the south of the subject building evidence the agricultural activities on the property. (Source: CPO, 'MELBOURNE AND METROPOLITAN PROJECT' 1951, via Landata)

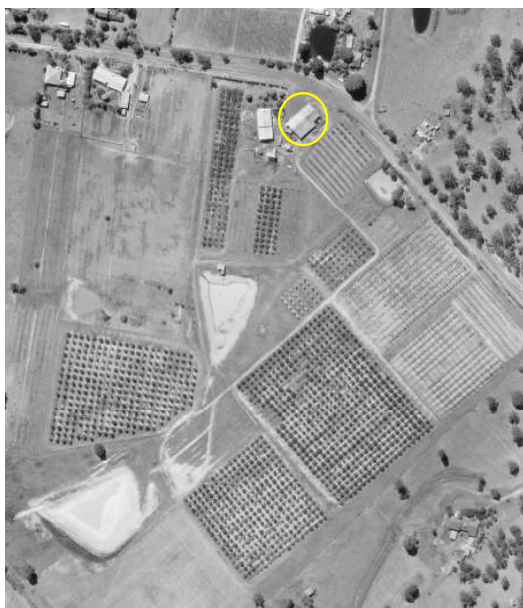


Figure 4. Extract of a 1987 aerial photograph showing the early part of the subject cool store (outlined in yellow) at 180 Cherry Tree Road with an extension. The rows of planting to the south of the subject building evidence the continued agricultural activities on the property. (Source: CPO, 'WESTERN PORT FORESHORES' 1987, via Landata)

A typical interwar period timber cool store, the extant cool store at 180 Cherry Tree Road is believed to have been erected in c1936 to replace the original 1914 store erected for Jack Moore. The cool store was surveyed as part of a heritage study in 2006 (Butler 2006:144). Although much enlarged and altered, in 2006 the building still displayed some of the traditional characteristics of the cool stores of the district. The northern end of the building comprised an original timber section, with the packing shed facing North West and the remains of the refrigeration plant located on the eastern side. The old cool chamber had been removed. The building has a large, corrugated iron-clad addition (pre-1987), with a modern cooling chamber, which was installed by Ken Bloom during his occupation of the property between 1972 and the 1990s. This addition was built in response to changing needs associated with the continued use of the building for its original purpose.

According to the National Trust (Vic), the building is one of about seven cool stores in the Shire of Nillumbik surviving from the 1920s-30s. The two public cool stores built in the Diamond Valley region no longer exist (Ken Bloom and National Trust of Australia (Victoria) File Number B6979, cited in Butler 2006: 139, 142, 144).

DESCRIPTION

180 Cherry Tree Road, Hurstbridge, comprises about 36 acres on the south side of Cherry Tree Road, across the Manuka Road intersection. The property retains its agricultural use, with orchards covering most of the land. The property includes two dams; one centrally located and the other in the southern part of property. The c1936 timber cool store at 180 Cherry Tree Road, Hurstbridge, is located near the northern property boundary, east of the driveway off Cherry Tree Road. There is a house with a postwar rear extension (pre-1987) to the west of the cool store.

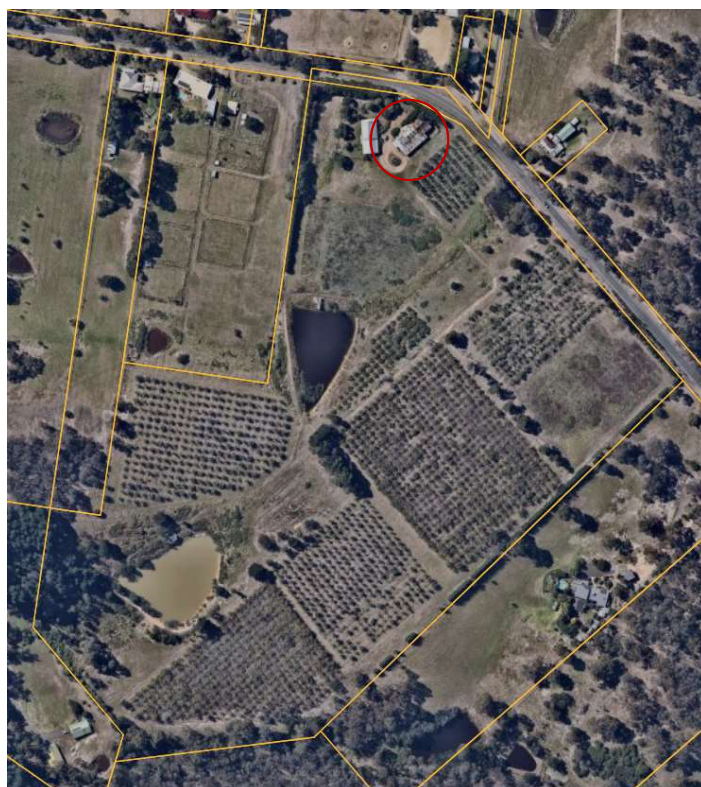


Figure 5. Aerial view of 180 Cherry Tree Road, showing the c1936 cool shed outlined in red.

The c1936 weatherboard-clad cool store displays some of the traditional characteristics of the cool stores of the district, including a symmetrical single-storey form with a corrugated metal-clad broken gable roof. There is a postwar shed (pre-1987) addition to the south elevation of the cool store. This addition houses a modern cooling chamber and has a corrugated metal roofing and cladding. In 2006, the c1936 cool store housed the packing shed facing northwest with the refrigeration plant located on the eastern side (Butler 2006:144)

The original portion of the timber cool store retains several early openings, including a timber door on the east elevation (Figure 2). Views of the north and west elevations from the public domain are obscured by new trees (planted after 1992) which are located to the north and west. In 1992, there were two window openings created in the north elevation along with a door and a window opening in the original portion of the west elevation (Figure 6).



Figure 6. Cool shed at 180 Cherry Tree Road in 1992, viewed from the northwest (upper) and the northeast (lower). (Source: VHD)

The extant house on the site has a roof form that indicates construction in the early decades of the twentieth century. The design or integrity of this house was not able to be confirmed at this stage, as the

building is not visible from public domain. Information from other sources that would provide evidence of its design or condition of this house was not able to be obtained.

INTEGRITY

The c1936 timber cool store at 180 Cherry Tree Road, Hurstbridge, retains most of its external built fabric characteristic of typical 1920s-30s cool stores built in the district. The building retains its original single storey form with broken gable roof; corrugated iron roof cladding and weatherboard wall cladding; and an early timber door on the east elevation. Despite the postwar (pre-1987) extension to the south elevation, the basic built form and simple construction method of the earlier northern section have been retained. External elements that are characteristic of interwar cool stores built on agricultural properties in the district have also been retained. Overall, the c1936 cool store remains clearly legible and has high integrity.

COMPARATIVE ANALYSIS

The planting of orchards in the municipality began in the 1860s with the selectors who applied for 20-acre occupation licences under the *Amending Land Act 1869*. By 1900 orchards covered much of the Shire of Nillumbik. Diamond Creek was the base for the Nillumbik Shire fruit-growing industry and Arthurs Creek, Doreen, Hurstbridge, Strathewen, Plenty, Yarrambat and Research became key fruit-growing areas. Orchardering in Nillumbik peaked from the 1880s to the 1910s until World War I, when local orchards were exporting their produce to other states and overseas.

Although the industry declined from the 1930s, a few commercial orchards in more rural parts of the Shire remained productive into the 1990s and the present. Parts of Nillumbik played a major role in the wider orcharding regions situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington.

Built c1936, the timber cool store at 180 Cherry Tree Road is tangible evidence of the interwar fruit-growing industry that was led by a smaller number of commercial orchards in the municipality that survived the downturn from the World War I. In the absence of refrigeration, cool stores were a means by which fruit could be kept from deteriorating. The first government cool store was established nearby to coincide with the opening of the railway line in 1912. The two government cool stores built in the Diamond Valley region no longer exist.

Typically, cool stores of this time featured insulation and a refrigeration plant for air circulation. The produce was stored and packed for the local and export market at the cool store (sometimes packed at a nearby packing shed).

In Nillumbik, three cool stores are listed on the Heritage Overlay currently.



Shaw's Cool Store, 345 Hilderbrand Road, Cottles Bridge (HO212). (Source: HERMES no 66286)

The cool store at 345 Hilderbrand Road, Cottles Bridge was built in the c1930s for the orcharding property of William and Edward Shaw (HERMES no 66286).

Shaw's cool store is significant architecturally and historically, as a small private cool store typical of those built in the orchard districts near Melbourne in the interwar period. The cool store is a remnant of the important fruit-growing industry which flourished in the districts near Melbourne, including the Diamond Valley. Cottles Bridge has retained its rural character to date. The site is also historically significant as part of a Closer Settlement holding.

The cool store displays the typical design of the combined cool stores and packing sheds of the region. The building shows the techniques for insulation and air circulation used in a typical cool store of the era, however the cool store now lacks the essential refrigeration plant, except for remnants of the refrigeration pipes.

The cool store's significance is enhanced by the associated house, remnant fruit trees from the orchard and the property's rural setting (HERMES no 66286).

Cowin's Orchard Cool Store, 93-113 Murray Road, Diamond Creek (HO140).
[No image available]

Cowin's orchard cool store built in c1920s is historically, technically and aesthetically significant. The orchard cool store is historically significant as an example of cool store associated with the key phase of fruit-growing in the region. The cool store is a reminder of this important industry and an example of a technical innovation that enabled local farmers to adapt to conditions in the region. The cool store has been dug into the hillside and clad with log walls and a thatched roof. The cool store is also important for its unusual construction technique (HERMES no 73564).



Cave Cool Store, Glen Halcyon, 145 Ninks Road, St Andrews North (HO143). (Source: HERMES no 104391)

The early 1920s cave cool store is historically and technically significant. The cool store was a 'man-made' cave store and illustrates the ingenuity of the farmers/orchardists in the area who used it to preserve their produce. The cool store is unique in the former Shire of Eltham and serves as a reminder of the important role that agriculture played in the economic development of the area (HERMES no 104391).

Discussion

The subject cool store at 180 Cherry Tree Road, Hurstbridge, is one of a few (about seven cool stores remaining in 2006) in the Shire of Nillumbik surviving from the 1920s and 30s. The subject store and the HO-listed examples were developed as private cool stores that served local orchardists. The surviving examples feature different designs. As a detached building that formerly incorporated packing facilities and refrigerating plant, the cool store at 345 Hilderbrand Road, Cottles Bridge is most closely comparable to the subject building. Utilising the natural landscape, 93-113 Murray Road, Diamond Creek and 145 Ninks Road, St Andrews North represent slightly different ways of preserving the produce.

As part of the remnant group of now rare cool stores in the Shire, the c1936 cool store at 180 Cherry Tree Road provides important evidence of the local fruit-growing industry which flourished in the Shire from the 1880s to the 1910s.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The timber cool store at 180 Cherry Tree Road, Hurstbridge, built c1936, is significant.

Elements that contribute to the significance of the place include:

- original single-storey form and scale;
- original broken gable roof with corrugated metal cladding; and
- original weatherboard-clad walls and early windows and doors, including the timber door on the east elevation visible from the street.

HOW IS IT SIGNIFICANT?

The timber cool store at 180 Cherry Tree Road, Hurstbridge, is of local historical, rarity and representative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The timber cool store at 180 Cherry Tree Road, Hurstbridge, is historically significant as one of only a few such buildings that survive in the Shire of Nillumbik from the 1920s and 30s. Built c1936 as a private cool store for orchardist Thomas Clarke, the cool store continues to be used for its original purpose in association with the continuing agricultural activities on the property. It provides important evidence of the long-standing day-to-day operations of the local orchards from the interwar period. As one of only a few surviving interwar cool stores in the Shire, the timber cool store is important as an increasingly rare structure that was once common in the Shire of Nillumbik, where the orcharding was one of its major industries. The subject cool store is important as an example of a private cool store built for the property owner. (Criteria A and B)

The cool store is also significant as an example of a once common building type in the Shire during the interwar period. The weatherboard-clad cool store incorporated packing facilities and refrigeration plant for long-term preservation of the fruits, which was essential for local orchards. Its basic timber construction and simple form including the broken gable roof is also representative of the industrial timber buildings erected for agricultural use in rural properties. (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: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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160 Henley Road, Kangaroo Ground

Stevens House

Prepared by: Context	Survey date: February 2021
Place type: Residential	Designer: Alistair Knox
Significance level: Significant	Builder: Alistair Knox
Extent of overlay: To title boundaries	Major construction: c1973



Figure 1. Stevens House at 160 Henley Road, Kangaroo Ground. (Source: Context 2020)



Figure 2. Stevens House at 160 Henley Road, Kangaroo Ground, view from the site. (Source: realestate.com.au 2013)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.6 1960s and 1970s suburbanisation

From the mid-1960s the main suburban expansion in the former Eltham Shire area was east from Eltham, aided by the construction of the new Fitzsimons Lane (Eltham-Templestowe) bridge in 1963. This expansion was limited by topography and by methods of corridor planning including the green wedge and rural zoning. As a result, the eastwards trend would not extend past Research. The occupants of this new residential area were typically high-income families commuting to work in the city. When author and diplomat Graham McInnes returned to Melbourne in 1969 after leaving in the 1930s, he said that one of the most noticeable differences was that 'Eltham was the country, now it is right in Melbourne' (Mills & Westbrooke 2016:87).

Residents who had established themselves in the early postwar period questioned the bona fides of this new wave of aspiring bushland home owners. [Alistair] Knox described how 'the rich and affluent eastern suburbanites started casting sheep's eyes at this unkempt bushscape: 'Eltham was once again under threat from the land profiteer, who would butcher the living qualities of its inhabitants to make their Roman holiday.'. On the other hand, the middle-class professionals of this new influx were environmentally conscious, politically well informed and numerous enough to exert a profound effect on the conservation of the surrounding landscape (Mills & Westbrooke 2016:87-88).

By the 1970s, the aesthetics of the bush that had been developing throughout Australia were influencing the more sought after city fringe suburban developments. These suburban developments adopted some of the trappings of environmental building that had been developed, in part, by the Eltham mudbrick pioneers. The environmental thinking had been translated into a set of standard approaches, including preservation of existing trees, adaptation to contours, underground services and establishment of a network of linked bush parks. Road planning strategies such as cul-de-sacs enabled isolation from busy through streets. Roads were softened with low-profile gutters and the transition from road to driveway was softened with the use of paving materials in the road surface. Even so, these developments substantially remade the landscape (Mills & Westbrooke 2016:88).

LOCALITY HISTORY

The area of Kangaroo Ground, located on the country of the Wurundjeri-willam clan of the Woi wurrung people, was part of the squatting run, 'Yering', taken up in 1838 by the Ryrie brothers (Eltham District Historical Society 2000:np). The area featured hilly but relatively open country with good soil.

An area of 805 acres, spanning an area from Kangaroo Ground to the Yarra River, was put aside in 1841 for an Aboriginal reserve (Eltham District Historical Society 2000:np).

In 1848 families from Scotland purchased allotments, measuring 150-160 acres, in the district (Howe 1848). Eight or so wheat farms were subsequently established around the main road from Greensborough to the Yarra Flats, beside Salvation Hill and Garden Hill. Some of the early farms still survive today (Butler 1996:31; *Victorian Places* 2015; Nillumbik Parish Plan 1947). Between 1854 and the mid-1860s Kangaroo Ground farmers provided produce, including cereals and pasture, to goldmining residents in the Diamond Creek and Warrandyte areas (*Victorian Places* 2015).

Minor gold discoveries occurred in the area of Kangaroo Ground in the early 1850s. A small settlement was subsequently established near the intersection of today's Graham Road and Eltham-Yarra Glen Road and provided for gold seekers on the Woods Point diggings passing through on their way to and from Melbourne (Butler 1996:32).

The local community established its first school, the Kangaroo Ground Presbyterian School, in 1851, and a post office opened in 1854. An unofficial cemetery was established in 1851 and gazetted in 1858 (Eltham District Historical Society 2000:np).

Lay preacher Andrew Ross, also the first teacher at the school, built the Kangaroo Ground Hotel in 1863. After the Eltham Roads Board was created in 1856, it met for a short time at Watsons Creek, before the establishment of the Kangaroo Ground Hotel. The Shire of Eltham council held its meetings at the hotel until 1916, when it took over the premises vacated by the Evelyn Observer newspaper, which had moved to Hurstbridge (Butler 1996:31).

Andrew Ross transported two buildings to Kangaroo Ground; these were intended as boarding houses for students at the industrial school he established in 1854, a short-lived venture. The buildings served instead as a store and post office (Butler 1996:31).

Additional farms were established under the 1869 land Act, one of several land Acts introduced in Victoria from 1860 to encourage the establishment of agriculture. Subsequent land Acts introduced in 1894, 1890 and 1901 saw further growth in the take-up of small farms in the district (Nillumbik Parish Plan 1947).

By the 1870s, the cropping of oats and wheat on surveyed allotments of 80160 acres was not viable because of the inadequate size of the land. Instead, the district's farmers used the land to grow hay and graze stock (*Leader* 20 June 1874:7). Some vineyards were also established.

Kangaroo Ground experienced a period of growth in the 1870s and 1880s. Another hotel was established by Edward and Mary Weller in 1872 (Butler 1996:31). The Kangaroo Ground State School No. 2105 opened in 1874 and Andrew Burns opened a store in 1875 (Eltham District Historical Society 2000:np). The Evelyn Observer newspaper, the first local newspaper in the Diamond Valley, was first published in 1873 in the Kangaroo Ground school. It was moved to new offices, beside the hotel, in 1878 (it now serves as the Andrew Ross School House Museum) (Butler 1996:32). A new brick school for Kangaroo Ground State School No. 2105 was built in 1878 and the Kangaroo Ground Presbyterian Church (HO96), designed by architect CW Maplestone, was consecrated in the same year (Eltham District Historical Society 2000:np). A public hall was constructed in 1885 (demolished 1969) and Eltham Shire Council meetings were conducted from the building from the same year. A general store opened in 1888 (Eltham District Historical Society 2000:np).

After severe bushfires in 1890, the Kangaroo Ground Fire Brigade was formed in 1892 and was reformed in 1913 and 1938 (Eltham District Historical Society 2000:np).

After the railway reached Eltham in 1902, Kangaroo Ground experienced a decline. In 1903, the *Australian Handbook* described Kangaroo Ground as a township with a post office, two hotels

(Kangaroo Ground and Weller's), State School No. 2105, and a Presbyterian church. Industries in the area included mining and grazing, but chiefly comprised agriculture and horticulture (mainly fruit-growing and market gardens). Four hundred people, mostly farmers and their families, lived in the district (cited in *Victorian Places* 2015). By this time, hay and other fodder production were the mainstays of agricultural production in the area (*Victorian Places* 2015).

In 1919 a war memorial park was established, and in 1926 a memorial, modelled on a Scottish watchtower, was erected on Garden Hill to commemorate those in Eltham Shire who had served in World War I (*Victorian Places* 2015; Eltham District Historical Society 2000:np). Some limited soldier settlement occurred in the area in the 1920s.

Fruit-growing in the district declined with the economic depression of the 1930s and dairying became viable because of the availability of milk transport on the Hurstbridge railway line. However, milk contracts favoured bigger holdings in the postwar period, and farms were subsequently amalgamated (*Victorian Places* 2015).

The Eltham Shire offices, housed in the former *Evelyn Observer* newspaper offices in Kangaroo Ground from 1916 to 1934, moved to Eltham in 1937 (*Butler* 1996:32). In 1958, Kangaroo Ground was connected to electricity (*Victorian Places* 2015). Subdivision in the area in the late 1960s resulted in a population increase.

Ten homes in Kangaroo Ground were destroyed by bushfires in 1969 (Eltham District Historical Society 2000:np). After 1971, further subdivision of existing farmland at Kangaroo Ground was halted because the Melbourne Master Plan put a minimum threshold on farm sizes (*Victorian Places* 2015).

PLACE HISTORY

The Stevens House at 160 Henley Road, Kangaroo Ground, is located on Crown Allotment 4, Section 4, Parish of Nillumbik, 148 acres taken up by Henry Scarce junior under the 1869 Land Act and owned by him in 1887. By 1895, members of the Scarce family owned a number of adjoining allotments (*Nillumbik Parish Plan* 1951).

By 1920, Crown Allotment 4 was owned by RC Bouchier, and formed part of his farm, 'Bikkora' (*Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate* 10 September 1920:3).

The allotment was subdivided c1952, with Alan Douglas becoming the owner of Lot 18 (today's 160 Henley Road), approximately 24 acres, in 1952 (CT:V8042 F569).

The subject property was sold several times before Roger and Joan Stevens purchased the property in 1973 (CT:V8042 F569).

The subject house was designed and built for the Stevens c1973 by designer and builder Alistair Knox, with Gordon Doering as the engineer (Knox c1973, YLTAD28-371, SLV). The design of the house was consistent with the principles of Knox's signature 'Eltham style' of architecture and landscape design that he had developed since 1946.

The house featured large windows to living spaces to give access to natural light and create a strong visual connection with the surrounding landscape. It used natural materials and finishes, including mudbrick walls, verandahs constructed of large timber beams and slate flooring to the interior. An elongated gable roof with deep eaves grounded the building within its natural bush block. Bush garden landscaping featured boulders and native plantings.

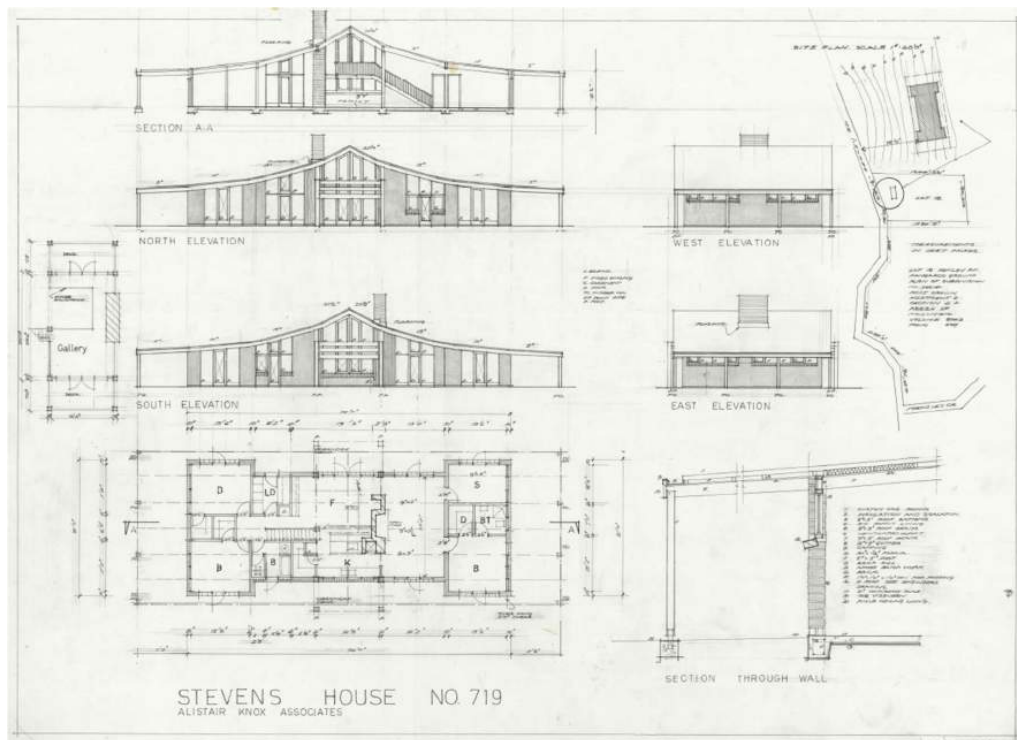


Figure 3. Plans by Alistair Knox for the subject house for the Stevens family, c1973. (Source: Alistair Knox c1973, YLTAD28-371, SLV)

A portion of the land was compulsorily acquired by the Melbourne Metropolitan Board of Works in 1979 to form part of the Yarra Valley Parklands (CT:V8042 F569).

The Stevens family owned the property until 2000 (CT:V8042 F569).

Historical aerial imagery from 1987 shows a small outbuilding with a similar elongated gabled roof to the rear of the house. Building permit plans from 2018 indicate that this is a studio. It is likely that this is an early addition, if not contemporary with the construction of the house. In late 2018 a flat-roofed carport was added to the studio at the rear (south) and the east (BP). In 2013 it was reported that renovations to the house had been carried out by architect Hamish Knox, Alistair's son (Fletcher 2013). The extent of these renovations is not known.

A large, raised deck was erected to the rear of the house sometime after 1987.



Figure 4. View of the rear (south) elevation of the property at 160 Henley Road, undated. (Source: Tony Knox nd)

Alistair Knox, designer and builder

Alistair Knox (1912-1986) was a designer and builder, active in the Nillumbik area between 1946 and his death in 1986. Knox was responsible for over 1266 building designs, including 1000 homes, of which he built approximately 350. Throughout his four-decade long career, Knox was a leading figure in the development of the recognisably regional 'Eltham style of architecture, and its associated landscapes. Through the sheer number of places designed by Knox in Nillumbik, he remains one of the most influential figures in the Shire's history (Alistair Knox Foundation; Peterson and Kusyk 2014:5-6).

Knox had an interest in design and construction, commencing a Diploma of Architecture and Building Construction at the Melbourne Technical College. Knox left the course after two years (Peterson and Kusyk 2014:9). Following a visit to the Montsalvat artist's colony in 1947, Knox was evidently impressed with the area and the artistic lifestyle that it was becoming known for. This love of the area was solidified in 1949, when he moved his young family to Eltham. The move coincided with Knox leaving his job as a bank clerk and establishing the Knox Building Service in Eltham (Age 19 July 1954:10; Peterson and Kusyk 2014:10). Knox was highly involved with the semi-rural, alternative lifestyle that Eltham and its surrounds had to offer (Alistair Knox Foundation).

The local environment was a constant inspiration to Knox through his career. Many of the homes he designed complemented their Australian bush settings, and his work pioneered forms including flat rooflines, clerestory windows and expanses of glazing that provided a connection between interiors and their settings (NMA 2021). Knox's work was characterised by its use of second hand bricks, large eaves, natural materials, timber walls and large beams. Perhaps most importantly, Knox was

associated with the use of mudbrick walls (NMA 2021). Knox paid special attention to the placement of buildings in relation to their landscapes and the use of Australian plants.

Knox's work can be broadly broken into two phases: work completed before 1955, and work completed after 1955. The earlier phase focused on simple building forms, following the style of prominent architects such as Frank Lloyd Wright (Woodhouse 2007). His work was also greatly influenced by the economic austerity brought about by World War II, which encouraged him to use inexpensive and unconventional materials. The later period was defined by Knox's sophisticated, highly individual designs, often with reclaimed materials. These houses consciously explored uncommon forms and were almost exclusively built in mudbrick (Alistair Knox Foundation).

As Knox was not an architect, his work was often informed by his knowledge that arose from his experience as a builder. Many of his designs were economical and only required limited skills. A preference for reclaimed materials assisted the inexpensive draw of his designs (Alistair Knox Foundation). Although many houses were individually designed, Knox also produced 'spec' houses for general sale (Age 19 July 1980:101).

Towards the end of his career, Knox worked extensively with other designers. Some of these included John Pizzey, Peter Jarvis, Barbara Telford, Robert Marshall and Bohdan Kyzuk (Alistair Knox Foundation). Outside of his profession, Knox served as an Eltham Shire councillor in the period 1972-75, and as its president in 1975. Passionate about community activism and the environment, Knox consulted with groups across Melbourne to fight inappropriate development and loss of public space (Peterson and Kusyk 2014:14-15). Additionally, Knox wrote and spoke extensively on matters about building and landscaping. Knox was a founding member of the Australian Institute of Landscape Architects, lectured on environmental design and building, and received an honorary doctorate in architecture from the University of Melbourne shortly before his death (Woodhouse 2007).

DESCRIPTION

The Stevens House at 160 Henley Road, Kangaroo Ground, is a mudbrick house built in c1973 to designs by Alistair Knox. The house is positioned at the northern end of a substantial allotment, where the land is fairly flat. The land falls to the south across the remainder of the block and is heavily treed.

Designed in Knox's signature 'Eltham style', the house is symmetrical in plan with a dominant elongated gable roof form with deep eaves and wide barge boards. At the centre of the house the roof is steeply pitched, this allows for double-height living spaces with a mezzanine gallery area, and first-floor level balconies to the front and rear of the dwelling. The roof tapers off to envelop bedroom and bathroom spaces to either side of the central living areas. These project slightly to both the north and south. Carports at each end of the house are incorporated under the sweep of the roof. A simple red brick chimney rises from the eastern slope of the roof, near the central ridgeline.

Both the principal (north) and rear (south) elevations are dominated by panels of full-height glazing, broken up with sections of bagged mudbrick wall.

At the rear of the house is a large, raised timber deck. To the southeast of the deck is a studio which appears to be mudbrick construction. Its shares a similar form to the house, indicating that it may have been constructed at the same time.

Bush garden landscaping is located at the front of the house, around the studio and immediately surrounding of house. This landscaping reflects the natural Australian landscape and includes use of volcanic boulders, stone garden edging and low-profile native plantings and groundcover. Large timber boards set centrally into the front garden act as steps leading to the entry of the house.

INTEGRITY

The Stevens House is largely intact with very few changes visible to original fabric. The building retains its symmetrical built form and distinct elongated gable roof form with deep eaves and wide barge boards. Intact detailing characteristic of the 'Eltham style' includes the mudbrick walls, panels of full-height glazing, and window and door joinery. The retention of the early (if not original) mudbrick studio at the rear of the property, and natural bush garden landscaping including the use of volcanic boulders, stone garden edging and low-profile native plantings and groundcover, further enhances the integrity of the place.

Overall, the place has high integrity to its original design by Alistair Knox.

COMPARATIVE ANALYSIS

Mudbrick homes have been a significant feature in the architectural history of Nillumbik, forming a central theme of the building typology often referred to as the 'Eltham style'. The use of low-cost materials such as mudbricks, adobe and pise-de-terre had gained currency in the area by the 1930s, influenced by builders such as John Harcourt and the community at Montsalvat. These earthy materials were often combined with recycled and exposed timber, face brickwork and corrugated iron to create a material palette characterised by natural materials and finishes. Alistair Knox became the most prolific of designers and builders working in this style throughout the second half of the twentieth century, influencing many people to adopt the style upon moving to the area.

This low-cost building type was built largely with amateur labour, often by the owners themselves. Knox regarded the style as the most suitable style for the Eltham environment, and the do-it-yourself nature of construction exemplified the beginnings of the 'Eltham lifestyle' that became an integral component of Nillumbik's cultural heritage. Responding to their environment materially, these buildings demonstrated an intentional integration with their bushland surrounds.

While the interwar and postwar austerity encouraged the use of low-cost materials, examples from later decades show how the style continued to grow and develop as more affluent families were drawn to the area. Many of the houses built between the late-1960s and the mid-1980s are significantly larger than forerunning examples, with highly individualised architectural features and arrangements of space. As opposed to the earlier cottage style buildings, later houses often demonstrate typical Modernist elements, employing curved floor plans, flat or skillion roofs, clerestory windows, and large voluminous spaces.

The subject site illustrates both a formal preoccupation with simple geometry and an adherence to the material aesthetics made popular as part of the 'Eltham style' championed by Alistair Knox and his contemporaries. It demonstrates the enduring influence of the 'Eltham style' and its nature-centred aesthetic.

Though Knox designed and built several mudbrick residences in Kangaroo Ground, none are included on the Nillumbik Heritage Overlay. Notable comparisons in Kangaroo Ground include the Telford House built c1972, the Steele House built c1974-75, the McCullagh House built c1975-77 and the Shore House built c1982.

The following buildings are Individually Significant places on the Nillumbik Heritage Overlay and compare well to the subject site, similar in their use of materials, form and construction period.



Kurema-Eddie Bateman House, 57 Dodd Street, St Andrews (HO38). (Source: VHD)

Kurema-Eddie Bateman House and studio, built c1972, are historically significant for their associations with owner Eddie Bateman, a local builder and proponent of the 'Eltham style' of architecture and landscape design. As such it is a good representative example of the 'Eltham style' in the Shire, featuring the use of mudbrick and recycled materials (VHD).



Coller House, 185 Mount Pleasant Road, Eltham (HO136). (Source: VHD)

Coller House, built c1975, is historically significant as an important work by noted designer and builder and Eltham local, Alistair Knox. The house is architecturally significant as a good example of the 'Eltham style' of architecture and landscape design that Knox had developed over the years (VHD).



Pittard Residence, 430 Mount Pleasant Road, Research (HO139). (Source: VHD)

Pittard Residence, built 1978-79, is architecturally and historically significant as a particularly innovative example of Alistair Knox's later work. The curved plan and single plane roof rising up over the living area to the double storey end section are of particular note (VHD).

Discussion

The Stevens House at 160 Henley Road, Kangaroo Ground, compares well to the above examples in terms of its intactness. The house compares closely to the houses at 185 Mount Pleasant Road, Eltham (HO136) and 430 Mount Pleasant Road, Research (HO139), as a good representative example of Knox's signature 'Eltham style' mudbrick residences and their natural earthy materials. These houses were characterised by a low-pitched or flat roof line. They were positioned low in the surrounding landscape which often included bush gardens featuring volcanic boulders and low-profile native plantings. Extensive glazing introduced light to the centre of the house and large windows to the living areas brought the 'outside in'.

CONTEXT

The Stevens House is distinguished from the above examples as a particularly well-executed and intact example of Knox's work. The symmetry of the plan form and principal elevations combined with the dominant and sweeping elongated gable roof makes for a coherent and legible composition that is more orderly and refined than the examples above. The property's aesthetic qualities are further enhanced by the retention of the bush garden landscape setting.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Stevens House at 160 Henley Road, Kangaroo Ground, a mudbrick residence designed and built in c1973 by Alistair Knox for owners Roger and Joan Stevens, is significant.

Elements that contribute to the significance of the place include:

- original symmetrical plan form of the house;
- dominant broken back gabled roof form;
- mudbrick walls, panels of full-height glazing and window and door joinery;
- timber balconies and posts to the front and rear elevations;
- natural bush garden landscaping including the use of volcanic boulders, stone garden edging and low-profile native plantings and groundcover; and
- early (if not original) mudbrick studio at the rear of the property.

The raised timber deck and later additions to the studio are not significant.

HOW IS IT SIGNIFICANT?

The Stevens House at 160 Henley Road, Kangaroo Ground, is of local representative and aesthetic significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Stevens House is significant as a good representative example of Alistair Knox's signature 'Eltham style' mudbrick residences. These houses typically incorporated a combination of earthy materials such as mudbrick walls, with recycled and exposed timber, and corrugated iron to create a material palette characterised by natural materials and finishes. Knox's houses were characterised by a low low-pitched roof or and often flat roof line. They were positioned low in the surrounding landscape which often included bush gardens featuring volcanic boulders and low-profile native plantings. Extensive glazing introduced light to the centre of the house and large windows to the living areas brought the 'outside in'. (Criterion D)

The Stevens House is distinguished from the above examples as a particularly well-executed and intact example of Knox's work. The symmetry of the plan form and principal elevations combined with the dominant and sweeping elongated gable roof makes for a coherent and legible composition that is more orderly and refined than the examples above. The property's aesthetic qualities are further enhanced by the retention of the bush garden landscape setting. (Criterion E)

RECOMMENDATIONS

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

Extent of overlay: To title boundaries

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 - mudbrick studio
To be included on the Victorian Heritage Register	No
Prohibited uses may be permitted	No
Aboriginal heritage place	No

Other

N/A

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633 Kangaroo Ground-St Andrews Road, PANTON HILL

Panton Hill Hotel

Prepared by: Context	Survey date: December 2020
Place type: Commercial	Designer: -
Significance level: Significant	Builder: Not Known
Extent of overlay: To title boundaries	Major construction: 1935, with later alterations



Figure 1. Panton Hill Hotel from St Andrew-Kangaroo Ground Road. (Source: Context 2020)



Figure 2. The main entrance to Panton Hill Hotel from St Andrews-Kangaroo Ground Road. (Source: Context 2020)

HISTORICAL CONTEXT

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

5 BUILDING NILLUMBIK'S WORKFORCE

5.1 Catering for tourists

Throughout Victoria, city dwellers became inveterate train travellers, setting off on excursions, usually daytrips to rural areas that were now within easy reach of the metropolis. They came to picnic, ride their bicycles and see the sights; sometimes they came to camp, fish or hunt. The Railways Department encouraged these suburban excursionists, publishing railway guides with detailed advice on the best trains to catch, the cost of tickets, desirable places to visit and even what to wear. Eltham and other rural districts where suburbanites could view the bush, became popular. Newspapers like The Australasian, fed the passion for tourism by including illustrated articles about train journeys and the country towns that could be visited. Soon after the opening of the Eltham line, for example, an article appeared in The Australasian featuring 'the views along the line' in a journey from Heidelberg to Eltham. A later, 1903 article in the same journal, described Eltham as a 'popular holiday spot' and emphasised its rural village aspect. (Mills & Westbrooke 2016:63)

After Wattle Day was proclaimed in the early 1900s, special trains ran to Hurstbridge, bringing hordes of city folk determined to gather wattle. The destruction the visitors wrought prompted the establishment of a Wattle Day Red Cross afternoon tea in the Hurstbridge Hall, where money was raised for charity and where visitors were kept under some sort of control. Even so, in 1928 Robert Croll, the naturalist and author, wrote that 'Hurstbridge has ever to me a watchful look, half of welcome and half of suspicion. The visitor is esteemed, but there is still the memory of those days, not so far back, when the sleepy village woke to find itself made famous by proclamation as the desirable spot to visit on Wattle Day, and all suburbia, with his wife and children, raided the paddocks'. (Mills & Westbrooke 2016:63)

Croll extolled the virtues of the region as a place for walking in his Open Road to Victoria, published in 1928, while the periodical, the Melbourne Walker, published articles on Diamond Creek, Christmas Hills, Panton Hill, Wattle Glen, St Andrews and Eltham throughout the 1930s, 1940s and 1950s. (Mills & Westbrooke 2016:64)

8 BUILDING COMMUNITY LIFE

8.3 Establishing meeting places

Some of the first meeting places were hotels built on key roads through the shire and leading to the goldfields. Hotels were essential facilities in the goldmining towns and often served a number of purposes being the centre of community activities. They were often the location of a staging post for Cobb and Co. coaches bound for the goldfields and may have been used as general stores and in some cases served as the local hall. (Mills & Westbrooke 2016:102)

The shire's oldest surviving hotel building, St Andrews Hotel (HO19), was built on the Caledonia goldfields in Queenstown in circa 1860. The present name of the township reputedly derives from the name of the hotel but it may also have derived from St Andrews Church (also erected in the 1860s) or the name of the mining district. A weatherboard hotel was built at Kangaroo Ground, also in the 1860s and of a very similar appearance. It has since been demolished. Later in 1872 Edward Weller, publican and storekeeper, built a hotel and store on the main road at Kangaroo Ground (HO45). Known earlier as Weller's Pub, this building was an overnight stopping place and changing post for Cobb and Co. coaches bound for the Caledonian Goldfields and Woods Point goldmines, some 80 kilometres to the east of Warburton. (Mills & Westbrooke 2016:102)

A Frenchman, Emile Hude, established the first known building, the Hôtel Français at Kingstown (Panton Hill) in 1861, by applying for a licence to erect a residence and cultivate two acres of land. When the next Land Act was proclaimed in 1862, Hude was able to buy the property on which his hotel stood. After Hude's death, his wife carried on the hotel until the 1890s. The hotel burned down in the early twentieth century, but was replaced by the Panton Hill Hotel and there is still a hotel on the site. The site of another hotel situated near the Hôtel Français in the nineteenth century, is marked by an old well. (Mills & Westbrooke 2016:102)

A hotel licence was issued to Isaac Hawkins in 1866 for the Evelyn Arms Hotel on the Diamond Creek Road. In 1867 Thomas Hill opened the Loyal Diamond Lodge Hotel, so-named because the Loyal Diamond Manchester Unity Lodge used it for meetings until they moved to their own hall. It was located on the corner of Collins and Main Streets. Three years later the first Royal Mail Hotel was built on the site in Chute Street. This stringy-bark structure was soon replaced by a weatherboard building, which in turn was superseded by a brick hotel, constructed with bricks made on the property. This building burned down in 1925 and its replacement was built on the site currently occupied by the Royal Mail Hotel (HO115). (Mills & Westbrooke 2016:102)

In Eltham, the first building on the south-east corner of Main Road and Pitt Street, was first listed in rate books in 1887 as a hotel owned and occupied by Christopher Watson, publican. From the beginning, it was an important local landmark. John Fitzsimmons, hotelkeeper, was the licensee in the early 1920s. There were additions in the 1920s and later. Today's hotel dates mainly from this period and recent decades. The hotel served as an early hotel, store and a staging post for Cobb and Co. coaches bound for the Caledonian goldfields and the Woods Point goldmine (HO116). (Mills & Westbrooke 2016:103)

LOCALITY HISTORY

Panton Hill is located on the country of the Wurundjeri-willam clan of the Woi wurrung people.

Panton Hill, named by Joseph Panton, Commissioner for Andersons Creek and other goldfields, and later magistrate for Heidelberg, is situated on Oram's Reef, part of the Caledonian goldfields. Panton Hill was established a goldfield in 1859, the resulting gold rush established the nucleus of a settlement known as Kingstown (renamed Panton Hill in 1874). Emile and Jeanne Hude opened a hotel in Kingstown in 1861, which became known as 'The Frenchman's'. A post office was opened in

1875, possibly at Hude's hotel, known by that time as the 'Hotel de France' (Westbrooke and Mills 2017:5; *Victorian Places* 2015).

A school opened at Kingstown in 1865, and in 1871 a Common school opened, which also served as a hall, church and Sunday school. Panton Hill State School No. 1134 opened in 1876 in a building purchased by the Education Department and remodelled (Blake 1973:327).

By 1880 the settlement of Kingstown comprised two hotels, one store and approximately 20 miners' huts (Shire of Eltham rate book 1880, cited in Westbrooke & Mills 2017:6).

As gold returns diminished, a series of land Acts introduced in Victoria from 1860 aimed to encourage former gold seekers to take up farming. Although land leased under the 1869 land Act saw the establishment of orchards and vineyards on small blocks of about 20-30 acres in the Panton Hill district, freehold ownership of allotments in the area was not achieved until the land Acts of 1884, 1901 and 1915 (*Greensborough Parish Plan* 1961). A number of cool stores for fruit storage were built by orchardists in the area.

Panton Hill was a part of a substantial area given over to the growing of apples, pears and stone fruit, the main agricultural industry in the Diamond Valley region (the area covered by much of the present Nillumbik Shire) from the 1880s to the 1930s. With its soil and climate suited to the growing of fruit, Diamond Valley formed a significant part of the wider fruit-growing region situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington. Orchards and nurseries were established on the hills and in the gullies of the catchments of Diamond Creek and Arthurs Creek, stretching from the township of Diamond Creek, through Hurstbridge, Cottles Bridge, Arthurs Creek and Panton Hill, to the foot of the Kinglake Ranges at Strathewen and Queenstown (now St Andrews) (National Trust Report, 'Shaws Cool Store, Cottlesbridge', B6979, cited in Butler 2006:140).

By 1891 Panton Hill had a population of 100, as well as two hotels and one church. A local committee raised funds to build a hall. When the township of Kingstown was proclaimed in 1891, land was set aside for a Church of England (built in 1896) and a cricket and recreation reserve. The Panton Hill Mechanics Institute and Free Library was built on part of this reserve in 1901 (Butler 1996:41). The area was mined again during the economic depression of the 1890s when unemployed men were paid by the government to fossick for gold.

In 1903, the *Australian Handbook* described Panton Hill, with a population of 130, as part of a mining district. It noted that the township featured a hotel, a state school and an Anglican church (cited in *Victorian Places* 2015).

In 1904, a fire destroyed the Hotel de France, the general store and the post office (Eltham District Historical Society 2000:np). By 1911, Panton Hill's population was 267 (*Victorian Places* 2015).

Reflecting population growth in the area, the Smiths Gully State School No. 1737 building was moved to the Panton Hill State School site in 1909 for use as an additional classroom (HO97) (Blake 1973:327).

The railway extension from Heidelberg to Hurstbridge in 1912 provided fruit-growers with easier access to the Melbourne markets (*Victorian Places* 2015).

Increased competition from new irrigated fruit-growing areas established in Victoria after World War I and the impact of the economic depression of the 1930s saw many of the district's orchardists turning to other pursuits such as raising poultry, selling firewood, or supplementing their incomes by working for other landowners or through goldmining (Nillumbik Shire 2020; 'Victorian Gold Project' 1999:14).

In 1939, the Black Friday bushfires destroyed parts of Eltham, Warrandyte, Panton Hill, St Andrews, Kinglake and Christmas Hills (Eltham District Historical Society 2000:np).

Electricity was connected to the town in 1958 (*Victorian Places* 2015).

By 1947, Panton Hill's population was 337. Further classrooms were added to the school in 1955. Subdivision in the area from the 1960s allowed Melbourne city commuters to take up residence in the area and further classrooms were added again in 1963 and 1970 (Blake 1973:327; Lemon 2008).

The present township includes a general store, a primary school and infant welfare centre, a hotel, the Anglican church and a fire station. The voluntary fire brigade is an important community organisation. During the 1983 Ash Wednesday fires crews from Panton Hill and Narre Warren were trapped in their vehicles when the fire raced up a steep ravine towards the town. Tragically, five were killed. Panton Hill has a memorial park to honour their deaths (*Victorian Places* 2015).

PLACE HISTORY

The Panton Hill Hotel at 633 Kangaroo Ground-St Andrews Road, Panton Hill, is located on Crown Allotment 1A, one acre, and Crown Allotment 2, two acres, of the Panton Hill Township, purchased respectively by Emile Hude in 1863 and Jeanne Hude in 1876 (*Panton Hill Township Plan* 1942). The existing hotel on the subject site is result of multiple rebuilds due to fire. The extant hotel building was erected in 1934 replacing an earlier structure destroyed by fire earlier that year.

In 1961, a Frenchman, Emile Hude, established one of the first recorded buildings in the Shire, the Hôtel Français (also known as Hotel de France), on the subject site comprising Crown allotments 1A and 2 (Mills & Westbrooke 2016:102; CT:V997 F294; V931 F120). Hude died in 1869, and the hotel was managed after this time by his widow Jeanne, who applied for a Publican's Licence in 1870 (CT:V997 F294; *Argus* 8 January 1870:8).

By 1876, it was one of two hotels in Panton Hill: Jeanne Hude's Hotel de France and Scott's Hotel, which was later known as the Panton Hill Hotel in the 1880s and 1890s. (*Leader* 28 October 1876:1; *Age* 31 July 1888:2). The Hotel de France is thought to have occupied the site of today's Panton Hill Hotel at 633 Kangaroo Ground-St Andrews Road. The Scott's Hotel (later Panton Hill Hotel) was located on Crown allotments 4 and 4A, in close proximity to the subject site (CT:V2464 F689; *Herald* 11 August 1888:4). This hotel does not survive today.

In 1876, the following accounts of the Hotel de France was published in *The Leader*.

It has, too, a possible sense that it is an anomaly in Victoria – that it is really a transplanted bit of France, just as New Caledonia is the neoteric Gaul of the Pacific. The tricolor lazily pendent from the Hagstaff by the roadside; the name Jeanne Hade [sic] over the door of the principal hotel; the frequent vocal patter of the French language, instantly flash to the visitor's mind the impression "Here are the hills of sunny France." The very rooster in the yard has the "swank" and swagger of the Gallic cock; the odor of strangely recondite mysterious modes of cookery salutes the olfactories; the boy who holds your horse gazes open-mouthed at your English in evident pity that you speak a foreign tongue; while the ballads of Beranger, lilted by the musical voices of the hotelkeeper's fair daughters, mingle with the less-trillingly [sic] sweet English expression of the loves and hopes in which the female heart delights.

This Franco-Australian territory of Victoria, the very existence of which is unsuspected save by those whose business relations compel them to travel the pleasant ways which lead to it, lies within twenty-six miles of Melbourne (Leader 28 October 1876:1).

Various public events including hospital ball and public meetings were held at the Hotel de France over the decades of Jeanne Hude's ownership (Age 13 March 1879:2; *Evelyn Observer, and South and East Bourke Record* 5 September 1884:2). The main clientele was visitors and travellers. As an 1890 advertisement for the hotel observed, it offered 'first-class accommodation for visitors and travellers ... detached cottage for families' (*Evelyn Observer, and South and East Bourke Record* 28 November 1890:3)



Figure 3. Advertisement for the Hotel de France. (Source: *Evelyn Observer, and South and East Bourke Record* 28 November 1890:3).

In 1893, following Jeanne Hude's death, the property was granted to James Hatton Miller, a son-in-law of the Hudes (*Argus* 22 March 1893:8).

In 1894, Walter Halliley Tiffin purchased Crown Allotments 1A, 2 and 4B, five acres, on which the Hotel de France was located. In 1895, Ellen Howell Tiffin, Walter's wife, became the owner of these allotments and neighbouring Crown Allotments 4 and 4A, on which the adjacent Panton Hill Hotel was located, making a total of approximately eight acres (CT:V2549 F798; CT:V2740 F880). The original Panton Hill Hotel was totally destroyed by fire again in 1899 (*Evelyn Observer, and South and East Bourke Record* 9 June 1899:2). It is likely that this hotel was never rebuilt after this fire.

In September 1904, the Hotel de France, comprising general store, post office and a detached cottage, was also destroyed by fire (*Evelyn Observer and South and East Bourke Record* 16 September 1904:2). By December that year, the Hotel de France had been rebuilt (*Evelyn Observer, and South and East Bourke Record* 2 December 1904:2).

In 1905, James Henry Bradley became the owner of the property (CT:V2740 F880). In 1905, Emma Maurice, licensee of the Hotel de France, was granted permission to have the hotel's name altered to the Panton Hill Hotel (Figure 4) (*Evelyn Observer and South and East Bourke Record* 22 December 1905:2).

In 1912, Theresa Mary Wigham, wife of William Wigham, hotel keeper at the Panton Hill Hotel, took over ownership of the property. Other owners included James Lewis in 1928, and John Moore in 1933 (CT:V3575 F996). Mining meetings and social events continued to be held in the hotel over these years.



Figure 4. View of Pantan Hill Hotel, c1910-c1930, before it was destroyed by fire in 1934. (Source: Jones c1910-c1930, SLV)

In April 1934, the timber Pantan Hill Hotel, comprising ten rooms and five detached sleep outs and licensed to Mr and Mrs Kuhwald, was destroyed again by fire (*Advertiser* 27 April 1934:4). The site of approximately nine acres was advertised for auction on 27 September of that year. The advertisement stated:

The old Pantan Hill Hotel was recently destroyed by fire. This sale represents an opportunity to secure a valuable Victualler's License and attractive site on which to erect a modern hotel, which will serve this popular district, only 25 miles from Melbourne (Age 26 September 1934:5).

In November 1934, a newspaper report noted that the Pantan Hill Hotel was to be rebuilt, with the construction of a new modern and up-to-date building to begin almost immediately. Former licensee, Mr Kuhwald, was to take over the new building (*Advertiser* 16 November 1934:2). In December 1934, John and Beatrice Foley and John Barrett became the owners of the property (CT:V5946 F124).

The re-opening of the Pantan Hill Hotel was advertised for April 1935, with F Kuhwald stating that the new sewerred hotel offered all modern comforts and conveniences with excellent cuisine and electric light. Trains were met free of charge and passengers taken to the hotel (*Herald* 16 March 1935:38). John Brennan took over the licence in 1936 (*Argus* 1 April 1936:9).

Throughout the 1930s various sporting groups, including residents interested in forming a golf club at Pantan Hill and the local football club, held meetings at the hotel (*Advertiser* 7 August 1936:2 and 14 August 1936:3). The Bachelors' Club was formed at the hotel and the Pantan Hill Fruitgrowers' Association also held events there (*Advertiser* 30 July 1937:1; 1 April 1938:1).

In 1942, Catherine and Beatrice Foley and John Barrett were proprietors of the hotel, with members of their families retaining ownership of the hotel until 1980 (CT:6617 F330; CT:6617 F330).

In 1961, architects Robert H McIntyre and Associates called for tenders for alterations to the Panton Hill Hotel (*Age* 1 July 1961:44).

The two Monterey Cypress trees to the north of the building appear to be present in aerial imagery from 1962 (Figure 5).



Figure 5. Aerial imagery of the building and site in 1962. Cypress trees to the north of the building appear to be present. The building and environs is circled in orange and the cypress trees in blue. (Source: CPO, BUSHFIRE AREAS PROJECT (WARRANDYTE AREA)', via Landata)

In April 1980, the Panton Hill Hotel building, land and licence were auctioned. The auction notice described the subject site as approximately eight acres on which was located the single-storey fibro cement hotel building with bar, two lounges and three bedrooms; and a nine-hole golf course (*Age* 12 April 1980:147).

In June 1980, Panton Hill Hotel Pty Ltd took over ownership of the subject building and land then subdivided the land into four parts. Crown Allotments 1A and 2, on which the hotel stands, sold in 1983 to Di Martino and Sons (CT: V9389 F094). These allotments were consolidated in 1988 into one block (CT:V9482 F845).



Figure 6. Photograph of Panton Hill Hotel in 1988 showing the sign. (Source: BP, provided by Nillumbik Shire Council)



Figure 7. Photograph of the northern corner of Panton Hill Hotel in 1988 showing Cypress trees and a sign (now removed). (Source: BP, provided by Nillumbik Shire Council)

After a fire in 2003, a refurbishment of the building, designed by architects and town planners, Robert Marshall Pty Ltd, took place in 2004 (Figure 8). Some demolition of interior features occurred, and it appears that the existing western red cedar weatherboards used for external cladding were added as part of this work. Additional alterations, comprising a new deck area at the rear of the building, were carried out in 2014 (BP).

The Panton Hill Hotel continues to operate today as a popular venue for meals and live music, which it has hosted since the 1980s.

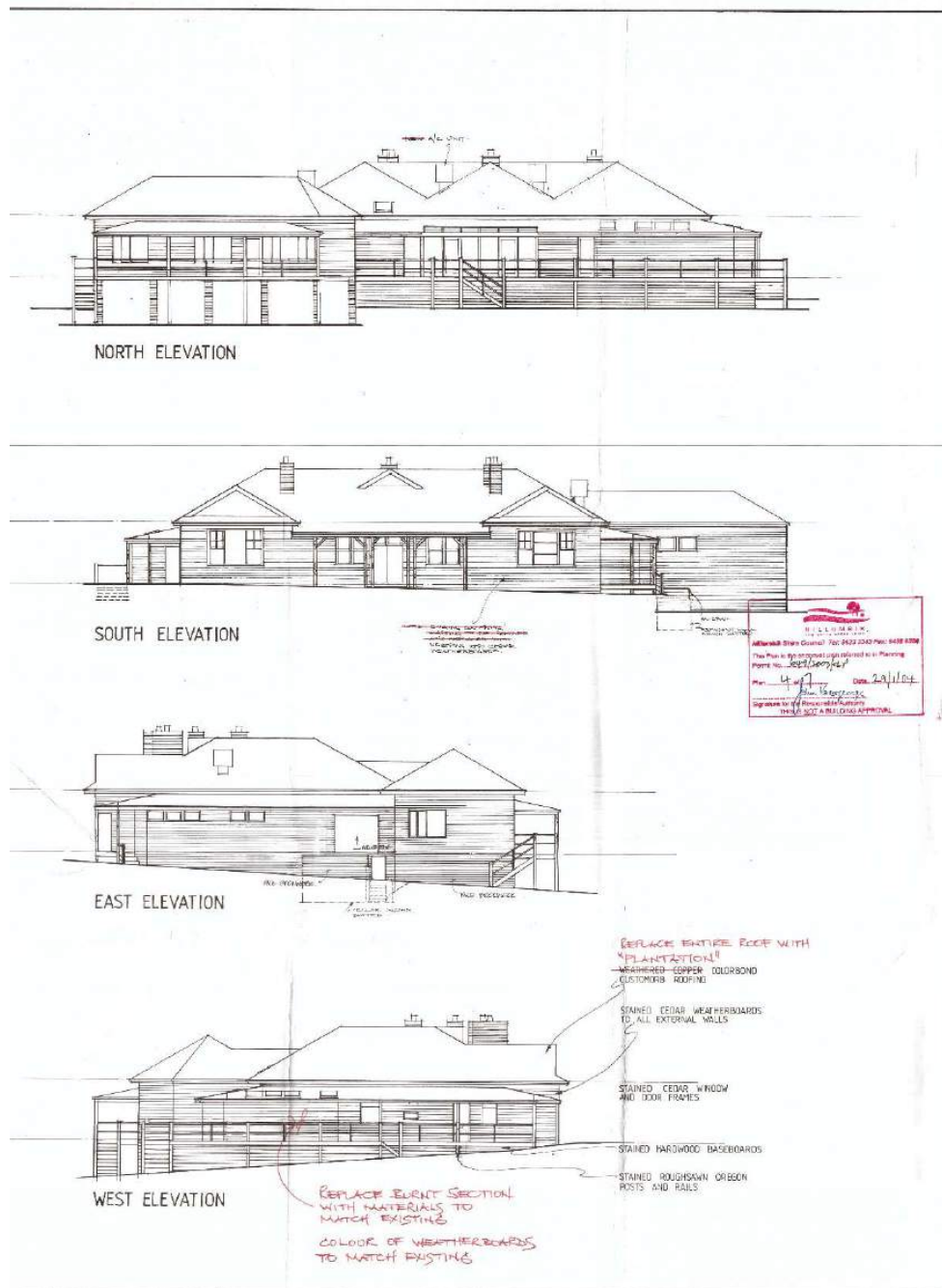


Figure 8. Plans for refurbishment work to the Pantan Hill Hotel after fire damage, 2003. (Source: BP).

DESCRIPTION

633 Kangaroo Ground-St Andrews Road, Pantan Hill, is an interwar Hotel built in 1934-1935, with alterations from 2003 and 2014.

The subject site sits on the northern side of the Kangaroo Ground-St Andrews Road and is centrally located within the Panton Hill township. The single-storey hotel building sits in the central third of the Kangaroo Ground-St Andrews Road frontage abutting the pavement. On either side of the building is a carpark accessed from Kangaroo Ground-St Andrews Road. Behind the building is a beer garden area, deck and landscaped garden setting. A fence extends behind the carparking and garden area demarcating the hotel grounds. Beyond the fence, the northern portion of the site includes a grassed area with three dams. Two substantial Monterey Cyprus trees sit between the northeast corner of the building and Kangaroo Ground-St Andrews Road.

The building footprint is rectangular with an additional rectangular addition attached to the northeast rear corner. The corrugated iron clad roof sits above weatherboard clad walls with deep fascias.



Figure 9. The subject site is outlined in red. (Source: Nearmap 2021)



Figure 10. Gravel carpark and tanks to the northeast of the building. (Source: Context 2020)



Figure 11. View of the hotel from the north. (Source: Context 2020)

The primary façade is symmetrically arranged around the central entrance doorway. A gable dormer extends from the roof ridgeline above the central doorway. Two brick chimneys penetrate the southern roof plane (Figure 15). The main entrance comprises double timber doors with stained glass panels and a transom light above with double timber framed windows on either side (Figure 13). A verandah extends from the roof above the main entrance. It is supported by simple timber posts with timber brackets and spans between the projecting gable-ended bays at each end of the façade (Figure 16). Each bay has a timber-framed tripartite window with leadlight and textured glass glazing (Figure 14).

At the northeast corner of the primary elevation is a recessed and covered portico with a secondary entrance. A small, paved area offering outdoor dining is also provided to the north. This area is lined with a simple timber log fence.

A rigid wire fence lines the edge of the road.



Figure 12. The primary elevation to St Andrews-Kangaroo Ground Road. (Source: Context 2020)



Figure 13. Main entrance door on Kangaroo Ground-St Andrews Road. (Source: Context 2020)



Figure 14. Tripartite bay window with leadlight and textured glass glazing. (Source: Context 2020)



Figure 15. Brick chimney extending through the roof plane. (Source: Context 2020)



Figure 16. Projecting gable-ended bay. (Source: Context 2020)

Two mature Monterey Cypress (*Hesperocyparis macrocarpa*) trees sit in front. Their form has been altered to allow for the power lines (Figure 18). The rear extension to the building is visible behind a fence.

An unused sign extending approximately to the height of the roofline on a black pole sits to the south of the building on Kangaroo Ground-St Andrews Road (Figure 17).



Figure 17. Southwest corner of the building and unused sign. (Source: Context 2020)



Figure 18. Two Monterey Cypress trees and additions to the rear of the building on the northeast corner. (Source: Context 2020)

INTEGRITY

633 Kangaroo Ground-St Andrews Road, Panton Hill, is mostly intact in its presentation to the streetscape as an interwar timber hotel. Substantial changes to original 1935 fabric (including the 2003 alterations and restoration) are recessed and not visually intrusive. The subsequent changes reflect the building's its long use as a hotel. The building retains its original scale as a single-storey hotel and key interwar detailing such as the gable-roofed form, weatherboard cladding, windows and brick chimneys are extant. The building also retains its use as a hotel, continuing the use of the site for this purpose since 1861, and as a local landmark.

Overall, the building has high integrity as it remains legible as an interwar timber hotel in its presentation to the streetscape, and through its form and materiality.

The two Monterey Cypress trees to the rear of the building are likely to date from the 1935 reconstruction of the building and enhance the interwar character of the place.

COMPARATIVE ANALYSIS

In the Nillumbik Shire, hotels were established from the early 1860s along main roads through the shire and leading to the goldfields. Hotels played a key role in the development of early townships, serving as staging post for goldfields-bound Cobb and Co coaches, used as general stores and, in some cases, as the local hall (Mills & Westbrooke 2016:102). They were community focal points for the consumption and sale of alcohol and providers of accommodation and meals since early settlement and quickly assumed an enduring role in the provision of food, leisure and entertainment. From the turn of the twentieth century, the former Shire of Eltham and adjacent rural areas was within easy reach of Melbourne after the opening of the trains line to Eltham in 1902. Hotels have ever since served the day trippers and long term travellers as well as locals.

In Panton Hill, the subject hotel is the only remaining early hotel. While variable architecturally, hotels typically command a central and prominent location in townships or along key roads reflecting the early town centres of the area now known as Shire of Nillumbik.

The following four hotels are currently listed on the Nillumbik Heritage Overlay.



St Andrews Hotel and Canary Island Palm Tree, 79 Burns Street, St Andrews (HO19). (Source: VHD)

The c1860 St Andrews Hotel, with c1930 additions, and a Canary Island Palm is historically significant. It is the oldest hotel building in the former Shire of Eltham, and one of the few surviving buildings connected with the Caledonia goldfields era. The additions and alterations to the hotel reflect its long life. The hotel is socially significant because it has served as an important meeting place for almost 150 years (VHD).



Weller's Hotel, Pitman Corner, Eltham-Yarra Glen Road, Kangaroo Ground (HO45). (Source: VHD)

The c1872 hotel is historically significant as an early hotel, store and a staging post for Cobb and Co coaches bound for the Caledonian goldfields (near St Andrews) and the Woods Point gold mine, some 80 kilometres to the east of Warburton. The hotel was associated with Edward Weller, who was also connected with the Kangaroo Ground general store and post office. It has served as a local landmark for almost 140 years (VHD).



Eltham Hotel (pre 1940 section), 746 Main Road, Eltham (HO116). (Source: VHD)

The Eltham hotel is historically significant as a hotel first established on the site in 1887. In the 20th century the hotel became a meeting place for Eltham's artists, intellectuals and mud brick builders, who were developing a distinctive local lifestyle. The hotel is historically significant for its gradual expansion that reflects the increase in Eltham's popularity as a holiday destination, and later a suburb, following the arrival of the railway. The hotel is aesthetically and socially significant because it features a half-timbered exterior and is a local landmark (VHD).



Royal Mail Hotel & pine, 29 Main Hurstbridge Road, Diamond Creek (HO115). (Source: VHD)

The c1927 Royal Mail hotel is architecturally and historically significant as the only example of an Old English/Tudor Revival style hotel in the Shire of Nillumbik and as a good example of this style. The hotel was first established on this site c1870. The extant hotel is socially significant as it has been an important gathering point for the community since 1927 (VHD).

Discussion

The Panton Hill Hotel at 633 Kangaroo Ground-St Andrews Road, Panton Hill, compares well to the above hotels historically and architecturally.

Established as early as 1861, the subject property was the site of one of the first known building in the Shire, the Hôtel Français (also known as Hotel de France). The long historical use of the site for the purpose of a commercial hotel is highly important. As with the examples above, Panton Hill Hotel has strong landmark qualities as an old hotel.

The subject site and HO-listed hotels had been established in the nineteenth century and rebuilt or altered over the twentieth century. Enforced by the renewed liquor licencing law in the 1920s, substantial alterations or rebuilding of hotels in the interwar period is also very common across Victoria. Like the Panton Hill Hotel, the HO-listed display some alterations to their original fabric, but these changes are part of the story of the place and reflective of the development of the hotel type.

As an example of a hotel rebuilt during the interwar period, 633 Kangaroo Ground-St Andrews Road is more directly comparable with other interwar hotel buildings at 746 Main Road, Eltham (HO116) and 29 Main Hurstbridge Road, Diamond Creek (HO115).

Overall, the Panton Hill Hotel is an important example of an interwar hotel, within the Shire that continues to operate today.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

633 Kangaroo Ground-St Andrews Road, Panton Hill, a single-storey hotel built c1935, with later alterations and refurbishment, is significant.

Elements that contribute to the significance of the place include:

- the original single-storey hotel building with gable roof and weatherboard-clad walls; and
- early elements including the brick chimneys and windows.

Two Monterey Cypress trees that appear to date from the interwar period contribute to the significance of the place.

HOW IS IT SIGNIFICANT?

633 Kangaroo Ground-St Andrews Road, Panton Hill, is of local historic and social significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

Panton Hill Hotel at 633 Kangaroo Ground-St Andrews Road, Panton Hill, is historically significant as the only remaining hotel in the township of Panton Hill, standing on the site of the township's first building, a hotel built in 1861. It is the latest in a series of hotel buildings that were destroyed by fire then rebuilt on the same site. The single storey gable roofed form, weatherboard cladding, windows and brick chimneys demonstrate the interwar period of its construction (Criterion A)

Panton Hill Hotel at 633 Kangaroo Ground-St Andrews Road, Panton Hill, is socially significant as a gathering place and local landmark, having served the community and travellers since the 1860s. (Criterion G)

RECOMMENDATIONS

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

Extent of overlay: To the title boundary

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

Nillumbik Planning Scheme

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

Other

N/A

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57 Thompson Crescent, Research

House

Prepared by: Context	Survey date: February 2021
Place type: Residential	Designer: -
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: c1984



Figure 1. 57 Thompson Crescent, Research. (Source: Context 2021)



Figure 2. 57 Thompson Crescent, Research. (Source: Nearmap, November 2020)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.6 1960s and 1970s suburbanisation

From the mid-1960s the main suburban expansion in the former Eltham Shire area was east from Eltham, aided by the construction of the new Fitzsimons Lane (Eltham-Templestowe) bridge in 1963. This expansion was limited by topography and by methods of corridor planning including the green wedge and rural zoning. As a result, the eastwards trend would not extend past Research. The occupants of this new residential area were typically high-income families commuting to work in the city. When author and diplomat Graham McInnes returned to Melbourne in 1969 after leaving in the 1930s, he said that one of the most noticeable differences was that 'Eltham was the country, now it is right in Melbourne'. (Mills & Westbrooke 2016:87)

Residents who had established themselves in the early postwar period questioned the bona fides of this new wave of aspiring bushland home owners. Knox described how 'the rich and affluent eastern suburbanites started casting sheep's eyes at this unkempt bushscape... Eltham was once again under threat from the land profiteer, who would butcher the living qualities of its inhabitants to make their Roman holiday.' On the other hand, the middle-class professionals of this new influx were environmentally conscious, politically well informed and numerous enough to exert a profound effect on the conservation of the surrounding landscape. (Mills & Westbrooke 2016:87-88)

By the 1970s, the aesthetics of the bush that had been developing throughout Australia were influencing the more sought-after city fringe suburban developments. These suburban developments adopted some of the trappings of environmental building that had been developed, in part, by the Eltham mudbrick pioneers. The environmental thinking had been translated into a set of standard approaches, including preservation of existing trees, adaptation to contours, underground services and establishment of a network of linked bush parks. Road planning strategies such as cul-de-sacs enabled isolation from busy through streets. Roads were softened with low-profile gutters and the transition from road to driveway was softened with the use of paving materials in the road surface. Even so, these developments substantially remade the landscape. (Mills & Westbrooke 2016:88)

*In the 1970s owner-builders were responsible for from 10 to 25 per cent of houses in Melbourne. The character of these buildings in the Nillumbik area was, by this time, driven more by ideology than by the necessities of the austerity period. Environmentalism had come of age, with both a global and a personal component, the latter often being expressed in personal attempts to get back to the earth and to achieve self-sufficiency. These sentiments were encapsulated in publications such as *Grass Roots* and *Earth Garden*. Tony Dingle describes how 'individuals*

interested in self-sufficiency and a simpler life went into the bush to build cheaply and often in sympathy with their surroundings'. (Mills & Westbrooke 2016:90)

Mud brick building became an integral part of this trend. Academic Jim Pittard and family engaged Alastair Knox to design a mudbrick house at 430 Mount Pleasant Road Research (HO139). The design is considered one of the best of Knox's later works. The Pittards started as owner-builders in 1978, making their own mudbricks and salvaging much of the timber from demolitions in Melbourne. (Mills & Westbrooke 2016:90)

LOCALITY HISTORY

Research, situated in the hills and tributary gullies of Diamond Creek, is located on the country of the Wurundjeri-willam clan of the Woi wurrung people.

The area, also known earlier as Swipers Gully and Wallaby Town, was subject to a minor gold rush in 1855. Part of the St Andrews Mining Division, it was 're-searched', hence its name, in 1861. The district became known as Research Gully, and later as Research (*Victorian Places* 2015; Lemon 2008). Its location on the main road between Eltham and Queenstown (St Andrews) accounted for much of the activity in the area. By the end of the 1850s, the settlement of Research comprised a store and few cottages at today's Main and Ingrams roads corner (Butler 1996:41-42). Gold continued to be mined at Research Gully until the 1880s (*Weekly Times* 15 July 1882:7).

Some land in the district was purchased for farming in the 1850s, but it wasn't until the 1870s that consolidated development occurred. After the decline of alluvial mining in Victoria, a series of land Acts were introduced from 1860 to encourage an agricultural industry. Crown allotments were made available in the Research area under the 1869 land Act, with orchards and small farms subsequently established. The heavily treed country, however, was difficult to work (Lemon 2008; *Nillumbik Parish Plan* 1947).

After land was taken up for farming, by 1871 the Research Hotel had opened (the hotel was destroyed by fire in 1931) (*Age* 7 December 1871:2; *Advertiser* 20 March 1931:1).

Research was a part of a substantial area given over to the growing of apples, pears and stone fruit, the main agricultural industry in the Diamond Valley region (the area covered by much of the present Nillumbik Shire) from the 1880s to the 1930s. With its soil and climate suited to the growing of fruit, Diamond Valley formed a significant part of the wider fruit-growing region situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington. Orchards and nurseries were established on the hills and in the gullies of the catchments of Diamond Creek and Arthurs Creek, stretching from the township of Diamond Creek, through Hurstbridge, Cottles Bridge, Arthurs Creek and Panton Hill, to the foot of the Kinglake ranges at Strathewen and Queenstown (now St Andrews) (National Trust Report, 'Shaws Cool Store, Cottlesbridge', B6979, cited in Butler 2006:140).

In 1889 the local community of orchardists, tradespeople and labourers succeeded in getting a state school opened. Research State School No. 2959 opened in a four-room cottage and moved to a new building in 1891. It was the only public building in the area and was therefore also used for church services and community meetings. Some small mining operations and tree-felling for firewood continued at this time (*Victorian Places* 2015; Blake 1973:103). A post office opened at Research in 1902 and a public hall in 1931 (Eltham District Historical Society 2000:np).

The availability of cheap land encouraged further residential settlement in the 1920s (Lemon 2008). Due to the increased competition in fruit-growing from irrigated districts after World War I and the

impact of the economic depression of the 1930s, many of the area's orchardists turned to other pursuits such as raising poultry, selling firewood, or supplementing their incomes by working for other landowners or in the few goldmines still in operation in the Diamond Creek, Greensborough and Smiths Gully areas (Nillumbik Shire 2020; 'Victorian Gold Project' 1999:14).

Substantial bushfires affected the Research area in 1908, 1938 and 1965 (Eltham District Historical Society 2000:np).

The postwar growth of Eltham affected Research, with further residential subdivision occurring and additions made to the school in the 1950s and 1960s. Road access to the area was improved in the 1970s and residential development followed. The Eltham Performing Arts Centre and Eltham College (1972) are located in Research. Other amenities include Research Park, which has an oval and tennis courts (*Victorian Places* 2015; Lemon 2008).

By the end of the twentieth century Research had a high proportion of high-income households (Lemon 2008).

PLACE HISTORY

The subject site is located on Crown Allotment 3, Section 9, Parish of Nillumbik, 96 acres taken up under the *Land Act* 1869 by and owned by T Baillie by 1876 (*Nillumbik Parish Plan* 1961).

By 1948, grazier Leon Cropper and his wife Marie Cropper were the owners of Allotment 3 as well as neighbouring land: Crown Allotments 1A and 1B, Section 6, and Crown Allotments 1 and part of 4, Section 9 - a total of 214 acres (CT:V7120 F920). Under the ownership of the Croppers, in 1948 the land was subdivided into a residential estate with around 100 lots. The allotments were sold from this year through to 1963 (CT:V7120 F920).

The subject site is located on Lot 46 of the subdivision, approximately one acre, purchased by signwriter Wilfred Petersen of Research in 1957 (CT:V8157 F459).

The property remained in the ownership of the Petersen family until 1984, in which year Susan Bowles and David Cowan of McKinnon became the owners (CT:V8157 F459). It is assumed that the subject house was built for Bowles and Cowan shortly after their acquisition of the property. A new Colorbond roof was added to the residence c1998 by architect John Pizzey, indicating that Pizzey may also have been the designer of the original house (see Figure 3) (BP).

There is also a later mudbrick and timber building (possibly a shed) with open carport on the site.

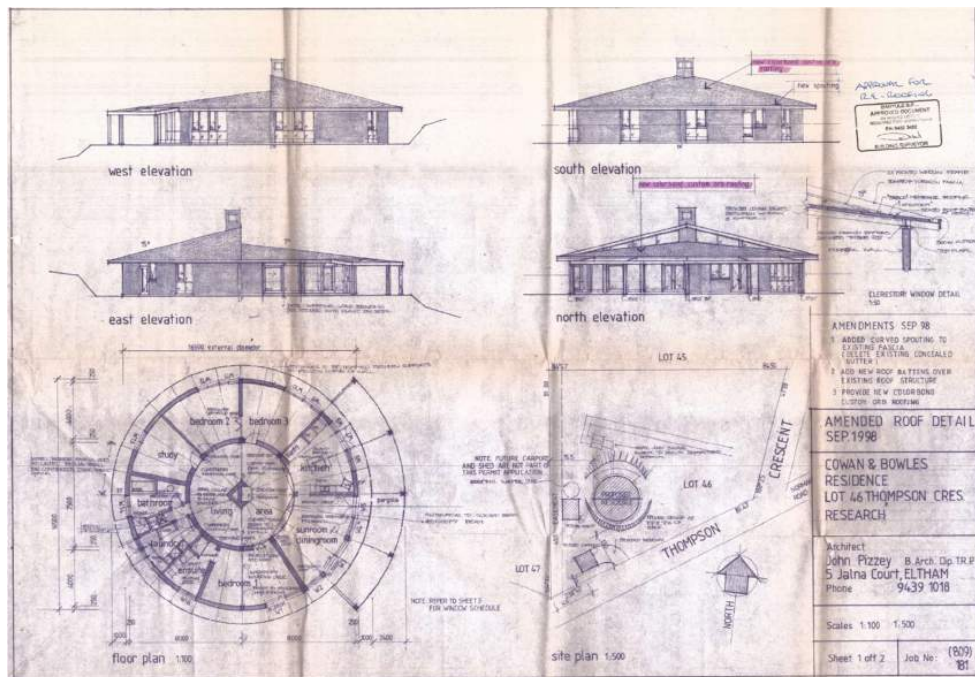


Figure 3. Plans by architect John Pizzey for Cowan and Bowles residence at 57 Thompson Crescent, Research, 1998. (Source: BP)

DESCRIPTION

The house at 57 Thompson Crescent, Research, is a mudbrick house built c1984. 57 Thompson Crescent is on the lower, northern side of the street, with the main house sited in the southwest quadrant of the site. The site slopes from south to north and the house. The house is located in the southern section of the site just below street level, overlooking the lower section of the site to the north. The surrounding environment is heavily vegetated.

The house is round in plan form, with mudbrick walls and a corrugated iron roof meeting at a triangular chimney that forms the central focus of the building. The roof is divided into two halves, with the southern half pitched at a 15-degree angle whilst the northern half is pitched at a 7-degree angle. The height of the southern roof portion allows for a north-facing clerestory window.

Private areas of the house are located to the south, east and west with the living areas located to the north protected by a pergola structure. Floor to ceiling timber framed windows and glazed doors predominate. Lack of building records documenting changes to the house suggest original elements and pattern of timber framed fenestration is likely to be intact.

The smaller mudbrick and timber building located to the southwest of the site is a simple rectangular form with gabled, corrugated iron roof. The open carport is adjoined to the south of this building.

INTEGRITY

The house at 57 Thompson Crescent, Research, is largely intact with minimal changes to the original or early significant fabric visible from the street. The building retains its original round form, split roof with clerestory windows, central chimney and northern pergola, along with its original mudbrick walls.

While not original, the Colourbond custom orb roofing installed c1998 is considered significant. The site now contains a later mudbrick building with carport. Overall, the building has very high integrity.

COMPARATIVE ANALYSIS

Mudbrick homes have been a significant feature in the architectural history of Nillumbik, forming a central theme of the building typology often referred to as the 'Eltham style'. The use of low-cost materials such as mudbricks, adobe and pise-de-terre had gained currency in the area by the 1930s, influenced by builders such as John Harcourt and the community at Montsalvat. These earthy materials were often combined with recycled and exposed timber, face brickwork and corrugated iron to create a material palette characterised by natural materials and finishes. Alistair Knox became the most prolific of designers and builders working in this style throughout the second half of the twentieth century, influencing many people to adopt the style upon moving to the area.

This low-cost building type was built largely with amateur labour, often by the owners themselves. Knox regarded the style as the most suitable style for the Eltham environment, and the do-it-yourself nature of construction exemplified the beginnings of the 'Eltham lifestyle' that became an integral part of Nillumbik's cultural heritage. Responding to their environment materially, these buildings demonstrated an intentional integration with their bushland surrounds.

Many of the houses built between the late-1960s and the mid-1980s have highly individualised architectural features and arrangements of space. The move to pure geometric design was popularised in the early 1950s by influential Melbourne architect Roy Grounds, whose Henty House (Round House), 581 Nepean Highway, Frankston South (VHR H0966) built in 1953, pre-empted a later interest in Organic architecture in the 1980s and 1990s. The Organic architecture of these later years combined more rustic building materials with a similar interest in geometric form generation, often combining it with solar passive design.

Organic architecture drew inspiration from the forms and material qualities of nature and was influenced by the designs of Frank Lloyd Wright. Romantic and earthy in character, the style was highly responsive to site topography and followed design principles of articulating the truthfulness of materials and emphasising the relationship between indoor and outdoor spaces.

The Organic idiom became discernible as a distinct style in Australia in the 1960s. The style's affinity to nature is expressed in low-slung horizontal forms; retention of natural bushland setting; and use of timber, unpainted earthy bricks and crudely dressed masonry. The style often used pure geometric forms in references to the geometric forms and structures that appear in nature. The application of split-levels and interlocking forms also allowed architects to create designs that responded to, and sat unobtrusively within, the topography of their setting.

The following examples in the Shire of Nillumbik are comparable with 57 Thompson Crescent, Research due to their similar in their use of materials and form.



Leon Saper Residence, 60 Dunmoochin Road, Cottles Bridge (HO41). (Source: Victorian Collections; Nearmap 2021)

Built for the well-known potter Leon Saper in c1967, the house is architecturally significant as a work of Morrice Shaw. Shaw was a Modernist architect who worked in the office of Kevin Borland. It is one of the most creative and unusual dwellings built in Victoria and Australia during the 1960s. The house combines the Modernist ideas with the use of mudbrick and recycled materials that are characteristic of the 'Eltham style' architecture that proliferated in the 1950s and 1960s.

The house is noted for its highly individualist expression, which Alistair Knox described as 'one of the most amazing designs that have occurred in mudbrick building'. The building combines a free-form plan with flowing pisé walls and fireplace under a complex organic roof form. It is the earliest known example in Victoria of a strand of the late twentieth century Organic style.



Coller House, 185 Mount Pleasant Road, Eltham (HO136). (Source: T Knox nd)

Coller House, built c1975, is historically significant as an important work by noted designer and builder and Eltham local, Alistair Knox. The house is architecturally significant as a good example of the 'Eltham style' of architecture and landscape design that Knox had developed over the years.



Pittard Residence, 430 Mount Pleasant Road, Research (HO139). (Source: VHD)

Pittard Residence, built 1978-79, is architecturally and historically significant as a particularly innovative example of Alistair Knox's later work. The curved plan and single plane roof rising up over the living area to the double storey end section are of particular note. The house is built from mudbrick.



Baker 'Eltham style' outbuilding and sculptures, 108 Research-Warrandyte Road, North Warrandyte (HO157). (Source: VHD)

The outbuilding, constructed c1960-1970s, is historically, architecturally and aesthetically significant as a fine, small 'Eltham style' building in the Shire of Nillumbik. The outbuilding exemplifies the highly individual and creative structures that were being erected by many around the Shire during that time, and utilises recycled materials and mudbricks. Particularly of note is the organic roof form.

Discussion

57 Thompson Crescent is set apart from the house at 60 Dunmoochin Road, Cottles Bridge, by its more abstract geometry. Designed by Morrie Shaw, of the office of Kevin Borland, 60 Dunmoochin Road features an exaggerated, low-slung shingle roof. Although the house demonstrates a similar rounded form to the subject site, the subject site is set apart as a later version of the style that places greater emphasis on achieving a more geometrically pure form and a less rustic array of materials and textures.

The Collier House is comparable for its use of mudbrick construction. However, unlike the subject site, the Collier House does not follow a has a curved floorplan and is also constructed in mudbrick. The plan of this house, however, does not use the fully circular form is evident at 57 Thompson Crescent, Research. Similarly, the long sweeping roof plane of the Pittard Residence, differs from the that of the subject site with its split form and central peak.

Like 60 Dunmoochin Road, the Baker outbuilding exhibits an organic, broadly circular floorplan. Unlike the subject site, the outbuilding was clearly designed with no intention of producing a geometrically pure form, instead utilising looser organic shapes that responded to its more rustic construction and materials. The use of the building as an outbuilding, rather than a residence, differs from the subject site and likely supported the more experimental form of the building.

The subject site illustrates both a formal preoccupation with pure geometry and an adherence to the material aesthetics made popular as part of both Organic architecture of the late twentieth century and the 'Eltham style' championed by Alistair Knox and his contemporaries in earlier decades. It demonstrates the enduring influence of the 'Eltham style' and its nature-centred aesthetic. The subject building's geometric form, which responds directly to the site topography and earthy materials reflects the influence of Organic architecture. The subject building, with its circular footprint, is a somewhat uncommon example of an 'Eltham style' house. Although curved walls and broadly circular forms had been explored elsewhere in the Shire, 57 Thompson Crescent adheres to a purer geometric form. Materially and contextually, however, it reflects key characteristics of the 'Eltham style', including the use of timber and mudbrick construction and its integration with its natural bush setting.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The house at 57 Thompson Crescent, Research, most likely built c1984 for the owners Susan Bowles and David Cowan, is significant.

Elements that contribute to the significance of the place include:

- original circular plan form of the house;
- split roof detail and clerestory window;
- central chimney; and
- original fenestrations and pergola.

The later mudbrick building with carport to the southwest of the site is not significant.

HOW IS IT SIGNIFICANT?

The house at 57 Thompson Crescent, Research, is of local representative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The house at 57 Thompson Crescent, Research, exhibits key characteristics of the late twentieth century houses built of earthy materials and reflective of the nature-centred aesthetic. The design of the house combined the Organic idiom of Modernist architecture developed in the 1960s and enduring 'Eltham style' influences in the Shire. The house demonstrates this influence in its use of mudbrick and the use of low-cost materials and its affinity with and embeddedness in its natural bushland setting. The use of strong geometry along with the use of natural materials also aligns this house with Organic architecture of the late twentieth century. (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: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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Part of 1 Proctor Street, St Andrews

St Andrews Hall

Prepared by: Context	Survey date: December 2020
Place type: Community	Designer: -
Significance level: Significant	Builder: F J Jennings
Extent of overlay: Refer to map	Major construction: 1925



Figure 1. The southern end of St Andrews Hall. (Source: Context 2020)



Figure 2. The northern end of St Andrews Hall. (Source: Context 2020)

HISTORICAL CONTEXT

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

8 BUILDING COMMUNITY LIFE

8.3 Establishing meeting places

In the nineteenth century, the halls of the Nillumbik area usually took the form of a mechanics' institute and free library. The mechanics' institute movement started in Scotland in 1900 with the intention of improving the education of working men. Government grants were available from 1860 and from 1887 these funds were directed towards free libraries. (Mills & Westbrooke 2016:103).

By the early twentieth century, the institutes were 'beginning to die out, or had become more places of amusement'. Existing and renovated halls typically continued to carry the title of mechanics' institute, but new ones were simply called halls. When a new hall incorporating the earlier Diamond Creek Mechanics' Hall and Literary Institute was constructed in 1905, the old name was retained. The new hall was among the largest in the area, accommodating 400 people with a lending library of 1,000 books. Like many other important early Diamond Creek buildings, it was destroyed by fire in 1969. (Mills & Westbrooke 2016:104).

When the opening of a hall at Panton Hill was advertised in 1901, it was described both as the Panton Hill Hall and the Panton Hill Mechanics' Institute. The hall was built on the temporary reserve for 'a site for a cricket ground and other purposes of public recreation', which had been gazetted in 1900. (Mills & Westbrooke 2016:104).

First newspaper mentions of a Hurstbridge Public Hall (or Hurstbridge Hall) appear in 1913. Additions were made in 1915. The hall was destroyed by fire and rebuilt in the mid-1950s. By 1915 there were also mentions of a Hurstbridge Mechanics' Institute and Free Library or Hurstbridge Mechanics' Hall. This institute was still operating during bushfires in the 1960s. (Mills & Westbrooke 2016:104).

The Plenty Hall (HO248) opened in the midst of the Great Depression, in late 1931 and was soon the venue for fortnightly dances, fundraising balls, tennis club meetings, the Sutherland Homes Dance and Empire Day celebrations. (Mills & Westbrooke 2016:105).

In the austerity period following World War II small communities had scant resources or materials for building a hall when they needed one. In 1948 the Yarrambat community solved the problem by moving a small redundant hall building from Langwarrin to create the Yarrambat Memorial Hall. (Mills & Westbrooke 2016:105).

LOCALITY HISTORY

St Andrews was part of the Caledonian goldfields, which stretched from St Andrews to Warrandyte (the St Andrews Mining Division), established in 1854 on the country of the Wurundjeri-willam clan of the Woi wurrung people. The settlement was originally called Queenstown, but by 1865 was also known as St Andrews. The presence of large numbers of Scottish miners gave rise to both names 'Caledonia'

and 'St Andrews' (*Victorian Places* 2015). The place was commonly referred to as 'St Andrews, Queenstown'.

By 1855 there were 3000 miners in Queenstown, and in 1856 a post office and hotel were established in the settlement. The settlement was located on the road from Melbourne to the goldfields at Woods Point, so it benefited from passing traffic. The town of Queenstown, located on Diamond Creek, was surveyed in 1858 and proclaimed in 1861 (*Township of Queenstown* 1951; Butler 1996:40). A Church of England school opened in 1858 and was replaced by the Caledonia Common School No. 128, opened in Smiths Gully in 1858. This school, in turn, was replaced by Queenstown State School No. 128 (HO20) built in 1887 (Blake 1973:287). A cemetery (HO163) (in use in nearby Smiths Gully in the 1850s) and a cricket ground were gazetted in 1868, and St Andrews Church of England opened in 1866. A mechanics' institute opened in 1867 (Butler 1996:40; *Victorian Places* 2015). The shire's oldest surviving hotel building, St Andrews Hotel (HO19), was built on the Caledonia goldfields in Queenstown c1860 (Mills and Westbrooke 2017:102).

As gold returns diminished, a series of land Acts introduced in Victoria from 1860 aimed to encourage former gold seekers to take up farming. Although some land leased under the land Acts of 1865 and 1869 saw the establishment of orchards on small blocks of about 20 acres in the St Andrews district, freehold ownership of allotments in the area was not achieved until the land Acts of 1884, 1901 and 1915 (*Queenstown Parish Plan* 1925).

St Andrews was a part of a substantial area given over to the growing of apples, pears and stone fruit, the main agricultural industry in the Diamond Valley region (the area covered by much of the present Nillumbik Shire) from the 1880s to the 1930s. With its soil and climate suited to the growing of fruit, Diamond Valley formed a significant part of the wider fruit-growing region situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington. Orchards and nurseries were established on the hills and in the gullies of the catchments of Diamond Creek and Arthurs Creek, stretching from the township of Diamond Creek, through Hurstbridge, Cottles Bridge, Arthurs Creek and Panton Hill, to the foot of the Kinglake Ranges at Strathewen and Queenstown (now St Andrews) (National Trust Report, 'Shaws Cool Store, Cottlesbridge', B6979, cited in Butler 2006:140).

As part of the expansion of the fruit industry in the area from the 1880s, due to freehold ownership of land facilitated by the land Acts, St Andrews experienced significant growth, and by 1901 the population of the area had increased to 809 (*Victorian Places* 2015).

In 1881 the population of St Andrews and its associated diggings was 1162. However, by the early 1880s goldmining was in decline (*Victorian Places* 2015).

In the 1880s some buildings were relocated to what was developing as the centre of town. The Queenstown Mechanics Institute Hall, built in 1883 at Smiths Gully, was moved in 1889 to become St Andrews Hall. It was rebuilt after destruction by fire in 1924 (Reynolds n.d.). The area was mined again during the economic depression of the 1890s when unemployed men were paid by the government to fossick for gold.

The 1903 *Australian Handbook* described St Andrews, then with a population of 50, including five Chinese residents, as comprising a hotel, State School No. 128, mechanics' institute, Independent Order of Oddfellows, and Church of England. Two coaches ran daily from Heidelberg. The broader district had a population of 1250 in this year, mostly employed in fruit-growing and mining (*Victorian Places* 2015).

In 1912, the railway line was extended between Eltham and Upper Diamond Creek, which aided in the transportation of locally grown fruit crops to Melbourne.

Although goldmining had declined in the area, with the advent of technology that allowed deeper exploration, a State-owned gold battery was established in 1919 at nearby Smiths Gully, opposite the Queenstown (St Andrews) Cemetery (*Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate* 5 September 1919:3).

In 1920 St Andrews was described as a mining township on Diamond Creek with a state school, church, mechanics' institute, police station and hotel, with a rail connection to Hurstbridge (*Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate* 2 April 1920:4). The St Andrews police quarters were moved to Doncaster East School in 1920 for use as a teachers residence (St Andrews/Queenstown Historical Society n.d.).

Increased competition from new fruit-growing areas established in Victoria under irrigation programs after World War I and the impact of the Depression of the 1930s saw many of the district's orchardists turning to other pursuits such as raising poultry, selling firewood, or supplementing their incomes by working for other landowners or through mining (Nillumbik Shire 2020; 'Victorian Gold Project' 1999:14). During the Depression from 1928, men from the city were given a miner's right and mining sustenance as a form of unemployment relief. In 1931 there were over 200 men camping on Crown land on the Diamond Creek at Queenstown under their miner's rights (Mills and Westbrooke 2017:33).

In 1935, the St Andrews Post Office was moved to the new general store building erected opposite the Church of England (*Advertiser* 13 September 1935:2).

Bushfires occurred in the area in 1927, and in 1939, the Black Friday bushfires destroyed parts of Eltham, Warrandyte, Panton Hill, St Andrews, Kinglake and Christmas Hills (Eltham District Historical Society 2000:np).

The town and school name of Queenstown was formally changed to St Andrews in 1952 (St Andrews/Queenstown Historical Society n.d.).

The area became a favoured locale of musicians and artists from the early 1970s. At their initiative, a Saturday morning market, offering alternative culture, crafts, art and accessories as well as organic vegetables and food, was established on the St Andrews Hall reserve in 1972 and continues to run today.

When a new building was constructed for St Andrews Primary School in 1984, the former school was opened as St Andrews Community Centre (St Andrews/Queenstown Historical Society n.d.).

Surrounded by a number of bushland reserves, the St Andrews area has been affected by several significant fires over time. During the Black Saturday bushfires of 2009, properties east of the town were destroyed (*Victorian Places* 2015) and St Andrews Community Centre was established as a relief centre. With funds from the Victorian Bushfire Appeal, the building was redesigned by architect Gregory Burgess, and reopened as Wadambuk Community Centre in 2015. The building is also the home of St Andrews/Queenstown Historical Society (Nillumbik Shire 2015).

PLACE HISTORY

The 1925 St Andrews Hall at 1 Proctor Street, St Andrews, is located on Crown Allotment A, Section 4A, Queenstown Township, one rood reserved for a Mechanics Institute and Free Library in 1889 (*Queenstown Township Plan* 1951).

The original building on the subject site was the Queenstown Mechanics Institute and Free Library, which also included a hall, initially built on the land of Mr Harris near Buttermans Track. The building was formally opened on 10 March 1883 by E H Cameron MLA. The celebration was attended by a

large audience who was entertained for two hours with songs, readings and recitations. The construction of the building cost £79 (St Andrews Primary School Council 1998:102; *Evelyn Observer and South and East Bourke Record* 16 March 1883:2).

The Queenstown Mechanics Institute and Free Library building was moved to the subject site in 1889 to be closer to what had become the centre of town. A permit was sought from the Shire of Eltham to remove the railings on the old Queenstown bridge to enable the hall to pass (Reynolds nd). The re-opening of the mechanics institute building on its new site was celebrated with a concert on 2 November 1889 (*Evelyn Observer and South and East Bourke Record* 8 November 1889:3). The building was also known as the Queenstown Hall. In 1917 a room was added to the rear of the hall (St Andrews Primary School Council 1998:103).

After a fire destroyed the Queenstown Hall in January 1925, a building fund was established to raise monies for the construction of a new hall, and by February 1925 had collected £100, with £120 more required (*Argus* 29 January 1925:14; *Advertiser* 27 February 1925:4).

Tenders were called for the supply of materials and construction of a new public hall at Queenstown in February 1925 (*Advertiser* 13 February 1925:2). By April 1925, the new hall was under construction, with builder F J Jennings of Diamond Creek undertaking the work. The hall was of a simple design, comprising 12 feet high walls built of Baltic pine weatherboard, hardwood floors, and galvanised iron roof. A platform stage and dressing room were built at one end (see Figure 3) (PROV 1925-85, Public Building File).

The hall roof was up in time for the first dance, which was held on the evening of Easter Monday 1925 (*Advertiser* 17 April 1925:2). A newspaper report of the day described the hall as follows:

It is constructed of the best weatherboards and is roofed with iron. The walls are 12 feet high. The floor is of grooved hardwood, like that of Diamond Creek. The dimensions are 50 feet by 30 feet, which make it 10 feet wider than the old hall, and it will accommodate about 200 people. Provision is made for a 10 feet stage. For the present the walls will not be lined and the ceiling will not be put in, but these will follow when finances justify. The contract price is in the vicinity of £400 (*Advertiser* 17 April 1925:2).

The hall was officially opened on 6 June 1925 by Eltham Shire councillor H Hewitt, with a large number of people enjoying the musical program and supper. A social club was formed in the same month by the young people of Queenstown, who planned to hold a dance in the hall every fortnight (*Advertiser* 19 June 1925:2).

A number of functions were held throughout 1925 to raise building funds for the hall. These functions included events held in neighbouring areas such as Hurstbridge, as well as a sports meeting in April 1925 and a dance and social organised in August 1925, both at Queenstown (*Advertiser* 17 February 1925:4; 17 April 1925:2 and 4 September 1925:2).

The Queenstown Hall was the venue for variety of community activities, including dances, balls, dramas, card games, farewells, church fetes, and meetings.

A plan dated 1952 shows a kitchen, 14 feet by 12 feet, adjoining the hall, which was constructed some time after 1925 (PROV 1925-85, Public Building File).

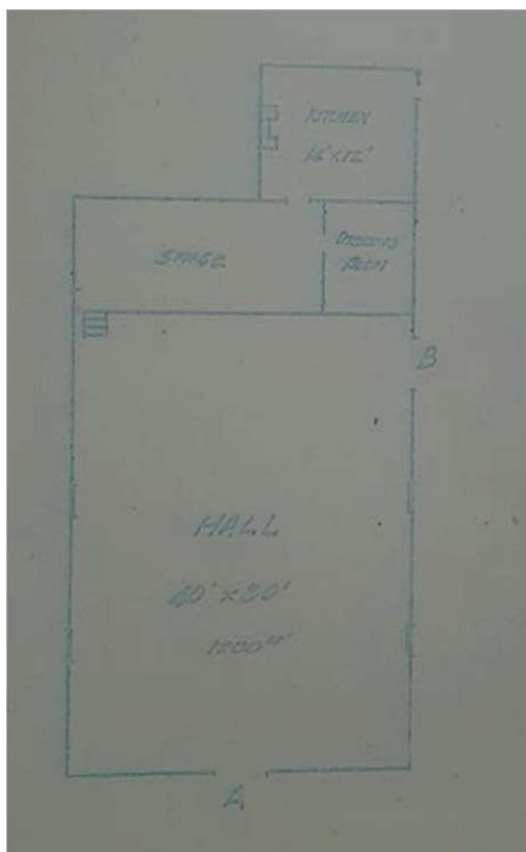


Figure 2. Plan for the Queenstown Mechanics Institute, with kitchen shown at rear, 1952. (Source: PROV 1925-85, Public Building File).

A photo taken at a dance in the 1950s shows the hall still without walls and ceiling lined. The front door resembled a barn door and rough bench seating ran around the walls (Reynolds nd). At this time, there was a dance held in one of the local halls every weekend. St Andrews would be the host one week, then Panton Hill, Hurstbridge, Arthurs Creek and Strathewen would have their turn. The band was made up of local talent (Reynolds nd).

As there was no power in the town, a large iron hoop with hooks for kerosene lanterns was suspended from the ceiling and could be lowered and raised. On some occasions, one of the locals supplied his car battery for lighting. A supper of sandwiches was provided, and a big pot of boiling water hung over the fireplace in the kitchen for tea and coffee (Reynolds nd).

In January 1962 a large fire engulfed St Andrews. Many lost their homes, but the hall, hotel, old church and school were saved. Later that same year the power came to St Andrews and the community celebrated the occasion with a 'Switch On Ball' at the hall. By 1964 dances had ceased and regular community gatherings at the hall were a thing of the past (Reynolds nd). By this year, the committee of management had also ceased to function (PROV 1925-85, Public Building File).

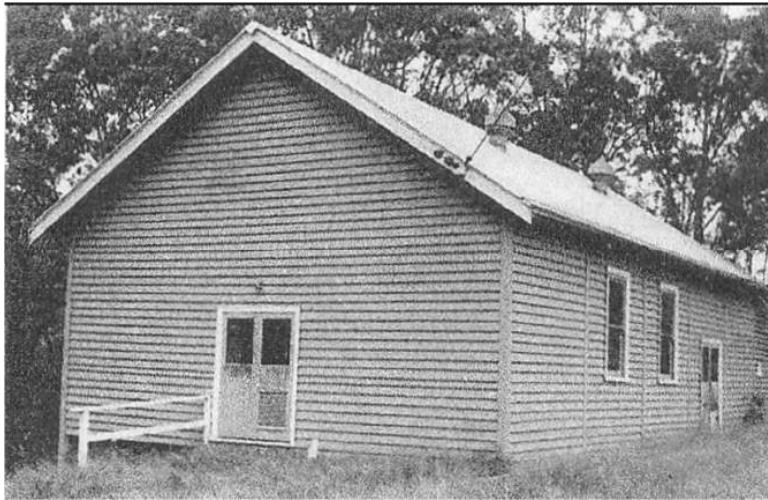
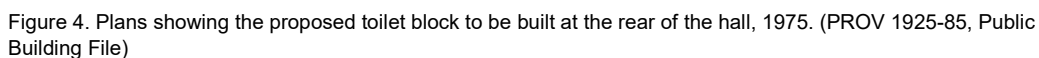


Figure 3. St Andrews Hall, c1965. (Source: Reynolds nd)

In 1970, the hall was once more registered with the Department of Health so that it could be re-opened to the public (PROV 1925-85, Public Building File).

In 1972, local artists and musicians established an open-air market on the reserve in front of the hall, with the hall once more becoming a meeting place for the community (Reynolds nd). Moon Dances were held every month and, for a period of time, mothers with children at the primary school screened films for the children and their parents. The hall was also the meeting place for the St Andrews Cub group. At this time, there was still no insulation in the roof and no heating. In summer the doors and the two small high windows on the north wall were opened (Reynolds nd).

A new toilet block with septic tank system was built c1975 (see Figure 4). The toilet block featured adobe walls, a decorative metal finial by Marcus Skipper, and a Colorbond custom orb roof. A letter from Eltham Shire Council in June 1975 that accompanied the plans for the toilet block noted that 'the residents are to build the toilet block on a voluntary basis and the building has been designed with a view to harmonising with the landscape' (PROV 1925-85, Public Building File).



In 1998 the Hall and Reserve Advisory Committee was created to manage the hall and the surrounding reserve on behalf of Nillumbik Shire and in the 1990s the ceiling was insulated and boxed in (Reynolds nd).

Attachments - 634

In 2008, the two small north facing windows were replaced with expansive glass doors opening onto a deck and the kitchen was updated. A brass plaque on a rock in front of the hall marks the celebration of the completion of the upgrade and landscaping in 2008. The bricks from the old kitchen chimney were saved, and a seat was built with the bricks by volunteers in front of the new kitchen. There is an explanatory plaque on the side of the seat (Reynolds nd).

In February 2009 when the Black Saturday fires devastated the northern area of St Andrews, the hall became the base for emergency services, as it had during the fires in January 1962. Members of the CFA, police and army were all based there for many weeks. For several nights soldiers bedded down on the deck (Reynolds nd).

Many events were held in the hall after the fires to help the community recover: Buddhist monks created a mandala, an Aboriginal dance troop came from the Northern Territory and performed on the brick circle, and musicians offered their support and entertained the community. The play 'Hero of Queenstown' was staged in the hall in May 2009 (Reynolds nd).

A few months after the fires, the community was invited to four free film sessions in the hall. They were so popular it was decided to spend some of the Bushfire Recovery funds on a permanent audio-visual system for the hall. A local film society was subsequently formed (Reynolds nd).

After the fire, the Lasting Memories Mosaic Group created a mosaic seat, which was completed in 2012 (Reynolds nd).

In 2013 it was decided to bring the St Andrews Community Centre and St Andrews Hall under the one management committee (Reynolds nd).

In 2015 solar panels were installed on the roof (Reynolds nd).

St Andrews Hall today is also used for yoga, t'ai chi and creative dancing. The hall and its facilities are used to celebrate special occasions such as weddings and birthdays. It continues to be used for community meetings and St Andrews Community Market stallholders make use of the space every Saturday (Reynolds nd).



Figure 5. Photograph of the St Andrews Community Market. (Source: localfootconnect.org.ai)

DESCRIPTION

The St Andrews Hall at part of 1 Proctor Street, St Andrews comprises a hall and toilet block. The hall was built in 1925 by FJ Jennings for the Shire of Eltham. The toilet block was constructed c1975.

The St Andrews Hall and more recent toilet block is located on the eastern side of Burns Street, slightly to the south of the Scott Street intersection hugging the western corner of a bushy site (Figure 6). The Old Caledonia Gully runs north-west to south-east through the site, and the land slopes down towards the gully behind the buildings.

The St Andrews Hall building footprint is rectangular with northwest to southeast alignment, and sits to the western edge of the block surrounded by bush and a granitic carpark to the north and western sides. The toilet block with pyramidal roof and, comprising a square footprint, sits on a similar alignment across a driveway south of the hall (Figure 7).

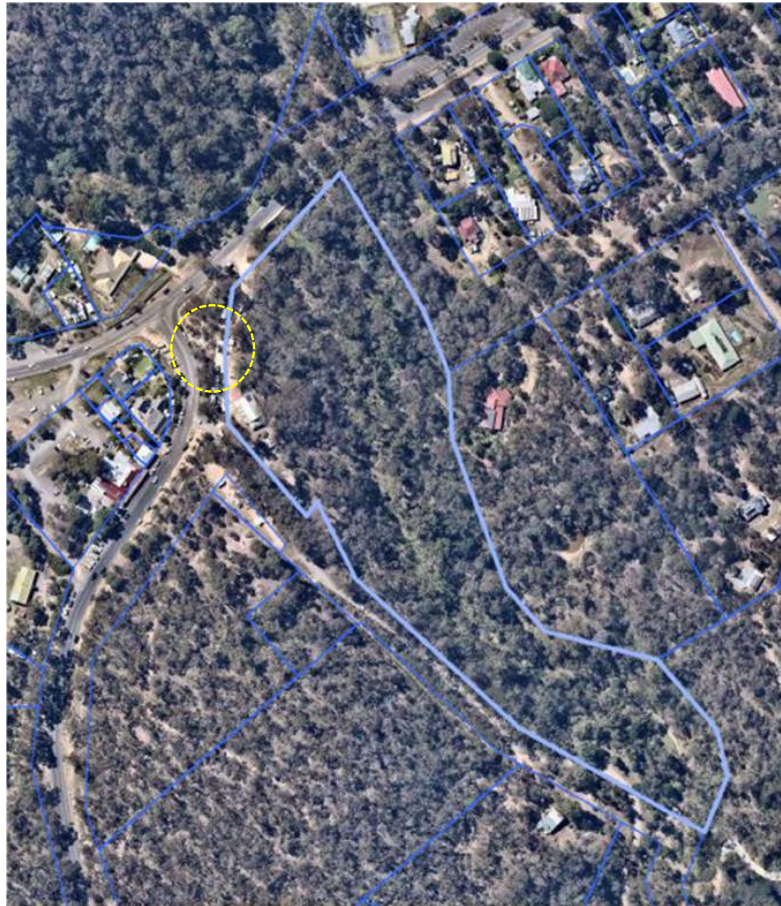


Figure 6. The subject site is highlighted in lighter blue. The hall and toilet block are circled in yellow. (Source: Nearmap 2021)



Figure 7. Aerial photograph showing the hall and toilet block, and carpark. (Source: Nearmap 2021)

The St Andrews Hall is of simple vernacular hall design. The simple high pitched gable roof is clad in corrugated iron, eaves have slight overhang with exposed double rafters. The additions to the rear of

the building sit under a low-pitched roof which extends beyond the walls to form a verandah supported by simple timber posts (Figure 8). This verandah connects to the verandah to the western side of the building. Red brick paving sits below the western verandah (Figure 9 and Figure 10). The external walls are clad in weatherboards.

Main entrances to the hall are via a double and single doorway on the western elevation, double doorway on the northern elevation. A timber ramp with timber balustrade and metal railing extends along the southern side to a doorway at the rear (Figure 2 and Figure 9).



Figure 8. Kitchen addition to the rear of the building. (Source: Google Streetview 2016)



Figure 9. Rear of the hall, including ramp and kitchen addition. (Source: Context 2020)



Figure 10. Corrugated iron verandah supported by timber posts over red brick paving. (Source: Context 2020)



Figure 11. timber decking and row of glazed doors with shallow corrugated awning. (Source: Context 2020)



Figure 12. Red brick paving circle at the northern end of the building (Source: Context 2020)



Figure 13. Window, corrugated iron and translucent polycarbonate clad verandah. (Source: Context 2020)

The pyramid roofed mudbrick toilet block is square in footprint with corrugated roof cladding and is located downslope behind a retaining wall (Figure 14).



Figure 14. The toilet block sitting below a retaining wall. (Source: Context 2020)



Figure 15. The toilet block viewed from the verandah to the rear of the building. (Source: Context 2020)

A community noticeboard and signage for the St Andrews Market sit beside the road (Figure 16 and Figure 17).



Figure 16. St Andrews Market sign (Source: Context 2020)



Figure 17. Community noticeboard. (Source: Context 2020)

INTEGRITY

The St Andrews Hall at part of 1 Proctor Street, St Andrews, is generally intact with changes visible to original or early fabric. The hall building retains its original form, with high pitched gable roof. The building also retains its prominence as a local landmark. Windows appear to have been replaced and some fenestrations altered. The addition to the rear (south) is legible as an extension with a different roof pitch.

Additions and extensions support the continuing use of the place as a community hall.

Overall, the building has fair integrity with its early form as an interwar hall remaining legible.

COMPARATIVE ANALYSIS

Halls in townships are important community infrastructure insofar as they are places that facilitate large gatherings of community members. In the nineteenth century, halls in the Nillumbik area typically took the form of mechanics' institutes and free libraries. The mechanics' institute movement had emerged in Scotland in 1900 with the intention of improving the education of working men. In Australia, these institutes were constructed with Government funding. From 1860 Government grants were available and from 1887 these were directed to the construction of free libraries (Mills & Westbrooke 2016: 103).

From the twentieth century mechanics institutes were beginning to lose popularity, and some began to be used for other functions more aligned with amusement and recreation. The title of 'mechanics' institute' was typically given to halls whether existing, renovated, or newly constructed.

There are two early halls already listed on the Nillumbik Shire Heritage Overlay. Yarrambat Memorial Hall is outside HO but listed on Victorian War Heritage Inventory (VWHI).



Plenty Hall, 103-107 Yan Yean Road, Plenty (HO248). (Source: Google Streetview)

Constructed in the 1930s, Plenty Hall is significant for its long association with community gatherings, celebration and activities in the Plenty farming area. The hall is one of a group of much valued civic structures in the immediate area (VHD). The hall has a simple rectangular form with a gable roof. Additions are observed at the rear and side elevations.



Christmas Hills Mechanics Institute and Free Library, later Harold Muir Hall, 787 Ridge Road, Christmas Hills (HO243). (Source: Google Streetview)

Christmas Hills Mechanics Institute and Free Library, later part Harold Muir Hall is significant as a long-standing public building in the Christmas Hills locality. It is one of the oldest mechanics institutes in the Shire. It also forms part of a significant building group, including the (1st) Daltheith, Former Christmas Hills Post Office Store (HO177) and Christmas Hills War Memorial (also assessed as Individually Significant in this study), each having had a major role in the local community (VHD). The hall has a multi-gable roof with iron cladding. Some changes are visible.

Discussion

St Andrews Hall compares well with other examples of community halls in the Nillumbik Shire Heritage Overlay. Architecturally the hall is of typical simple rectangular, gabled-roofed form and weatherboard construction. St Andrews Hall compares well with the above examples in form and purpose. With its simple form with a gable roof, the subject hall compares particularly well with the Plenty Hall, 103-107 Yan Yean Road, Plenty (HO248), which is still being used for community gatherings, celebration and activities in the Plenty area. Importantly, the hall demonstrates the pursuits and aspirations of communities who sought to provide places of community learning, social interaction and gathering. Like St Andrews Hall, the above HO-listed examples also display some changes.

The St Andrews Hall's vernacular form with steep pitched gable roof has been retained. Additions are part of its ongoing functionality and the need to accommodate changing community needs. It is tangible evidence of the interwar development of the St Andrews township. It is also important for its legible original form, prominence as a local landmark and association with community gatherings, celebration, and as a base for emergency services and community healing.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The St Andrews Hall at part of 1 Proctor Street, St Andrews, a community hall built in 1925 by F J Jennings, is significant.

Elements that contribute to the significance of the place include:

- original form, high-pitched gabled roof and scale of the hall;
- weatherboard materiality;
- its ongoing use for the St Andrews market for over 40 years; and
- its use as an emergency base and place for community healing

HOW IS IT SIGNIFICANT?

The St Andrews Hall at part of 1 Proctor Street, St Andrews, is of local historic and social significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The St Andrews Hall at part of 1 Proctor Street, St Andrews is of historical significance for the association with the development, welfare and advancement of the St Andrews community. It is also historically significant having held the St Andrews community market for over 40 years. The community hall is representative of the vernacular hall form of the early twentieth century. Modest in its construction, and despite later alterations, it remains legible and is a good example of the type. (Criterion A)

The St Andrews Hall at part of 1 Proctor Street, St Andrews is socially significant as the focus of community activities and recreation. St Andrews Hall today is also used for various gatherings, social interaction and learnings, for celebration of special occasions such as weddings and birthdays. It continues to be used for community meetings and St Andrews Community Market stallholders make use of the space every Saturday. (Criterion G)

RECOMMENDATIONS

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

Extent of overlay: Extent of Heritage Overlay is recommended to allow 10 metres curtilage to the north and east of the buildings and continues the curtilage to the street boundaries to west and south, as indicated by the blue shaded area. Refer to the map below.

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

Nillumbik Planning Scheme

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

Other



Figure 18. Recommended extent of the Heritage Overlay (blue). (Source: Nearthmap 2021)

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10 Caledonia Street, St Andrews

St Andrews General Store and House

Prepared by: Context	Survey date: December 2020
Place type: Commercial, residential	Designer: -
Significance level: Significant	Builder: Not Known
Extent of overlay: To title boundaries	Major construction: 1935



Figure 1. St Andrews General Store and House. (Source: Context 2020)



Figure 2. St Andrews General Store and House. (Source: Context 2020)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.3 Interwar subdivisions and estates

In the interwar period there were numerous speculative subdivisions throughout the Nillumbik area. These were often marketed as combining possibilities for escape from the city and immersion in the natural values of the area. The introduction of the railway made such speculations possible and they were spurred on by the promise of its electrification. This meant greater frequency of services and therefore greater viability for commuting workers and weekenders. (Mills & Westbrooke 2016:71).

Advertisements for interwar subdivisions in the small towns reveal that they were in large part aimed at a weekend market. In 1924, blocks in the Hurstbridge Railway Estate were advertised as 'lovely mountain residential week-end holiday lots', with 'big timbered blocks' and 'pretty quarter and half acre blocks'. A newspaper article breathlessly described its merits. 'The advantages ... are unassailable – nearness to the railway station, commanding extensive and lovely views of the forest and meadow, hill and glen, the very home of various kinds of wattles, with the Diamond Creek in full view, but powerless in its highest floods to do them injury, and the quality of the land suitable for gardens and orchards.' Four hundred people attended the first auction in November 1924, when 50 of the better blocks of the 160 available were sold. Some buyers bought two or three of the best blocks on Via Meander (now Meander Road), indicating a speculative interest. (Mills & Westbrooke 2016:72).

Most of the housing in these towns in the interwar period, as for the later nineteenth and early twentieth centuries, was still constructed in weatherboard on a timber frame. At Hurstbridge a substantial group of weatherboard cottages and shops along Main Road (Heidelberg–Kinglake Road) remain from this period (HO65–HO79, HO182). They are typically double fronted and set back from the road (HLCD 2008, p. 11). The 1923 Wilkinson House in Diamond Creek, however, was clad in stucco as well as weatherboard (HO184). Another exception was Worlingworth in Eltham, a brick bungalow built in 1920 (HO7). (Mills & Westbrooke 2016:73-74).

LOCALITY HISTORY

St Andrews was part of the Caledonian goldfields, which stretched from St Andrews to Warrandyte (the St Andrews Mining Division), established in 1854 on the country of the Wurundjeri-willam clan of the Woi wurrung people. The settlement was originally called Queenstown, but by 1865 was also known as St Andrews. The presence of large numbers of Scottish miners gave rise to both names 'Caledonia' and 'St Andrews' (*Victorian Places* 2015). The place was commonly referred to as 'St Andrews, Queenstown'.

By 1855 there were 3000 miners in Queenstown, and in 1856 a post office and hotel were established in the settlement. The settlement was located on the road from Melbourne to the goldfields at Woods

Point, so it benefited from passing traffic. The town of Queenstown, located on Diamond Creek, was surveyed in 1858 and proclaimed in 1861 (Township of Queenstown 1951; Butler 1996:40). A Church of England school opened in 1858 and was replaced by the Caledonia Common School No. 128, opened in Smiths Gully in 1858. This school, in turn, was replaced by Queenstown State School No. 128 (HO20) built in 1887 (Blake 1973:287). A cemetery (HO163) (in use in nearby Smiths Gully in the 1850s) and a cricket ground were gazetted in 1868, and St Andrews Church of England opened in 1866. A mechanics' institute opened in 1867 (Butler 1996:40; *Victorian Places* 2015). The shire's oldest surviving hotel building, St Andrews Hotel (HO19), was built on the Caledonia goldfields in Queenstown c1860 (Mills and Westbrooke 2017:102).

As gold returns diminished, a series of land Acts introduced in Victoria from 1860 aimed to encourage former gold seekers to take up farming. Although some land leased under the land Acts of 1865 and 1869 saw the establishment of orchards on small blocks of about 20 acres in the St Andrews district, freehold ownership of allotments in the area was not achieved until the land Acts of 1884, 1901 and 1915 (Queenstown Parish Plan 1925).

St Andrews was a part of a substantial area given over to the growing of apples, pears and stone fruit, the main agricultural industry in the Diamond Valley region (the area covered by much of the present Nillumbik Shire) from the 1880s to the 1930s. With its soil and climate suited to the growing of fruit, Diamond Valley formed a significant part of the wider fruit-growing region situated to the north and east of Melbourne in the counties of Evelyn, Bourke and Mornington. Orchards and nurseries were established on the hills and in the gullies of the catchments of Diamond Creek and Arthurs Creek, stretching from the township of Diamond Creek, through Hurstbridge, Cottles Bridge, Arthurs Creek and Panton Hill, to the foot of the Kinglake Ranges at Strathewen and Queenstown (now St Andrews) (National Trust Report, 'Shaws Cool Store, Cottlesbridge', B6979, cited in Butler 2006:140).

As part of the expansion of the fruit industry in the area from the 1880s, due to freehold ownership of land facilitated by the land Acts, St Andrews experienced significant growth, and by 1901 the population of the area had increased to 809 (*Victorian Places* 2015).

In 1881 the population of St Andrews and its associated diggings was 1162. However, by the early 1880s goldmining was in decline (*Victorian Places* 2015).

In the 1880s some buildings were relocated to what was developing as the centre of town. The Queenstown Mechanics Institute Hall, built in 1883 at Smiths Gully, was moved in 1889 to become St Andrews Hall. It was rebuilt after destruction by fire in 1924 (Reynolds n.d.). The area was mined again during the economic depression of the 1890s when unemployed men were paid by the government to fossick for gold.

The 1903 Australian Handbook described St Andrews, then with a population of 50, including five Chinese residents, as comprising a hotel, State School No. 128, mechanics' institute, Independent Order of Oddfellows, and Church of England. Two coaches ran daily from Heidelberg. The broader district had a population of 1250 in this year, mostly employed in fruit-growing and mining (*Victorian Places* 2015).

In 1912, the railway line was extended between Eltham and Upper Diamond Creek, which aided in the transportation of locally grown fruit crops to Melbourne.

Although goldmining had declined in the area, with the advent of technology that allowed deeper exploration, a State-owned gold battery was established in 1919 at nearby Smiths Gully, opposite the

Queenstown (St Andrews) Cemetery (Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate 5 September 1919:3).

In 1920 St Andrews was described as a mining township on Diamond Creek with a state school, church, mechanics' institute, police station and hotel, with a rail connection to Hurstbridge (Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate 2 April 1920:4). The St Andrews police quarters were moved to Doncaster East School in 1920 for use as a teacher's residence (St Andrews/Queenstown Historical Society nd).

Increased competition from new fruit-growing areas established in Victoria under irrigation programs after World War I and the impact of the Depression of the 1930s saw many of the district's orchardists turning to other pursuits such as raising poultry, selling firewood, or supplementing their incomes by working for other landowners or through mining (Nillumbik Shire 2020; 'Victorian Gold Project' 1999:14). During the Depression from 1928, men from the city were given a miner's right and mining sustenance as a form of unemployment relief. In 1931 there were over 200 men camping on Crown land on the Diamond Creek at Queenstown under their miner's rights (Mills & Westbrooke 2017:33).

In 1935, the St Andrews Post Office was moved to the new general store building erected opposite the Church of England (Advertiser 13 September 1935:2).

Bushfires occurred in the area in 1927, and in 1939, the Black Friday bushfires destroyed parts of Eltham, Warrandyte, Panton Hill, St Andrews, Kinglake and Christmas Hills (Eltham District Historical Society 2000:np).

The town and school name of Queenstown was formally changed to St Andrews in 1952 (St Andrews/Queenstown Historical Society nd).

The area became a favoured locale of musicians and artists from the early 1970s. At their initiative, a Saturday morning market, offering alternative culture, crafts, art and accessories as well as organic vegetables and food, was established on the St Andrews Hall reserve in 1972 and continues to run today.

When a new building was constructed for St Andrews Primary School in 1984, the former school was opened as St Andrews Community Centre (St Andrews/Queenstown Historical Society nd).

Surrounded by a number of bushland reserves, the St Andrews area has been affected by several significant fires over time. During the Black Saturday bushfires of 2009, properties east of the town were destroyed (*Victorian Places* 2015) and St Andrews Community Centre was established as a relief centre. With funds from the Victorian Bushfire Appeal, the building was redesigned by architect Gregory Burgess, and reopened as Wadambuk Community Centre in 2015. The building is also the home of St Andrews/Queenstown Historical Society (Nillumbik Shire 2015).

PLACE HISTORY

St Andrews General Store and House at 10 Caledonia Street, St Andrews, is located on Crown Allotment 4, Section 2, Queenstown Township, 2 rood allotments purchased by T Mitchell in 1859 (*Queenstown Township Plan* 1951).

The original Queenstown post office and general store were located in the St Andrews Hotel (St Andrews Primary School Council 1998:136). By 1893, W Atkins was running the Queenstown Post Office Store (*Leader* 11 February 1893:4).

In July 1935, the Hurstbridge *Advertiser* reported that

A new grocery store is being built to the order of Mrs N. Rickaby, now of the St. Andrew's hotel. The store is being built opposite the Church of England and is a long wanted addition to the district. A house will also be built on to the shop (Advertiser 26 July 1935:2).

The Queenstown Post Office moved to the building in September of the same year, with D Rickaby appointed postmaster (Figure 4) (*Advertiser* 13 September 1935:2 and 18 October 1935:3).

The store and post office were owned by the Rickabys until 1938, when the premises were acquired by Albert Fawcett, who employed Ray Rogers and Son in the same year to undertake additions to the building. Fawcett sold the business in 1939, and it was noted in a newspaper report of the day that he would be staying on in the district as he had just built a new house adjoining the store, likely the current residence at 12 Caledonia Street (Figure 4) (*Advertiser* 18 March 1938:1; 8 April 1938:2; and 3 February 1939:5).

A certificate of title dated 1940 confirms that Albert Fredrick Fawcett was the owner of both Crown Allotment 4 and 5 in that year (CT:V6350 F871).

In 1944, Crown Allotment 4, on which the subject building is located, was sold to storekeeper John Hade. In 1945, Crown Allotment 5, on which Fawcett's residence stood (12 Caledonia Street), was sold to Edwin Brooks (CT:V6350 F871).

A number of people took over ownership of the store and post office on Crown Allotment 4 in the 1940s and 1950s, including newsagent Geoffrey Tatham in 1947; storekeepers Frank and Rose Eldred in 1950; engineer Alexander Moore in 1950; and accountant Alexander McCutcheon in 1951 (CT:V6699 F612).

By 1954, the configuration of the steps to the entry had changed and appears to have been constructed in timber with diagonal lattice balustrade (Figure 4). This configuration remains extant.

In 1969, Eric and Betty Kerr became the owners. The Kerr family ran the store and post office until 1979, when the McVicar's took over ownership. The McVicar's sold the store and post office in 1986 (CT:V6699 F612).

An advertisement for the sale of the St Andrews General Store in 1995, by then a milk bar, described the building as a store and two-bedroom modern mudbrick residence on one half acre (*Age* 11 February 1995:94).

The subject building today houses the St Andrews General Store, an Australian Post outlet, and cafe. A two-bedroom mudbrick residence is located at the rear of the building and is likely to have been constructed after 1968.



Figure 3. St Andrews Post Office and Store, c1930s. (Source: Facebook 2021)



Figure 4. Images of the St Andrews Post Office and Store in 1954, showing Rickaby's store built in 1935 at 10 Caledonia Street and Fawcett's house, at 12 Caledonia Street, to the left of the store in the LHS photo. The configuration of the steps have changed by this time. (Source: NAA 1954 [In copyright](#)).



Figure 5. The subject site in 1968. The roof of the rear additions appear different from that of the mudbrick extension. The buildings on the subject site are approximately outlined in orange. (Source: CPO, 'MELBOURNE 1968 PROJECT', via Landata)

DESCRIPTION

St Andrews General Store at 10 Caledonia Street, St Andrews, is an interwar shop and residence built in 1935, with a later (post-1968) mudbrick extension to the rear.

Located on the southern side of Caledonia Street, near Waratah Street, the L-shaped site rises to the rear (south) (Figure 6). The footprint of the shop and attached mudbrick dwelling is stepped (Figure 8), but broadly rectangular, sitting snugly in the northern portion of the site with zero setback to Caledonia Street. The building is a single-story gable-roofed weatherboard clad shop. A skillion roofed mudbrick residence has been added to the rear, and is integrated into the shop building. A garden and outbuilding lie behind. The southern portion of the site consists of a gravel driveway and carparking area.



Figure 6. Aerial imagery of the site. (Source: Nearthmap 2021)

The primary elevation (north) is elevated above the ground plane and presents a prominent gable frontage to the streetscape. Signage reading 'St Andrews General Store' sits within the gable (Figure 7). A shallow skillion roofed verandah supported by simple timber posts protects the entrance and extends around the southeast corner of the building. The northern portion of the verandah is enclosed. Brick paving leads from the south to a concrete, brick steps rising to the verandah and building entrance. An extended section of the verandah projects over the staircase landing. Three slat timber balustrades line the staircase and verandah. Post box slots and a community noticeboard flank the double doorway. A phone box and post box stand on the ground plane, in front of the building to the north.



Figure 7. Signage within the gable and other signage such as for Australia Post. (Source: Context 2020)



Figure 8. South western edge of the building with paved area and garden beds in front. (Source: Context 2020)

INTEGRITY

10 Caledonia Street, St Andrews, is largely intact with some changes visible to original or early significant fabric. The front shop building retains the single-storey gable-roofed form, skillion verandah and weatherboard cladding construction. The entrance staircase and balustrade are more recent additions but reflect the entry configuration visible in photographs of the building taken in 1954. While the front step configuration is faithful to the 1954 configuration, the extant steps and balustrade themselves are not significant. The building's retention of its continuous use as a shop and post office enhances the place's integrity. Overall, the building has high integrity.

The embedded mudbrick residence to the rear of the shop, that is partially visible from the streetscape, is clearly legible as a later addition. It is connected physically but is stylistically different to the main shop building. This does not detract from the integrity of the main shop building.

COMPARATIVE ANALYSIS

By the mid-to-late 1920s, residential development in the outlying townships of current-day Nillumbik, including Hurstbridge, Panton Hill, St Andrew's and Diamond Creek had slowed. With the onset of the Great Depression building activity in Melbourne and its surrounds virtually ceased. A combination of continuing agricultural land use and lack of suburban utilities and the impacts of the Depression (1929-32) meant that development in localities outside the reach of railway lines continued to be slow in the interwar period. Most buildings that appeared in the early twentieth century were modest weatherboard, timber framed structures (Mills & Westbrooke 2016:73-74). As there was limited building activity in the interwar period, there are only a handful of interwar shops listed on the Nillumbik Shire Heritage Overlay. However, early shop buildings are important components of local heritage as they reflect the development of townships and are part of the core of the community.

The St Andrews township is serviced by several buildings: St Andrews State School 128 (HO20); St Andrews Anglican Church (HO21); Weatherboard shop & residence, 85 Burns Street (HO18); St Andrews Hotel (HO19), St Andrews Community Hall (proposed significant in this study), which together form an important scatter of commercial and community buildings defining the centre of the St Andrews township along Burns Street and Caledonia Road.

Below examples of weatherboard shops are listed on the Nillumbik Shire Heritage Overlay.



Kangaroo Ground General Store, Post Office, 280 Eltham-Yarra Glen Road, Kangaroo Ground (HO48).
(Source: Google Streetview 2020)

The general store, built in the c1900s, is historically significant for its long association with Kangaroo Ground. The store has been an important centre of community life for more than 80 years. Council meetings used to be conducted in the front room of the store at a time when Kangaroo Ground rivalled Eltham as the major centre of the Shire. The general store is one of a group of three well preserved public buildings in the Kangaroo Ground hamlet (including HO46 Presbyterian Church and HO47 Primary (State) school No.2105 and former residence). It is a major focus of Kangaroo Ground which was one of the earliest settled areas of the Shire and which has the character

of an English village rather than an Australian settlement. The general store is socially and historically significant because it has served the community since c1900 (VHD).



Weatherboard Shop and Residence, 85 Burns Street, St Andrews (HO18). (Source: VHD)

This combined shop and residence built in c1890-1900 is socially and historically significant as one of the two traditional social hubs of St Andrews (HO19 St Andrews Hotel being the other one). In recent decades it has been used for the display of works by local artists, potters and leather/wood workers. The place is historically and aesthetically significant as one of only two examples of a 1890s-1900s combined shop and residence in the area and, in combination with the adjacent St Andrews Hotel, is a major component of the streetscape of St Andrews (VHD).



Former Butcher's Shop and House, 919 Heidelberg-Kinglake Road, Hurstbridge (HO75). (Source: VHD)

The c1913-14 combined shop and residence within the subdivision created by the leading orchardist William Gray, is historically significant. It was constructed immediately after the arrival of the railway in Hurstbridge (1912) and illustrates the growth and change that the arrival of the railway brought to the town. The shop and residence is one of Hurstbridge's most substantial commercial properties, featuring a projecting front gable over the shop and a cast iron decorative verandah, which is rare in Hurstbridge. It is an integral component of a cluster of 1910s and 1920s buildings that gives the centre of Hurstbridge its special character. The building is a rare example of a combined shop and residence in the municipality and illustrates the once common practice of shopkeepers living at their premises (VHD).

It does not appear to be in use as a shop currently.



Former Milthorpe Store, 42-44 Main Hurstbridge Road, Diamond Creek (HO259). (Source: Google Streetview 2019)

The c1915 former Milthorpe Store is historically significant for its long association with commercial activities within the township of Diamond Creek. Charles Milthorpe established the store and carrier business c1915 opposite the recently extended railway line and Diamond Creek Railway Station. The Milthorpe family ran the store and carrier from this location until c1960. The former store is an early surviving commercial building in Diamond Creek and illustrates the shift of the commercial centre closer to the railway station after 1912 when the line was extended from Eltham to Hurstbridge. The former store was one of the first commercial buildings to be constructed near the railway stations after the line was extended. The former Milthorpe Store is also a partially intact example of an early twentieth century rural store still demonstrating the humble nature of its original construction (VHD).

Today it is used as an opportunity shop.



Weatherboard Shop and Dwelling, 956-958 Heidelberg-Kinglake Road, Hurstbridge (HO77). (Source: VHD)

The shop and dwelling (which may originally have been two shops), built c1920, is historically significant because it was constructed within the subdivision created by the leading orchardist, William Gray. It was one of the earliest properties constructed after the arrival of the railway to Hurstbridge (1912) and illustrates the growth and change that its arrival brought to the town. The modest scale of the property reflects the relative poverty of Hurstbridge in the early years of the twentieth century. The shop and dwelling is an integral component of a cluster of 1910 and 1920s buildings that gives the centre of Hurstbridge its special character (VHD).

Today it is used as an opportunity shop.



Weatherboard Shop, Corrugated Iron Building and Weatherboard House Behind, 960 Heidelberg-Kinglake Road, Hurstbridge (HO78). (Source: VHD)

The shop and associated house, built c1910-1920, are historically significant because the arrangement of the two (with the shop to the front and the house to the rear) is unique in Hurstbridge. The shop and house were constructed following the completion of the railway line to Hurstbridge (1912) and illustrate the growth and change that its arrival brought to the town. The shop and associated house retained its original/early shopfront and post-supported verandah. The buildings are integral components of a cluster of 1910 and 1920s buildings that gives the centre of Hurstbridge its special character (VHD).

The building is no longer a shop.

Discussion

The St Andrews General Store at 10 Caledonia Street, St Andrews, compares well to the above examples in form, materiality and original function. Of modest timber construction, the St Andrews General Store demonstrates the development of retail outlets during the interwar period and represents the importance of commerce to townships. Many of the examples listed are built prior to the Depression, rendering the St Andrews General Store of further importance as an interwar example of this building type which is poorly represented in the Heritage Overlay.. Like the Former Butcher's Shop and House at 919 Heidelberg-Kinglake Road, Hurstbridge (HO75), the St Andrews General Store and House is a rare example of a combined shop and residence in the municipality, illustrating the once common practice of shopkeepers living at their premises.

It is also notable for its continuous use as a shop, as some of the comparative examples have been converted to residential use or do not retain their original commercial use. The signage within the gable at 10 Caledonia Street, while not original, makes an important contribution to the streetscape and signifies the commercial use of the place to the public domain.

The St Andrews General Store contributes to the cluster of commercial and community-focused buildings along the main thoroughfares of Caledonia Road and Burns Street which help define the core of the town. It is largely intact on its primary elevation and demonstrates a typical construction method of the interwar period within Nillumbik Shire and contributes to the township's character in form and function.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

St Andrews General Store and House at 10 Caledonia Street, St Andrews, built in 1935 is significant.

Elements that contribute to the significance of the place include:

- Original single-story gable roofed form and scale, and building siting without setback.
- Weatherboard cladding.

The signage, noticeboards and embedded mudbrick dwelling to the rear contributes to the significance of the place.

HOW IS IT SIGNIFICANT?

St Andrews General Store and House at 10 Caledonia Street, St Andrews is of local historical and representative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

St Andrews General Store and House at 10 Caledonia Street, St Andrews, is historically significant as it demonstrates commercial retail development within the township during the interwar period. This is enhanced by its continued use as a shop. Signage and noticeboards surrounding the shop have long been in use at this site. They enhance the character of the shop and emphasise its ongoing use as a place for the transmission of community information. St Andrews General Store is also important for its continuing role as a meeting place for the St Andrews community. (Criterion A)

10 Caledonia Street, St Andrews, has representative significance as it demonstrates the interwar shop and residence typology with notable features such as weatherboard cladding, gabled roof form and overall modest construction. Its location on a main street at the centre of the township is also a key characteristic of the type. (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: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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3 Dingley Dell Road, Warrandyte North

Janeba House

Prepared by: Context	Survey date: April 2021
Place type: Residential	Designer: Friedrich (Fritz) Janeba
Significance level: Significant	Builder: Not known
Extent of overlay: To title boundaries	Major construction: 1948-49 (house), 1953 (kitchen), pre-1963 (bungalow and studio)

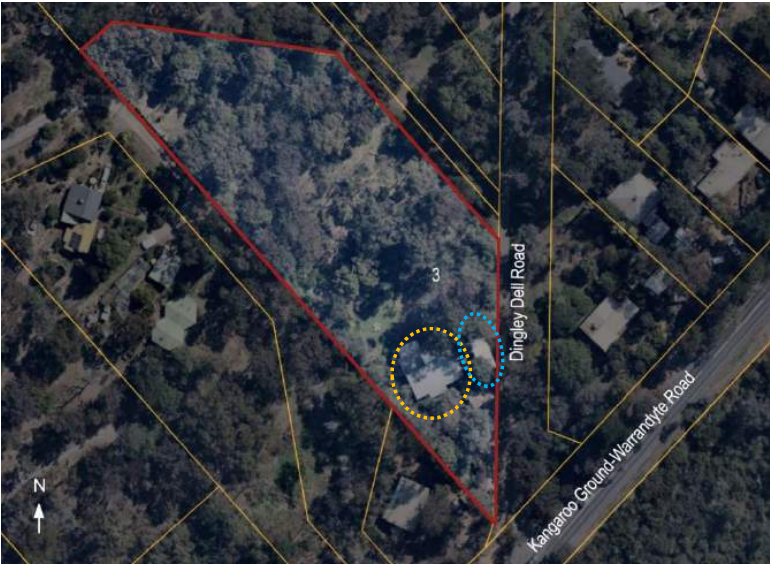


Figure 1. Aerial view of the Janeba House (outlined in yellow) and a detached bungalow and studio (outlined in blue). The property boundaries of 3 Dingley Dell Road, Warrandyte North, is outlined in red. (Source: Nearmap 2021)



Figure 2. South-westerly view of 3 Dingley Dell Road in 2011. (Source: realestate.com.au 2011)

HISTORICAL CONTEXT

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

6 BUILDING TOWNS AND SHAPING SUBURBS

6.4 Postwar growth and experimentation

The immediate postwar years threw up substantial problems for settlement including a major housing shortage, 'austerity' conditions and shortages and rationing of building materials. Despite these difficulties, the survivors of the war also felt a responsibility to explore and build a new and better order. Peter Cuffley describes how, in the field of building, this was 'an important period of experimentation when theories were tested, ideas shaped and reshaped, and the essential foundations were created for the mature Australia of the late 20th century.' The Nillumbik area was a crucible for this experimentation, both by Modernist architects and by the Australian Environmental builders. (Mills & Westbrooke 2016:75)

A group of young Modernist architects, later described by Robin Boyd as the Melbourne Moderns, made a small but significant contribution to the experimental activity occurring in the Nillumbik area and in adjoining suburbs such as Warrandyte and Lower Plenty. The greatest concentration of their work was along the Kangaroo Ground–Warrandyte Road in North Warrandyte. Their work would later describe their style as 'Post-war Melbourne Regional'. (Mills & Westbrooke 2016:76)

In the interwar period architects and the suburban builders who followed them, had been prone to the use of revival styles. Some of the artistic element who moved to the Nillumbik area in that period had also chosen revival styles, as at Justus Jorgensen's Montsalvat (HO82, Victorian Heritage Register HO716)) and Penleigh Boyd's The Robins (HO101). The architects described by Robin Boyd as the Melbourne Moderns eschewed such styles, instead creating what Conrad Hamann describes as 'boldly reactive experiments in Melbourne's newer "architect" regions'. 'They spoke of austerity and limited means, lingering from the depression and the 1940s and reasserted another Melbourne tendency, making big architectural gestures with limited finances and dimensions, often stretching those means conspicuously.' (Mills & Westbrooke 2016:76)

*The earliest extant house in the area by an acknowledged Modernist architect, Best Overend, is the former master's house at the Koornong Experimental School (HO110). The simple gabled timber-clad residence, along with flat-roofed extensions to classrooms (no longer extant), was designed in 1939. Émigré architect Fritz Janeba's own house at 3 Dingley Dell Road, North Warrandyte (1949) featured in a 1953 edition of *Australian Home Beautiful* magazine. Janeba is said to have designed a Modernist house in North Warrandyte in 1955 for painter and printmaker Nutter Buzzacot (HO104). (Mills & Westbrooke 2016:77)*

The Melbourne Moderns experimented with unusual structural systems and materials including steel frames, concrete block and strawboard panels. Robin Boyd designed a house in North Warrandyte for artists Doris and Ken Nichol

(1949–50) (HO103). This is one of Boyd's earliest surviving works; it is also an example of his penchant for the structural expression of timber, most visible here in the sloping timber-framed window walls. Out of a total of around 100 residential designs by Boyd, seven are located in the Eltham-Warrandyte area. (Mills & Westbrooke 2016:77)

By this time, too, Australian Modernist architects had made a link between Modernist design and the qualities of their own bush. In the mid-1950s Boyd, who was as important a spokesperson of Modernism as he was an architect, observed that 'the protection and development of our native growth and the development of our contemporary houses are part of the same movement.' (Mills & Westbrooke 2016:77)

LOCALITY HISTORY

Warrandyte North is located on the country of the Wurundjeri-willam clan of the Woi wurrung people.

The area was part of the Warrandyte run, 7809 acres taken up by James Dawson in 1845 (Spreadborough & Anderson 1983:265).

The history of Warrandyte North is linked to the history of Warrandyte, originally called Andersons Creek. The southern boundary of Warrandyte North is the Yarra River, which separates it from Warrandyte. Warrandyte North and Warrandyte have always been in separate local government areas. Warrandyte North was part of Eltham Shire until 1994, when it became part of Nillumbik Shire, and Warrandyte was part of the City of Doncaster and Templestowe until 1994, when it became part of Manningham City (*Victorian Places* 2015).

Andersons Creek was the site of the first official gold discovery in the colony of Victoria, in 1851. Following this, miners rushed to other richer fields such as Bendigo, Ballarat, Beechworth and Castlemaine, but mining activity increased again at Andersons Creek from 1856 (*Victorian Places* 2015). Company mining continued until the 1890s. The area was mined again during the economic depressions of the 1890s and 1930s when unemployed men were paid by the government to fossick for gold.

An Aboriginal reserve was established at Pound Bend on the Yarra River at Warrandyte in 1852 (Eltham District Historical Society 2000:np).

A township formed in 1855 at Bartletts Flat, above the present site of Warrandyte (*Victorian Gold Project* 1999:7). A punt, in operation across the Yarra River at Andersons Creek by 1856 (replaced in 1861 by a bridge), provided access to the Caledonia goldfields (Butler 1996:28). A post office opened in 1857. By this time, the locality was called Warrandyte (*Victorian Places* 2015).

A Church of England primary school opened in a tent in 1856, moved to the Caledonia goldfields in 1858, and in 1863 occupied the courthouse. It became a national school in 1864 and Andersons Creek State School No. 12 in 1873. The school moved to a stone building in the township in 1875 and was renamed Warrandyte State School in 1908 (Blake 1973:285).

After a series of land Acts were introduced from the 1860s to encourage former gold seekers to establish farms, settlers established orchards in the area, mainly under the 1869, 1884 and 1901 land Acts. The majority of the allotments were leased and not owned freehold until the first decades of the twentieth century (*Nillumbik Parish Plan* 1947). Apples, lemons and strawberries were grown, particularly on the more fertile soil of Warrandyte South (*Victorian Places* 2015).

With the resultant increase in population to the area, the Warrandyte Mechanics Institute opened in 1890, a wine hall opened in the 1890s and the Grand Hotel opened in 1896 (Victorian Places 2015). Coaches that travelled between Andersons Creek and Heidelberg were established in 1890.

The Warrandyte area had traditionally been accessed on roads that passed through Doncaster. This was fundamentally changed in 1889, with the opening of the nearby Ringwood Railway Station on the Lilydale railway line (Victorian Places 2015).

In 1903, the Australian Handbook described Warrandyte as a township of 400 residents with a courthouse, police station, Mechanics Institute, state school, Church of England and Baptist Mission. The district's industries comprised mining, pastoral and fruit-growing on 20-acre blocks. The district was noted for its natural beauty and as a favourite cycling resort (cited in Victorian Places 2015).

A mining revival occurred in 1905 but had receded by 1910. Tourist numbers to the area increased over the same period (Victorian Places 2015). Warrandyte State School averaged 80 to 100 pupils over the period between 1910 and 1930. During this period, Warrandyte's population more than doubled; rising from 473 residents in 1911 to 976 in 1933 (Blake 1973:285; Victorian Places 2015).

Likely as a result of population growth in Warrandyte, the township of Warrandyte North was gazetted in 1912, with 44 allotments sold in April that year. Such was the demand, the lots realised three and four times the reserve price (Nillumbik Parish Plan 1947; Reporter 26 April 1912:2). A newspaper report from the time reported that the high demand for the building allotments was because of their location in the 'splendid health resort' (Reporter 26 April 1912:2). Further Crown land sales took place in the township, with 29 residential allotments advertised in 1929, 27 allotments in March 1930, and 19 lots in August 1930 (Herald 26 October 1929:31 and 5 March 1930:1; Age 16 August 1930:2).

The Warrandyte North Public Reserves Committee was appointed in 1934 (Argus 24 November 1934:19). Moran's Garage was in operation in the township by 1946 (Argus 24 September 1946:14).

Fires occurred in Warrandyte North in 1927, and in 1939, 168 houses were destroyed in the area in the Black Friday bushfires (Victorian Places 2015). Other significant fires occurred in 1962, 1985 and 1991.

Postwar growth and the demand for rural living close to Melbourne saw a population increase in the Warrandyte region, and by 1960, enrolments at Warrandyte State School had reached 245, and by 1968, 400 (Blake 1973:285). Warrandyte High School opened in 1978.

The Warrandyte area has attracted a number of artists since the turn of the twentieth century. Clara Southern was active in the area from 1908, while others including Connie Smith, Adrian Lawlor and Jo Sweatman arrived in the 1920s. Some of the artists worked at the Koornong Experimental School (HO110), established in 1939 near Kangaroo Ground-Warrandyte Road. The school closed in 1946 (Butler 1996:52-53). Penleigh Boyd (father of Robin Boyd) built a house named 'The Robins' in the area in 1913, living there until 1922 (Clerehan 1993). Danila Vassilieff built a house from local stone and logs in Warrandyte North and lived there from 1940 to 1954 (Victorian Places 2015). Architect Robin Boyd later termed such use of local materials in building construction as the 'Warrandyte style', especially popular in the Warrandyte area in the 1960s and 1970s (Butler 1996:53, 56). Other artists, craftspeople and design professionals attracted to the area included sculptor Inge King, potters Reg Preston and Gus McLaren, furniture designer Fred Lowen, and architects Fritz Janeba and John Hipwell. In the postwar period, the bush landscape of Warrandyte gradually became punctuated by smart, architect-designed dwellings: many by Hipwell and Janeba, and others by Marcus Barlow, Robin Boyd and John and Phyllis Murphy (Reeves 2020).

PLACE HISTORY

The subject site is located on Crown Allotment 23C, Section 8A, Parish of Nillumbik, which comprises approximately five acres (*Nillumbik Parish Plan* 1951). In 1925, the allotment was owned by retired public servants Robert James Gray of Canterbury and Arthur Joseph Day of 'Dingley Dell' in Warrandyte (CT:V6937 F391). After the death of Robert Gray in 1942, in 1947 the property, including a road easement (Dingley Dell Road), was purchased by Katherine Janeba (CT:V7064 F677).

The subject residence designed and built by architect Friedrich (Fritz) Janeba for himself and his wife, Viennese trained potter Käthe (Kate), was completed in 1949, with a kitchen added in 1953, (Heritage Alliance 2008:121). The house, incorporating separate studio, was built into a steep slope overlooking the valley (Figure 4) (Hugh O'Neill in 'On File: Fritz Janeba' 1991:142).

The December 1949 cover of *Australian Home Beautiful* featured the subject house (Figure 3). In the introduction to the accompanying article Wynne Scott wrote:

People from overseas bring their building traditions with them. If they adapt their ideas to our climate, they may help to develop the ideal home for us (Australian Home Beautiful December 1949:23 cited in Edquist 2019:29).

Having noted how the house sat comfortably in the Australian landscape and looked local, Scott wrote that 'there is a subtle difference': a link with the European tradition. She went on:

The owners say they live with their past, and there is evidence of this, both outside and inside the house. And it is obvious that they live with their past, not in it. This house is of today, and those things which speak of yesterday or of an older culture are assimilated and, like the people who live in this house, have a richness to give to this country (Australian Home Beautiful December 1949:23 cited in Edquist 2019:29).

A notable feature of the interiors was the use of textiles both as floor coverings and on seating, reflecting Janeba's theory about the emotional centrality of textiles (Edquist 2019:29).

The Janebas left Australia in 1964, when Janeba accepted a professorship at Ankara University, Turkey (Edquist 2019:31). In 1967, they returned to Vienna (Hugh O'Neill in 'On File: Fritz Janeba' 1991:140). The subject building appears in a 1963 aerial photograph, during the last year of the Janebas' residency (Figure 5).

The subject property was sold in 1969 to Stephen and Carolyn May, and in 1979 it was subdivided into two lots, with Gary Young retaining the subject residence as part of Lot 1 (CT:V6937 F391; CT:V9347 F677).

The subject residence is one of only a few known postwar commissions by Janeba in Australia (Heritage Alliance 2008:121). Later changes include the addition of the rumpus on the lower floor between 1963 and 2006 (Figure 4 and Figure 5), and the installation of a pergola outside the rumpus between 2006 and 2011 (Figure 4 and Figure 6). A pre-1963 detached bungalow and studio, also built by Janeba, is also extant (Figure 6). The existing carport is not depicted in these historical aerials, indicating this is also a later addition.

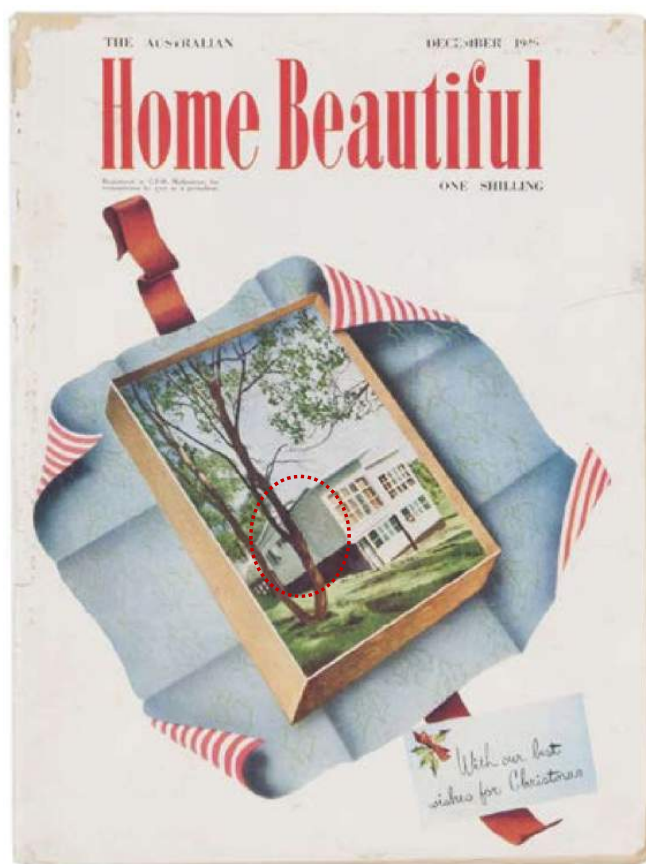


Figure 3. The Janeba House on the cover of the *Australian Home Beautiful* in 1949. The 1953 kitchen wing was added to the east (left-hand side) elevation (location highlighted by red dotted line). (Source: *Australian Home Beautiful*, December 1949)



Figure 4. The Janeba House and Office in 2006 (LHS), and from the *Australian Home Beautiful* in 1949 (RHS). (Source: Bogle 2009:137)



Figure 5. Aerial view of the Janeba House in 1963. (Source: CPO, 'Melbourne 1963', 1963 via Landata)



Figure 6. The Janeba House in 2011. Note the 1953 kitchen wing (outlined in blue dotted line) and a more recent rumpus and pergola (outlined in red dotted line). (Source: realestate.com.au, 2011)

Friedrich (Fritz) Janeba, architect and owner of subject residence 1949-c1969

Friedrich (Fritz) Alois Janeba was born in Vienna in 1905. He studied architecture at Kunstgerweberschule under Oscar Strnad from 1925 to 1930, and at the Academy of Fine Arts from 1930 to 1933 under Clemens Holzmeister, graduating in 1933. In 1930, he spent five months in Sweden studying workers' housing. On graduation he travelled and entered architectural competitions before migrating to Melbourne in 1939 where he married fellow émigré Käthe Pollak (Edquist 2019:33).

During Janeba's early Australian career, he worked with architect Best Overend, on the design for the Koorngong School at Warrandyte. Janeba provided a series of signed working drawings for the school in 1939 (Bogle 2009:136). The Janebas initially rented Penleigh Boyd's studio in Warrandyte in 1941 before Fritz designed and built the house at 3 Dingley Dell Road, Warrandyte North, for himself and

wife Käthe (Kate). Kate Janeba made and sold pottery and also taught at the Koorngong School (Warrandyte Historical Society). In 1958, Kate, along with fellow potters Elsa Arden, Phyl Dunn, Sylvia Halpern, Arthur Halpern, Charles Wilton, Gus McLaren and Reg Preston, established Potters Cottage in Warrandyte to promote and sell Australian hand-made pottery (Age 15 October 1966:6).

By the early 1940s Janeba was reshaping his practice around local materials and methods (Bogle 2009:136). Both Fritz and Kate became part of the art scene in the Warrandyte area. This appears to have influenced Fritz's work which combined modern elements with local vernacular built form. Janeba undertook a number of commissions including houses for local artists, James Wigley and Nutter Buzzacott, as well as a fire station and Infant Welfare Centre in Warrandyte (Warrandyte Historical Society).

Janeba was also an influential teacher in the University of Melbourne's School of Architecture. He taught within the school from 1949 to 1964 when it was re-formed under its first professor, Brian Lewis, in the late 1940s (Heritage Alliance 2008:121).

Janeba accepted a professorship at Ankara University, Turkey, in 1964 (Edquist 2019:31). In 1967, he returned to The Vienna Academy of Fine Arts to direct master classes in design. Fritz Janeba died in 1983 (Hugh O'Neill in 'On File: Fritz Janeba' 1991:140). When Kate died in 1985, she bequeathed her 'residuary estate' to the University of Melbourne to set up the Fritz Janeba Travelling Scholarship.

DESCRIPTION

The Janeba House at 3 Dingley Dell Road, Warrandyte North, is a two-storey Modernist timber house completed in 1949, to a design by Friedrich (Fritz) Janeba. A kitchen was added in 1953 to the east elevation of the upper level. Set on a sloping block, the principal floor of the house is accessed at ground level, with the lower floor set underneath.

The house is clad in vertical timber boards, and its skillion roof forms are clad in corrugated iron. It is broadly rectangular in form with asymmetrically arranged projecting rectangular forms to the north and south. On upper floor, a bedroom projects forward of the main floor plate facing north. It is supported underneath by large timber posts. To the south a second projecting element accommodates a dining room and stair to the lower level.

Large windows feature along most of the north façade of the earliest built form from 1948-49. The kitchen wing added in 1953 features a horizontal strip window to the north elevation. The geometric forms, lack of decoration, expressed materials and textures, and the extent of north-facing glazing reflect Janeba's engagement with Modernist architecture.

The lower level of the house has been extended at some time between 1963 and 2006 with an addition projecting north. This section has a flat roof and extensive north-facing glazing, forming a rumpus room. A pergola is attached to the north elevation of this addition.

There is a single storey, skillion-roofed studio with to the immediate east of the house likely built by Janeba by 1963. A modern large skillion roof carport stands to the southeast of the house.

INTEGRITY

3 Dingley Dell Road, Warrandyte North, is largely intact with minimal changes visible to the original 1949 upper-storey built form and early 1953-1963 additions (including the free standing studio building) designed by Fritz Janeba. The building retains its skillion roof forms, vertical timber cladding and expansive glazing to the northern façade. Substantial additions have been made to the lower

floor of the house with the addition of a rumpus room and a pergola, however, these do not detract from the legibility of the building as an example of Modernist domestic architecture. Overall, the building has high integrity.

COMPARATIVE ANALYSIS

The postwar years saw a shortage in housing stock and readily available materials, forcing those who wished to build homes to respond these restrictions through designs that showcased simple forms and material austerity. A group of young Modernist architects were drawn to Nillumbik and surrounding areas in the postwar years. They designed and built experimental houses that purposely deviated from the popular 'revival' styles that had been prevalent in the interwar period and immediate postwar era. These architects were also influenced by international trends in Modern architecture and its pursuit of simpler forms, expressed structure, honesty in material expression and relative lack of decoration. Robyn Boyd would later refer to these architects as the 'Melbourne Moderns'.

Many of these architect-designed houses experimented with construction methods and materials that were not typically associated with domestic construction, including steel frames and concrete blocks. A lack of qualified builders also resulted in a large increase in owner-builders. The earliest house in the area by a Modernist architect, Best Overend, is the former headmaster's house at the Koornong Experimental School, dating to 1939. Further Modernist architecture occurred in the area following the closure of the school and the subdivision of its land in the late 1940s. However, the wider locale of Warrandyte North was to become an important place for architectural experimentation. The central Kangaroo Ground-Warrandyte Road demonstrates a great concentration of work by acknowledged 'Melbourne Moderns'.

The following properties are comparable to the subject site, having been built at a similar time and exhibiting similar modernist characteristics:



Buzacott House, 80 Kangaroo Ground-Warrandyte Road, Warrandyte North (HO104). (Source: domain.com.au)

The Buzacott House, built c1955 to a design by Fritz Janeba, is architecturally significant as a notable Modernist house and is representative of the characteristic architectural style of the Eltham-Warrandyte area. The house is also historically significant because of its associations with active artistic community of the Eltham-Warrandyte area (VHD).



Wright House, 84 Kangaroo Ground- Warrandyte Road, Warrandyte North (HO105). (Source: Bamford 2019, via Design Files)

The Wright House, built in 1964, is architecturally significant as an important example of Australian Modernist domestic architecture. It is one of six houses in the Warrandyte-Eltham area designed by Robin Boyd between the 1940s and the 1960s. The house is set on two levels and featured exposed Oregon beams and bagged and painted surfaces evoking the Eltham mud-brick era (VHD).



Lowen House, 90-92 Kangaroo Ground-Warrandyte Road North Warrandyte (HO106). (Source: realestate.com.au)

The Lowen House, built in 1956 to a design by architects John and Phyllis Murphy, is historically significant because it was built for Fritz Lowen, then regarded as one of the top furniture designers in Australia. Lowen was founder of the two most important furniture companies in Australian design history: Fler Furniture and Tessa Furniture. The house is also significant for its association with its designers, noted Modernist architects, John and Phyllis Murphy (best known for the design of the 1956 Melbourne Olympic pool). It is one of a group of Modernist houses on this part of the Kangaroo Ground-Warrandyte Road designed in the 1950s and 1960s. The house is architecturally significant as an early and notable Modernist house and is representative of the characteristic architectural style of the Eltham-Warrandyte area (VHD).



Nichol House, 49 Kangaroo Ground-Warrandyte Road, North Warrandyte (HO103). (Source: VHD)

The Nichol House, built in 1949, is historically and architecturally significant as one of six notable houses in the Warrandyte-Eltham area designed by the prominent architect Robin Boyd between the 1940s and 1960s and as a rare, early, and notable example of Australian Modernist domestic architecture. It is also a relatively rare early example of Boyd's work. The house is historically significant for its association with the active artistic community of the Eltham-Warrandyte area (VHD).

Discussion

The Janeba House at 3 Dingley Dell Road, Warrandyte North, compares well to the above examples designed by recognised Modernist Melbourne architects in the locality. The subject house and the

above examples, all in or near the central Kangaroo Ground–Warrandyte Road, represent the architects' responses to the postwar restrictions and aspirations for home ownership through designs that showcased simple forms and material austerity. The house demonstrates exhibits key characteristics associated with postwar Modernist architecture. These characteristics include the asymmetrical geometric built forms, sheer wall planes, skillion roofs, and expressed natural materials and textures. Like the examples above already on the Heritage Overlay, the subject house uses domestically atypical construction methods, such as the raised primary level supported by timber posts. It is designed to pragmatically respond to the steep site on which it was built.

Fritz Janeba designed a number of houses for local artists, including the c1955 house for Nutter Buzacott at 80 Kangaroo Ground-Warrandyte Road, which is most comparable to the subject site. Both houses exhibit similar modernist characteristics, with skillion roofs and forms designed to respond to the local settings. The use of timber construction at the subject site sets it apart from the Buzacott House, Wright House and Nichol House, which feature large stone walls, making a closer comparison with the Lowen House, also built of lightweight timber construction.

Although the lower floor of the house at 3 Dingley Dell Road has been altered, the principal portion of the house (on the upper level) remains a legible example of Janeba's work and of Modernist architecture in the Shire of Nillumbik.

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT?

The Janeba House at 3 Dingley Dell Road, Warrandyte North, a Modernist house completed by 1949 with pre-1963 additions by the architect Friedrich (Fritz) Janeba, is significant.

Elements that contribute to the significance of the place include the:

- original (1949-53) asymmetrical built form, particularly the upper floor that constitutes the principal portion of the house;
- skillion roof form;
- original (1949-53) materiality, including vertical timber cladding and corrugated iron roofing;
- original (1949-53) fenestration; and
- detached studio (pre-1963).

Later alterations to the lower floor are not significant.

HOW IS IT SIGNIFICANT?

The Janeba House at 3 Dingley Dell Road, Warrandyte North, is of local historic, representative, and associative significance to the Shire of Nillumbik.

WHY IS IT SIGNIFICANT?

The Janeba House at 3 Dingley Dell Road, Warrandyte North, is historically significant as an example of Modernist domestic architecture that was being promoted by a small group of Modernist architects in the suburb in the postwar period. The immediate postwar era was characterised by housing demand, aspiration for home ownership and a shortage of housing stock and building materials. In response, many local architects responded with experimental design forms that reflected these austerities. The subject site is an illustration of this part of Nillumbik's history. (Criterion A)

3 Dingley Dell Road is of representative significance architecturally as a good example of a postwar, architect-designed Modernist house in the Warrandyte North area. The design of the Janeba House was not only influenced by local conditions but also by wider aesthetic trends of Modern architecture internationally. It purposely deviated from the popular 'revival' architectural styles that had been prevalent in the interwar period. Like many similar Modernist houses in the area, it uses domestically atypical construction methods, and is designed to pragmatically respond to the steep site on which it was built. The house at 3 Dingley Dell Road exhibits many of the characteristics of houses built during the peak of architect-designed residences in Warrandyte North, including its simple asymmetric form, skillion roofs, austere material palette, extensive north-facing glazing and the provision of a separate bungalow and studio. (Criterion D)

3 Dingley Dell Road is also significant for its association with architect Friedrich (Fritz) Janeba and his wife, Viennese-trained potter Käthe (Kate). The house was designed and built by Fritz Janeba and completed in 1949. A kitchen was added to the house in 1953 and a freestanding studio was built before the Janebas left Melbourne in 1964. Janeba was an influential architect in Melbourne and a teacher in the University of Melbourne's School of Architecture, where he taught from 1949 to 1964 under its first professor, Brian Lewis. Janeba worked with architect Best Overend's design for the Koornong School at Warrandyte, where Kate had also been a teacher. Fritz Janeba was one of a group of Modernist architects working in Melbourne in the 1940s-1960s. Kate Janeba, along with other local artists, established the Potters Cottage in Warrandyte in 1958 to promote and sell

CONTEXT

Australian hand-made pottery. Both Fritz and Kate became part of the art scene in the Warrandyte area. This appears to have influenced Fritz's work which combined modern elements with local vernacular built form. In Warrandyte, Janeba undertook a number of design commissions, including houses for local artists. (Criterion H)

RECOMMENDATIONS

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

Extent of overlay: To title boundaries

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

Nillumbik Planning Scheme

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

Other

N/A

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903-907 MAIN ROAD, ELTHAM

ELTHAM WAR MEMORIAL BUILDING COMPLEX

903-907 Main Road, Eltham

Prepared by: Context	Survey Date: December 2020
Place Type: Community	Architects: AK Lines & MacFarlane; AK Lines, MacFarlane & Marshall; Leith & Bartlett; David L Woodger (designer)
Significance level: Local significance	Builder: RJ Squires (Infant Welfare Centre); Chuck Wire Fence and Gate Company (Memorial Gates)
Extent of overlay: To title boundaries	Construction Date: c.1950-1967



Figure 1. Eltham Infant Welfare Centre. (Source: Context December 2020)



Figure 2. War Memorial Hall and Eltham Preschool. (Source: Context, December 2020)

HISTORICAL CONTEXT

Locality history: Eltham

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeri-willam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A small, short-lived reservation south of Eltham on the Yarra River was set aside for Aboriginal people in 1852. The area is situated near the junction of the Yarra River and its tributary, the Diamond Creek.

Pastoral settlers moved into the area from around 1840 and took up pastoral leases (Bartolomei 2008). It was located proximate to the track used by the Ryrie brothers to provide access between their 'Yering' run, near Yarra Glen, and the Heidelberg village (*Victorian Places* 2015). In 1841, William Bell and Thomas Armstrong occupied land for a squatting run east of Diamond Creek in what was to become the Eltham district (Eltham District Historical Society 2000: np).

A plan for fifty allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of the Diamond Creek and the

Yarra River, was laid out an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. The township plan shows a track to a bridge across Diamond Creek and the Main Road was noted as the 'Track from Melbourne' (Butler 1996:32). This area is known today as Eltham South.

Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). In 1851, Melbourne property developer Josiah Holloway purchased one square mile (or 5120 acres) of this land, which he subdivided immediately, calling the subdivision Little Eltham. The central area of current-day Eltham is contained within the Little Eltham subdivision. A number of larger farming properties around the township were purchased from the early 1850s (*Nillumbik Parish Plan* 1951).

Eltham township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonian Diggings, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery and tannery on Diamond Creek, a scattering of shops along Main Road (known in the 1850s as Maria Street) and a steam flour mill operated by Henry Dendy. The Little Eltham School, opened by the Church of England, was built in 1853 near Swan Street and closed in 1872. A second school, a National School (later Eltham Common School No 209) opened in Dalton Street in 1856. A Wesleyan chapel opened in 1858. Public buildings constructed at this time included a courthouse and a police station in Main Road in 1860. The 'flat land', which is now the Eltham Lower Park near the Yarra, was used as a racecourse (Kellaway cited in Butler 1996:32-33; Eltham District Historical Society 2000:np). A cemetery was established in 1858. The township and wider area was administered by the Shire of Eltham, established in 1856.

Between the 1860s and the 1880s, Eltham supplied food and produce for the gold-mining communities of the Caledonian Diggings at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on route to the Woods Point diggings. Eltham's population grew in response. In 1871, the town's population was 165 and by 1881 this had increased to 388 (*Victorian Places* 2015).

A Primitive Methodist chapel was built in 1860. The following year St Margaret's Anglican Church, designed by the notable Melbourne architect, Nathaniel Billing, was built. In 1881, a Wesleyan church was constructed by George Stebbing to the design of Melbourne architects, Crouch and Wilson (Butler 1996:33). A new state school, constructed of local sandstone, opened in 1876.

Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

In 1884 Eltham was described as:

... a pretty little township on the Yarra Flats road ... It has a population of nearly 400 inhabitants, but in addition it is the centre of a large district extending over 208 square miles, having a population of 2344. The land in the district is mostly used for grazing purposes, although as a rule the small farms grow a good deal of wheat, oats and other agricultural produce. A large quantity of fruit, especially raspberries and strawberries, is also produced (Illustrated Australian News, 20 December 1884, cited by Carlotta Kellaway in Butler 1996:33).

The *Australian News* noted that gold had been found in the vicinity of the township, 'but not in remunerative quantities' (cited by Carlotta Kellaway in Butler 1996:33).

In the 1880s agitation began for the extension of the railway line from Heidelberg to serve Eltham and districts further afield such as Kangaroo Ground. The extension to Eltham opened in 1902 but was never extended to Kangaroo Ground. The railway brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne as well as to attractive countryside with farms and uncleared stringybark forest (*Victorian Places* 2015). The attractive bush scenery attracted artists, writers and nature-lovers.

In 1903, the *Australian Handbook* described Eltham as part of an orcharding and grazing district. In 1901, 4289 acres were under cultivation, of which 2506 acres were planted with orchards and market gardens. The township, with a population of 377, included a state school, a branch of the Commercial Bank, and Catholic, Anglican, Wesleyan Methodist and Primitive Methodist churches (cited in *Victorian Places* 2015). Subdivision of rural properties near Eltham township to form residential estates occurred from 1909 (Mills and Westbrooke 2017:69).

The electrification of the railway line was extended to Eltham in 1923, which eliminated the need to change to steam train at Heidelberg, and allowed faster through-trains and commuting times. The establishment of new residential estates in Eltham followed (Mills and Westbrooke 2017:71).

Eltham was described in 1940 as 'residential, horticultural, dairying and grazing ... a beauty spot for artists and picnickers'. By this time, the town had three recreation reserves, a higher elementary school (1926), swimming baths, tennis courts and a fire brigade (*Victorian Places* 2015).

Eltham has attracted a number of writers and artists over the years. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; others artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. From 1910, painter William 'Jock' Frater and cartoonist Percy Leason often camped and painted in the area. Artist Justus Jorgensen established the notable Montsalvat artist's colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mud brick construction in the area. Several local architects and designers, including Alistair Knox, specialised in mud brick housing in the postwar period (*Victorian Places* 2015). Others who have been inspired by Eltham and have made the region their home include landscape architect Edna Walling, authors Alan Marshall and Carolyn Van Langenberg, artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actress Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased from 927 in 1933, to 1278 in 1947, to 7177 in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (*Victorian Places* 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment and the preference for bush gardens, especially after the 1970s. The Eltham Library, designed by architect Greg Burgess, was

constructed in mud brick and recycled timbers and received the RAlA Institutional Architecture Award in 1995 (Bartolomei 2008).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

Contextual history: war memorials

After World War I hundreds of statues, cenotaphs and plaques were erected across the nation to commemorate the service and immense sacrifice of Australian soldiers. The impulse to honour the memory of those who had lost their lives serving their country was great, but some of these traditional stand-alone memorials that lacked a useful function were met with criticism in some cases. Even the construction of the Shrine of Remembrance in Melbourne, intended as the country's 'national' memorial, was challenged, with alternate plans for a memorial hospital gaining stronger support. In many localities residents pointed out that the resources that were available for a war memorial should be used instead to erect a public building or facility that made a useful addition to town or suburb. Various functional memorials were proposed, including public halls, grandstands, swimming pools and entrance gates. The provision of government funding for the erection of 'memorial halls' made this a popular option in many localities. They served a genuine need of the local community, providing a venue for social gatherings, public meetings, and entertainment while also honouring the war dead.

Following the Second World War, the focus shifted from nationalistic sentiment towards focused renewal of public infrastructure in local areas. There was a boom in the construction of public amenities that would be of benefit to local communities. This innovation in social planning encouraged the construction of multi-purpose community facilities. Frequently such facilities included a public hall and library or a cultural centre carefully sited around a public garden or courtyard. Monuments or other landscape elements were incorporated in these public and recreational spaces as a focus for more direct memorial reflection and/or public commemorative activities (Darian-Smith, Nichols and Willis 2010:206-213).

In 1945, as part of this wider movement to practical memorials, the Eltham Progress Association decided that the community war memorial should take the form of a baby health centre with a creche and children's library (cited by Rudduck in Darian-Smith, Nichols and Willis 2010:213).

Contextual history: Infant welfare centres and kindergartens

The formalised government provision of infant welfare in Victoria can be traced back to the formation of the Victorian Baby Health Centres Association in 1918. This was in response to the high infant mortality rates that prevailed in Victoria from the nineteenth century. Infant welfare relied on new teachings about the scientific management of babies and young children, which focused on nutrition, hygiene and daily routine. It established a system of mothercraft nurses and encouraged the establishment of local infant welfare centres that educated mothers about infant and childcare. The Infant Welfare Division of the Department of Health was established in 1926, after which government funding was available for the creation of infant welfare centres in Victoria (*Victorian Year Book* 1973:547). Many towns and suburbs across Victoria established infant welfare centres in the 1930s and 1940s, after which there was a dramatic decline in infant mortality.

The popularity, and necessity, of infant welfare in Victoria was highlighted in 1924, when 'mothercraft lectures' funded by the government. These operated out of a carriage of the 'Better Farming Train', which travelled to regional towns across Victoria to educate farmers in improved agricultural management. This early intervention into the welfare of children and their mothers alerted local councils to the importance of funding programs permanently.

Mills and Westbrooke (2010:5) note the following in relation to baby health centres in the Eltham area:

The first Baby Health Centre in the region around Eltham was opened at Heidelberg in April 1926. It was funded by Heidelberg City Council and run by the VBHCA. Sub-centres were soon set up in Ivanhoe, Fairfield and Greensborough. The Greensborough centre serviced Greensborough and Diamond Creek in the Heidelberg Shire and it was anticipated that it could also support mothers from Briar Hill, Montmorency, Hurstbridge and Eltham, all in the Eltham Shire. The Greensborough centre operated one day a week from a room in an 1840s hotel building in the main road, known as Marble Hall. By 1933 up to sixteen Eltham residents were using this service at any one time. Up to this point the service had been provided to Eltham residents without a contribution from the Eltham Shire but by 1934 the Eltham Shire Council had been persuaded to provide a £30 annual contribution. A new purpose-built centre was opened at Greensborough in February 1935.

In the immediate years following World War II there was an expansion in the construction of new infant welfare centres in Melbourne's developing outer suburbs, in response to rapid population growth in these areas and to greater involvement of the Victorian government in managing this service. Architecturally, baby health centres built in the postwar period often straddled the two worlds they belonged to: their form referenced domestic architecture but was combined with the flourishes and hallmarks of civic structures (Darian-Smith and Willis 2010:42). This period in Australia coincided with the postwar focus on birth rates and on social and economic regeneration. The resulting 'baby boom' encouraged the development of municipal buildings that catered to the various needs of the burgeoning population (Darian-Smith and Willis 2010:47).

Much like infant welfare centres, the development of the modern Australian kindergarten or pre-school centre began in the early-twentieth century. Many early kindergartens were primarily concerned with the education and care of children in poor, working-class suburbs, who often had working mothers, and typically they were supported by charity or religious organisations (Nichols and Goad 2010:56; WA 2019). The first free kindergarten in Victoria was opened in the economically disadvantaged area of Montague (South Melbourne) in 1909. Many early kindergartens were not purpose-built but occupied pre-existing buildings—often in church halls that were attached to a parish church. By the 1930s, kindergarten networks, like the Lady Gowrie Child Centres, were increasingly common. The first Lady Gowrie Centre was established in Carlton in 1939 (Gowrie Victoria 2019). The location and siting of these kindergartens was becoming increasingly integral to their establishment; not only was the socio-economic status of the community and its geographical location considered, but the surrounds and site orientation of the building was increasingly important (Nichols and Goad 2010:65).

The postwar period saw a significant change in attitudes towards kindergartens, with their importance becoming recognised by all classes of society (Nichols and Goad 2010:71). Postwar population growth, stemming from the baby boom and increased immigration, also raised demands for the provision of kindergartens. At the same time, the Victorian government took a stronger lead in the provision of pre-school education, with the Department of Health becoming responsible in 1946 for 'the subsidising and supervising of pre-school kindergartens' (*Victorian Year Book* 1973: 547). The movement towards pre-school education grew rapidly in Victoria, and by the 1960s the 'kindergarten experience' was so entrenched in the conventional education system that it was considered the norm (Nichols and Goad 2010:54). Progress associations in suburbs such as Eltham became a driving force in the provision of early childhood education.

PLACE HISTORY

Site chronology

Date	Event
1939-45	World War II
1945	Eltham War Memorial Trust purchase the subject site
1950-52	Infant Welfare Centre designed and completed
1954	Memorial Gates installed
c.1953-56	Pre-School designed and completed
1961	Children's Library completed
1962	Decision is made to transfer site to Eltham Shire Council
1964	Eltham Shire Council procures section of land at northern end of the site
1965	Site handed over to Eltham Shire Council
1966	Children's Library closed and renamed 'Eltham War Memorial Hall'
1967	Senior Citizens Centre completed
1968	Main Road widened; retaining walls installed and Memorial Gates relocated to present site
2012	Eltham War Memorial Obelisk relocated to the subject site from the Eltham RSL
c.2014	Ramp system installed

History of the place

Planning for a community centre in Eltham began in 1943 by the self-titled 'Women's Auxiliary of the (proposed) Eltham War Memorial Trust'. A committee was formed in March 1945 at a public meeting of the Eltham Progress Association which was held to consider an appropriate means to commemorate locals who had lost their lives fighting in World War II. Soon after, the committee was formalised as the Eltham War Memorial Trust Inc. (Mills and Westbrooke 2010:4). The Trust resolved that Eltham's war memorial was to include a baby health centre, crèche and children's library, to serve as a 'constant reminder of those who fought ... and the little ones for whom they fought and died'. Over £200 was promptly subscribed for the construction of the proposed war memorial buildings (*Argus*, 28 March 1945: 8; Mills and Westbrooke 2010:4). Towards the end of 1945, the Trust purchased a site of one and a half acres on the western side of Main Road, Eltham, from Miss Shillinglaw. The site formed part of the Shillinglaw farm, which comprised lot 90 of Holloway's Little Eltham subdivision of 1851, which was part of Crown Allotment 13, Section IV in the Parish of Nillumbik (Eltham War Memorial Trust 1954; 'Parish of Nillumbik', PROV, VPRS 16171).

Infant Welfare Centre

Plans for the memorial complex hastened in the years following World War II, and in 1950 tenders were called for the erection of an infant welfare centre. The design, by architects AK Lines and MacFarlane, was a box-like form that harked back to the Functionalist design of the interwar years. AK Lines and MacFarlane were responsible for the Eltham Shire Office and Hall c1941 (now demolished) on the corner of Arthur and Main Road. There are distinct similarities in the formal composition and stylistic expression of both buildings (see Figure 3).



Figure 3. Former Eltham Shire Offices and Hall constructed in 1941 to a design by AK Lines & MacFarlane Architects. Image taken c.1965. (Source: Eltham District Historical Society)

The Eltham Infant Welfare Centre was operating at full capacity in only a short time after its opening in 1952, and by 1955, the centre had seen over 3000 babies (Mills and Westbrooke 2010:7-9). Re-roofing occurred in 1957.



Figure 4. Eltham Infant Welfare Centre, c.1954. (Source: Eltham War Memorial Trust, 1954, cited in Mills and Westbrooke 2010: 8)

Memorial Gates

Following completion of the Infant Welfare Centre, the focus of the Eltham War Memorial Trust turned to memorial entrance gates, to be erected at the south of the newly completed Infant Welfare Centre. A legacy bequeathed by the late EJ Andrew in memory of his wife, Ellen, was used to fund their construction. An estimate was provided by to an estimate by the Chuck Wire Fence and Gate Company in 1953, and they were installed in 1954, complete with a wrought iron arch carrying the words 'Eltham War Memorial'. The decision to erect a flagpole was also made during this time, however it is not known

whether this is the existing flagpole (located near the Memorial Gates at the time of visiting in December 2020), as it is not present in historical photography from 1968 (see Figure 11). (Mills and Westbrooke 2010: 10)

Pre-School and Children's Library

A pre-school and children's library were to be the next additions to the War Memorial complex. Plans were drawn up by architects AK Lines, MacFarlane and Marshall in 1952, shortly after Marshall had joined the firm. The designs were submitted to the General Health Branch and the Maternal, Infant and Pre-school Branch of the Health Department in c.1953. The proposed buildings, together with the existing Infant Welfare Centre, were to form an arrangement that followed the Main Road boundary of the site. As the design evolved and tenders were sought for construction, further alterations were made to the plans. Ultimately, the library building was postponed, the size of the pre-school was scaled down, and the 'radiating' nature of the buildings' arrangement—originally designed to reflect the curve of Main Road (see Figure 5 and Figure 6)—was abandoned (Mills and Westbrooke 2010:11-12). The pre-school building was completed and opened by the end of 1956.

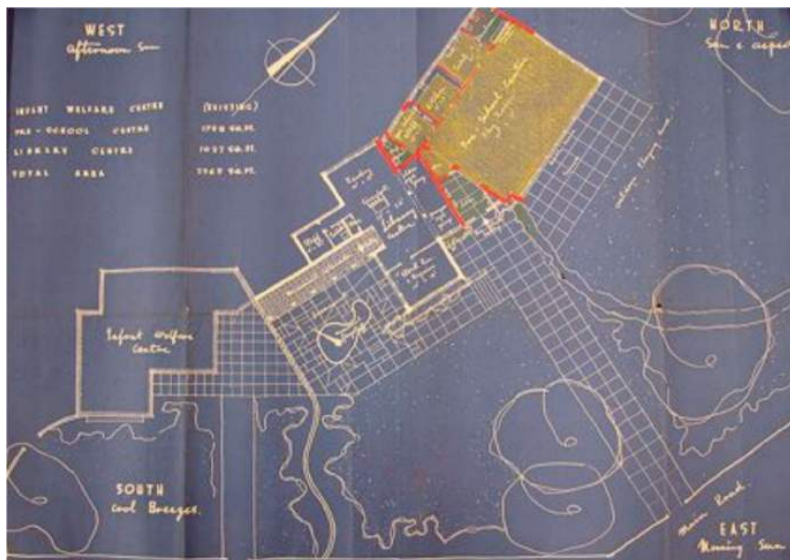


Figure 5. Sketch site plan c.1953, showing the spatial relationship of the Infant Welfare Centre, Children's Library and Pre-school. (Source: Public Building Plans File No.5841 Plan No.4057, Unit 413, VRPS 8044, PROV, cited in Mills and Westbrooke 2010:12)

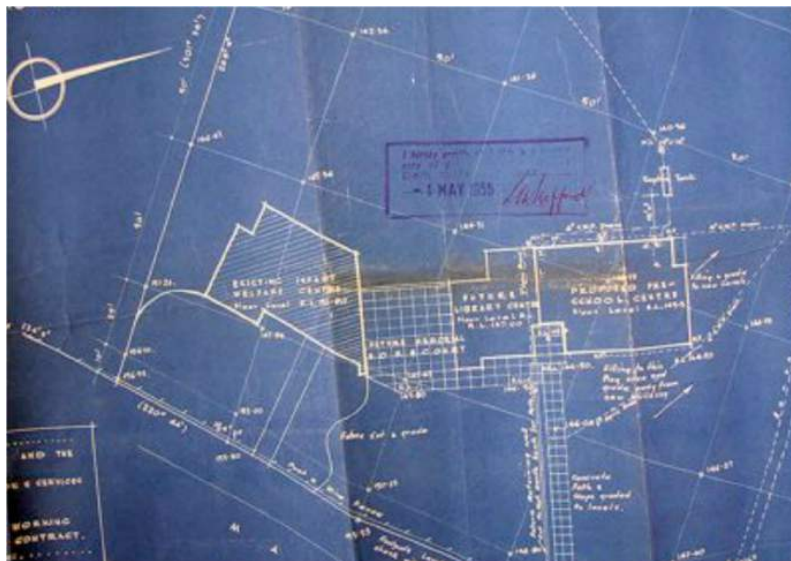


Figure 6. Sketch site plan dated 1956, showing amendments to postpone construction of the library and reductions to spaces in the Pre-School building. (Source: Public Building Plans File No.5841 Plan No.4057, Unit 413, VRPS 8044, PROV, cited in Mills and Westbrooke 2010:13)

Throughout the 1950s and 1960s, regular community fundraising events were held, which were largely led by the Women's Auxiliary of the Trust, to raise money to build for further community facilities. Activities included an Easter Gymkhana and horse show, Children's Carnival and a publication of *A Favourite Book of Country Recipes*, which had an initial print run of 2000 copies (*Argus*, 10 May 1956; Mills and Westbrooke 2010:14). Once sufficient funds had been raised, local architectural designer David L Woodger prepared drawings for the Children's Library, which was completed and opened in 1961.

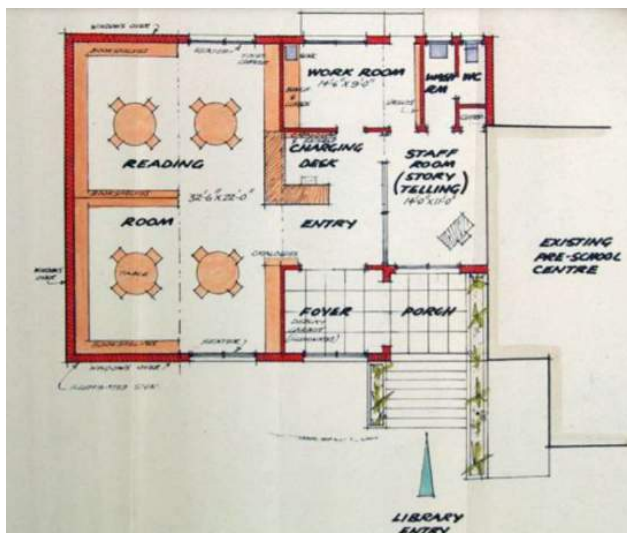


Figure 7. Sketch plan for the Children's Library prepared by local architectural designer David L Woodger in June 1960, showing existing pre-school building to the right. (Source: Public Building Plans File No.5841 Plan No.4057, Unit 413, VRPS 8044, PROV, cited in Mills and Westbrooke 2010: 15)

Site handover to Eltham Shire Council and Senior Citizens Centre

In 1962 the Eltham War Memorial Trust decided to devolve the War Memorial site to the Eltham Shire Council. The transfer of land was to occur once the Memorial Gardens were complete. Plans for the gardens had evolved since 1956, when they were initially perceived as a 'Memorial Forecourt' in the final plans for the pre-school building. In 1963 a quote for the 'institution of a memorial garden' was accepted. Works included the construction of concrete paths and grading of land to the rear of the buildings on the site (Mills and Westbrooke 2010:10).

In 1964 the Eltham Shire Council procured a strip of land at the northern end of the subject site, to be used for Country Fire Authority buildings, presumably in anticipation of the site being transferred to Council in the following year. A proposal presented by the Eltham Elderly Citizens Club for the erection of a Senior Citizens Centre, on the land still owned by the Trust, was approved, under the condition that the design of the new Senior Citizens Centre correspond with that of the existing buildings on the site.

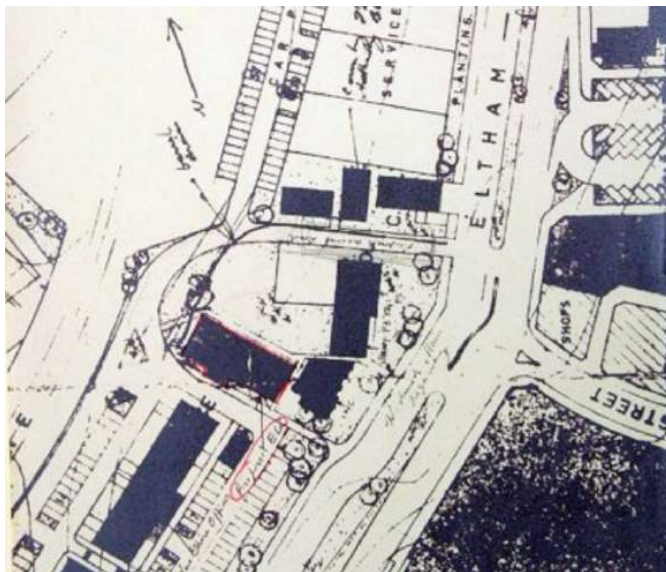


Figure 8. Site plan prepared c.1965, showing location of the proposed Elderly Citizens Centre (outlined in red). (Source: Public Building File No.13712, Unit 1624, VRPS 7882, PROV, cited in Westbrooke 2010:16)

The site was transferred to Eltham Shire Council in 1965, with the Trust to form a committee of management for the property over the following twelve months. Architects Leith & Bartlett prepared the design for the Senior Citizens Centre, the construction of which was partially funded by a state government grant, and the building was opened in April 1967 (Mills and Westbrooke 2010:16). The Centre's design and materiality complimented that of the Eltham Shire Offices built on the site adjacent to the War Memorial complex just two years earlier, also to designs by Leith & Bartlett (see Figure 9 and Figure 10). Both designs incorporated a simple rectangular footprint and flat roof. A similar pattern of vertically proportioned window openings is evident in both buildings.



Figure 9. A 1968 photograph of the Eltham Shire Offices, built in 1965 to designs by architects Leith & Bartlett. (Source: Eltham Pioneers Photograph Collection No. 657 held jointly by Eltham District Historical Society and Yarra Plenty Regional Library)



Figure 10. Current photograph of the Senior Citizens Centre, showing the elevation fronting Library Place and facing toward the space formerly occupied by the Eltham Shire Offices. (Source: Context, December 2020)

In 1966 the Children's Library was closed and the building was renamed as the 'Eltham War Memorial Hall' and lettering was fixed to the principal elevation (Mills and Westbrooke 2010:17). Rubble retaining walls were installed in front of the War Memorial buildings when Main Road was widened in 1968, and it is believed that the Memorial Gates were relocated to their present position at this time (see Figure 11) (Eltham District Historical Society 2018).



Figure 11. A 1968 photograph of the War Memorial Garden and Memorial Gates at the southern approach to the Infant Welfare Centre, looking to Main Road. (Source: Eltham District Historical Society)



Figure 12. A 1968 photograph of the pathway from Main Road through to the Pre-school and War Memorial Hall. Note the rubble retaining walls, installed in c.1968 when Main Road was reconstructed. (Source: Eltham District Historical Society)



Figure 13. A 1968 photograph of the War Memorial Garden. Note the rubble retaining walls and concrete pathway. (Source: Eltham District Historical Society)



Figure 14. A 1968 photograph showing a view of the War Memorial building precinct from Main Road. At the far left are the former Eltham Shire Offices (opened 1965, demolished 1994), then the Infant Welfare Centre, and War Memorial Hall at the right. (Source: Eltham District Historical Society)

In 2012 the Eltham War Memorial obelisk (first erected in 1919 on the corner of Main Road and Bridge Street) was relocated from the Eltham RSL to the subject site. Further landscaping works were carried out at this time. In c.2014 the pathway providing access from Main Road to the Pre-School and War Memorial Hall buildings was audited against the *Disability Discrimination Act* 1992 and found to be non-compliant. A ramp system was subsequently installed. (Eltham District Historical Society 2018)

AK Lines & MacFarlane (later AK Lines, MacFarlane & Marshall), architects

The firm of AK Lines & MacFarlane was initially the practice of Albert Keith Lines, who had begun his career prior to 1916 after serving articles with the architect Claude Merritt. Lines served in World War I, after which he returned to work for the house building firm of Morewood & Rogers, where he designed and supervised a range of projects before leaving to start his own practice in 1923 (Built Heritage 2010:135).

In 1928, Lines took on Jessica MacFarlane (still a teenager) as an articulated pupil. The firm became increasingly popular amongst prosperous middle-class home builders, working on a series of large-scale residential works in the 'middle-ring' suburbs of Camberwell, Balwyn and Kew (Built Heritage 2010:135). Many of these homes were designed and supervised by MacFarlane, with several of them being published in *Australian Home Beautiful* (Built Heritage 2010:135). Suspending practice due to the onset of World War II, Lines and MacFarlane resumed work as a firm in 1945. MacFarlane was made a full partner at this time, becoming one of the first women to take on partnership in an architectural firm in Victoria (WWII at Home 2020).

Bruce Marshall joined the firm in 1948, and was made a full partner in 1952. MacFarlane married and moved to South Australia in 1954, however the firm retained her name. Bruce Marshall, who had expertise in large-scale commercial work, had a prominent role in guiding the firm's output in the following years (Built Heritage 2010:135).

The firm undertook large-scale factory projects around the state, however from the 1950s took on increasing amounts of civil and municipal works. The firm's work on council chambers had begun in the 1940s, prior to the war, when they produced the design for the Eltham Shire Offices in 1941. This body of work gave the AK Lines, MacFarlane & Marshall the reputation as one of the most prominent and specialised firms for the design and execution of municipal offices (Built Heritage 2010:135).

Moving into modernist designs in the post-war period, the firm was commissioned to design the Shire of Benalla civic offices in 1958. The following three decades saw the firm working predominately on municipal work, during which they were responsible for the offices built at Oakleigh (1962), Myrtleford (1967) and Ringwood (1970) (Built Heritage 2010:135). Albert Lines retired in 1967, with the firm continuing to operate.

AC Leith & Bartlett, architects

Arthur Cedric Leith was born in 1897, to a family that would later become greatly involved in architecture in Victoria (Built Heritage 2010:134). He had begun practicing under his own name as AC Leith & Associates by the end of the 1920s, and by c.1930 had taken over the pre-existing practice of Haddon & Henderson. Leith was soon after joined in practice by Harold Bartlett, in 1934. Bartlett had been the first to receive a diploma from the Gordon Institute of Technology (Geelong) prior to going abroad during the 1920s and 30s where he gained extensive experience. Bartlett was invited to return to Gordon to become the head of its architecture school, however he left shortly after taking up the post in order to take up the partnership with Leith (Built Heritage 2010:134).

The postwar era saw a number of municipal projects for the firm, including the Kew Civic Centre in 1959, the Lilydale Town Hall in 1961 and the Eltham Municipal Offices in 1965. Although predominantly known for their local council work, the firm branched out into significant high-rise buildings, such as the ANZ head office in 1960. (Built Heritage 2010:134). The firm is still in operation today.

DESCRIPTION

Overall Site and Landscape



Figure 15. Aerial view of the site with each individual building date noted: former Infant Welfare Centre 1950-52; Eltham Preschool 1956; War Memorial Hall 1961; Senior Citizens Centre 1967, Eltham War Memorial Cenotaph constructed 1919 relocated to this site in 2012. (Source: Nearmap 2021)

The Eltham War Memorial Building Complex is located at 903-907 Main Road, Eltham. The site is irregular in shape and bound by Main Road to the southeast and Library Place along its southwest and northwest boundaries. The site falls from east to west towards the railway line and from south to north. As a result, the buildings that face Main Road are set below street level behind stone retaining walls.

At street level, the war memorial gates (1954) alongside Main Road open on to a formally landscaped terrace area of lawn, paving and plantings installed in the 2010s. The gravelled forecourt to the southwest of the memorial gate contains at its centre the Eltham War Memorial Cenotaph (1919) (HO126) which was relocated to the site in 2012. Both the gravelled forecourt and lawned areas contain dedicated memorial benches and interpretive panels explaining Australia's involvement in numerous wars. A memorial sundial dedicated to Mrs Ada Lyon in recognition of her work with the Eltham War Memorial Trust is located adjacent to the northern pillar of the memorial gates. A contemporary black aluminium picket fence runs along the rear of this garden area from Library Place. This fence returns to meet Main Road at the northeast end of the garden and then continues along the Main Road boundary.

As this landscaped terrace area is fenced off and at a higher level to the buildings on the site there is limited visual connection between the two

Entry to the complex of buildings is now through a single gate set in this fence along Main Road. This gate accesses a series of curved ramps that lead down to the Memorial Hall/Pre-school and the Infant Welfare Centre. These ramps and associated landscaping were installed in 2014. A second entry off Library Place is through a hooped metal fence adjacent to the Infant Welfare Centre.

Internally the site is fenced with various types of low transparent metal fencing that separate the War Memorial Hall/Pre-school building from the Infant Welfare Centre creating safe and secure play areas for children. The Senior Citizens Centre is accessed off Library Place and is unfenced.

The former Infant Welfare Centre is positioned at the south-west corner of the site. Its principal elevation addresses Main Road, and its southwest elevation faces Library Place. The War Memorial Hall and Pre-School building align with this building, and follow the arc of the site towards the north. These three building are of a similar materiality and form which heightens a sense of visual cohesion within the site. Key uniting design elements shared by these three buildings include the simple box-like forms with flat of low-pitched gable roofs, large expanses of unadorned cream brick walls and large window walls. A fourth building, the Senior Citizens Centre is located to the rear of the former Infant Welfare Centre and is orientated towards Library Place along the southwest boundary of the site.

The site is landscaped with a mix of indigenous and exotic plantings. The landscaping of the site has undergone significant change overtime. Some remnant stone rubble walls remain however the major pathways and entry points to the site and the early landscape layout have all been altered.

Eltham Maternal Health Centre (former Infant Welfare Centre) (1950-52)



Figure 16. Principal elevation of Eltham Infant Welfare Centre showing front window boarded over with concrete trim remaining. (Source: Context, December 2020)

The former Infant Welfare Centre, built in 1950-52 to a design by AK Lines and MacFarlane Architects, is the earliest building on the site. Positioned on the corner of Main Road and Library Place, the building's main entrance faces Main Road and was originally accessed through the memorial gates positioned along Main Road. The building is asymmetrical in plan with a projecting bay at its southern end. It is constructed of loadbearing cream brick walls laid in stretcher bond and has a flat roof clad in corrugated iron that is concealed behind a low straight parapet that wraps the front and side elevations. This massing of simple geometrical shapes gives the building a distinctive box-like form that is typical of early modern functionalist architecture that gained popularity in the 1920s and 1930s and continued through into the early postwar period.

Entry to the building is through a deep porch that runs across the front of the building in line with the projecting bay (see Figure 18). The porch returns at an acute angle along the north to create a large undercover area for pram storage. The main entry to the building is through a pair of doors set into the southern wall of this area and there are externally accessed bathrooms at its rear (see Figure 20). This area has a flat roof with exposed fascia boards and quad guttering that sits at a lower level to the main building form. The porch roof is supported off three slender metal posts across the front elevation. A dwarf wall at its northern end originally had a louvred infill panel to roof height but is now infilled with cement sheet (see **Error! Reference source not found.**). The front section of the roof was originally an open pergola that has been covered with translucent corrugated PVC sheets, leaving the extant grid

frame of the pergola legible. The rear roof section of the porch is lined with painted timber boards. The porch floor is of ruled concrete. A simple steel balustrade connects the dwarf wall to the first slender metal post and then continues towards the street with the handrail terminating in a scroll.

The projecting bay was originally distinguished by a large, centrally placed, floor to ceiling window framed by a concrete border. The concrete frame remains, however the window has been covered over with timber boarding and two decorative metal panels (see Figure 16). The cream brick planter box that runs under the window is original. Under the entry porch is a large horizontal widow divided into five vertically proportioned double-hung timber sash windows. This window sits above the foundation stone for the building which was laid in November 1950. There is a single solid door at the southern end of the porch that gives access to the projecting front room (see Figure 18).

The remaining elevations are utilitarian in nature with large wall surfaces of unpainted cream bricks punctuated by small timber framed widows located to provide light and ventilation to the rooms behind.



Figure 17. Southern elevation of former Eltham Infant Welfare Centre showing sheer unadorned wall surface of cream brick with low parapet concealing flat roof. (Source: Context, December 2020)



Figure 18. Pergola across principal elevation of the former Eltham Infant Welfare Centre showing slender metal posts. (Source: Context, December 2020)



Figure 19. North elevation of the former Infant Welfare Centre showing dwarf closed wall above that was originally a louvred screen to pram porch. (Source: Context, December 2020)



Figure 20. Pram porch at the former Eltham Infant welfare Centre. The two doors set on the angle provide access to bathrooms whilst the pair of doors to the left are the main entry to the building. (Source: Context, December 2020)

Eltham War Memorial Gates (1954)



Figure 21. Eltham War Memorial Gates located along Main Road, Eltham. Constructed in 1954. (Source: Context 2020)

A pair of memorial entrance gates were constructed on the site in 1954. Located on Main Road, the gates and piers are positioned between the Infant Welfare Centre and the War Memorial Hall. They are set on a slight angle so that they orientate towards the entry of the Infant Welfare Centre. The gates are constructed of two concrete pillars that are clad in slate in a crazy-paving pattern. These pillars support a pair of wrought iron gates and a wrought iron archway scroll which contains the words ‘ELTHAM WAR MEMORIAL’. On the southern gate a small plaque reads ‘These Memorial Gates were donated by the Late Cr & Mrs EJ Andrew’. The northern pillar has two large dedication plaques attached to its front face, one for the War memorial and the other for the relocated Cenotaph that is now located in the garden area behind.



Figure 22. Rear of War Memorial Gates looking towards Main Road.
(Source: Context, December 2020)



Figure 23. Memorial Plaques on gate pillar dedicated to the War memorial gates and the Cenotaph. (Source: Context, December 2020)

Eltham Preschool (1956)



Figure 24. Principal elevation of the Eltham preschool. Entry to the preschool is through the recessed porch to the right of the planter. The entry to the left is to the former Children's Library added in 1961. (Source: Context December 2020)

The Eltham pre-school building was constructed in 1956 to a design by Lines MacFarlane & Marshall, Architects. Built towards the northern boundary of the site, the building is orientated towards the arc of Main Road and is attached at its southern end to the War Memorial Hall (former Children's Library) which was added in 1961.

The pre-school building is constructed using a steel portal frame that is expressed internally. It is clad with cream brick and glazed infill panels and has a low-pitched transverse gable roof with exposed rafter ends. The building has a ground hugging form with a long un-broken roof line that contrasts to the box-like form of the Infant Welfare Centre. The principal elevation facing Main Road has an open recessed porch under the main roofline at its southern end with the roof overhang being supported by two slender steel posts.



Figure 25. North elevation of the preschool building showing window wall, low-pitched gable roof and stepping in of building. (Source: Context, December 2020)



Figure 26. West elevation of the preschool building showing strip natural aluminium window with manganese brick sill. (Source: Context, December 2020)



Figure 27. North elevation detail showing the top section of the window wall frosted as a false ceiling has been installed internally. (Source: Context, December 2020)



Figure 28. Window wall under verandah. Note the original eave overhand has been extended to create a deep undercover play area. (Source: Context, December 2020).

Across the front of the building the roofline has been extended at a later date to create a deep verandah. Beneath the verandah the original timber framed window wall remains extant. This wall is divided into seven vertical panes with the outer and central panes divided horizontally into three equal sections with an awning sash window fitted to the centre section. Set into the window wall two solid timber panel doors provide access into the main classroom of the building. At the eastern end of the northern (side) elevation is a window wall that extends to the underside of the gable roof. The building steps back at the rear of this elevation with a single glazed door providing access into the building. The rear, west facing, elevation has a horizontal row of natural aluminium framed windows terminating in a glazed timber framed door with timber framed side window. The windowsill is of glazed manganese bricks.

War Memorial Hall (former Children's Library) (1961)



Figure 29. War Memorial Hall (former Children's Library) built 1961. The building became the War Memorial Hall in 1965 after Eltham Council bought the site from the Eltham War Memorial Trust. (Source: Context, December 2020)

The War Memorial Hall (former Children's Library) building was constructed in 1961 to a design by David L Woodger, architectural designer. The War Memorial Hall is attached to the preschool building at its northern end. It follows the same built form, materiality and structural steel portal system as its neighbour but steps back from the preschool with a recessed entry at its northern end where it abuts the entry to the preschool. The two entries are by a brick wall and raised planter. Entry to the War Memorial Hall is through a pair of glazed timber doors set into the side (southern) wall of the porch area. These doors have a large, glazed transom light that follows the pitch of the roof. The western wall of the entry porch is set with a large timber framed window that is divided into four. The porch area retains its original terrazzo floor.

Across the principal façade to the south of the recessed entry, two large floor-to-ceiling window openings punctuate the otherwise plain brick wall of the façade. One of these windows retains its original timber framed divided window, while the other has been replaced with a contemporary aluminium module that includes a sliding motorised door. Attached to the wall plane are metal letters that spell out 'WAR MEMORIAL HALL'. Above these letters an early light fitting is extant.

The southern wall of the building is distinguished by a large window wall with high sill and sloped head that follows the pitch of the gable roof. This window would have originally provided southern light into the original library's reading room.

The rear (western) elevation is utilitarian in nature. It has three large window openings fitted with timber framed windows that are divided into four equal panes.

Internally the structural steel portal frame is left exposed and the building retains its original partitioning system. This system uses a combination of brick walls and light weight partitions all of which are glazed above door head height to the raked ceiling above.



Figure 30. Principal elevation of Wall Memorial Hall showing ramped entry installed in 2012. (Source: Context, December 2020)



Figure 31. Southern elevation of the War Memorial Hall showing elevated window wall that originally lit the reading room of the Children's Library (Source: Context, December 2020)



Figure 32. West elevation of War Memorial Hall (Source: Context 2020)



Figure 33. Interior of War Memorial Hall showing extant glazed partitioning system and expressed structural steel portal frame. (Source: Context, December 2020)

Senior Citizens Centre (1967)



Figure 34. Senior Citizens Centre built 1967. The centre was not part of the Eltham War Memorial Trust's vision for the site and is notably different in architectural style, materiality and orientation to the earlier buildings on the site. (Source: Context December 2020)

The Senior Citizens Centre was constructed in 1967 to a design by Leith & Bartlett, Architects. Built after the site was acquired by the Eltham Council, the building was not part of the War Memorial Trust's original vision for the site. As such, it is notably different in its architectural style, details, materiality and orientation to the other three buildings on the site. Fronting Library Place to the northwest, the building is unfenced leaving it visually and physically separated from the other three buildings that sit within a fenced precinct. The building has a simple rectangular footprint with a flat roof clad in roof decking and cement sheet lined eaves. It is constructed of reddish-brown brick laid in stretcher bond. Although single storey, due to the fall of the site from east to west, the building is elevated above the ground at its western end allowing for carparking in an undercroft. Internally the building is planned with service spaces around its perimeter and a large central hall with a higher ceiling. This space is expressed externally via a pop-up section of the roof, which is clad in corrugated iron.

The principal elevation comprises two pairs of small rectangular windows either side of a projecting entry porch. This porch is enclosed with glazed panel walls, fitted with recent aluminium framed window. To the west of the entry porch the façade is punctuated by seven vertically proportioned floor to ceiling openings. Six of these are fitted with timber-framed window modules and one is fitted with a glazed timber door. The typical window module has a glazed upper half with central mullion and a solid panel below. The windows are set on the inside plane of the wall creating a deep reveal and distinctive sloped stone sills.

The eastern elevation is punctuated with five vertically proportioned window openings similar to those facing Library Place.



Figure 35. Principal elevation of the Senior Citizens Centre facing Library Place. (Source: Context December 2020)



Figure 36. East elevation of the Senior Citizens Centre showing recessed window module with stone sill. (Source: Context December 2020)



Figure 37. North elevation Senior Citizens Centre showing enclosed verandah with timber framed glazed wall. (Source: Context December 2020)



Figure 38. West elevation Senior Citizens Centre showing open basement car parking under the building. Note face brick work has been overpainted. (Source: Google August 2019)

The western (rear elevation) of the building is of face brickwork that has been overpainted. Three centrally placed openings at the lower level provide for parking under the building.

The southern elevation is of unpainted face brickwork. A central panel of light weight, timber framed half glazed wall is divided into 12 equal divisions and has a pair of half glazed doors at its eastern end.

The aesthetic integrity of the building is diminished by the installation of services on the roof including air conditioning units, solar panels and a roof ladder.

INTEGRITY

The Eltham War Memorial Building Complex, is largely intact to its original period of development (1950-1967) with some changes visible to original or early fabric. The buildings on the site retain their original built form and scale, materials and stylistic details, and continue to be used for civic purposes servicing the needs of residents in the local area. Alterations and additions to the buildings include:

- the boarding over of a large window to the principal façade of the former Infant Welfare Centre;
- the replacement of the louvred screen to the northern elevation of the former Infant Welfare Centre building with a solid panel;
- the extension of the roof line of the Eltham Pre-school building to create an undercover play area; the replacement of a timber framed window along the principal façade of the War Memorial Hall building with an aluminium-framed window and;
- the enclosing of the verandah along the northern wall of the Senior Citizen Centre building.

These changes are minor and have been sympathetically implemented. In most cases, these would be easily reversed. They do not diminish the buildings' contributory nature within the complex.

The site maintains its continued mixed community use as originally intended in the early plans for the site by the War Memorial Trust. This includes the use of the Pre-school, War Memorial Hall and Senior Citizens Centre. Although the site has been subdivided, with a sixty-five-foot strip of land to its north being sold to the Eltham Shire Council in 1964, the remainder of the site retains its civic purpose as envisaged. This vision has been retained even after the site was handed over to the Eltham Shire in 1965, with the trust approving the scheme for the proposed Senior Citizens Centre prior to the handover.

Landscape changes have diminished the intactness and integrity of the site as a whole. Land that was originally purchased by the War Memorial Trust for construction of the Eltham War Memorial Buildings has been impinged upon over time. Landscaping that was installed by the War Memorial Trust as part of the early scheme for the complex has been removed or substantially altered. Changes to the original landscaping occurred after the reconstruction of Main Road in 1968 resulting in the installation of stone retaining walls and the relocation of the memorial gates to their current location (Mills and Westbrooke 2010:10). Further changes occurred in 2012 with the relocation of the Eltham War Memorial Cenotaph (HO126) and the creation of the surrounding memorial gardens. Remnant elements that remain of the original or early landscaping of the site include the War Memorial Gates, some rubble stone walls and the memorial stone sun dial.

Overall, with the exception of the landscape alterations, the Eltham War Memorial Building Complex has high integrity.

COMPARATIVE ANALYSIS

Following the First World War, war memorials mainly comprised statues, monuments, avenues of honour, and plaques. However, as early as the 1920s there was already public sentiment that, due to a scarcity in materials and public funding, resources would better serve the community if they were channelled into the construction of community facilities (Mills and Westbrooke 2010:4). Following World War II, hospitals, especially for children, kindergartens and baby health care centres were popular choices. As public money was in short supply community funding was frequently bolstered by the introduction of a commemorative element.

The Shire of Nillumbik has a large and varied number of traditional war memorials within its suburbs. These include the Shire of Eltham War Memorial Tower, Mature Plantings and Park, 385 Eltham-Yarra Glen Road, Kangaroo Ground (HO49) c.1925-6,1974; The Eltham War Memorial Cenotaph, 903-907 Main Road, Eltham (HO126) 1919,1960; London Plane Tree Avenue of Honour, Main Road, Eltham (HO229) c.1950s; Plenty War Memorial Gates, 103-107 Yan Yean Road, Plenty (HO249) c.1950s; Panton Hill War Memorial, Main Road and Church Road, Panton Hill (VWHI) c.1926; Diamond Creek War Memorial Reserve Circuit, Diamond Creek 1921 (VWHI); and the Christmas Hills War Memorial, Eltham and Yarra Glen Roads, Christmas Hills (VWHI) 1921. The present site of a complex of community buildings adds an important additional place type to this group of local war memorial places in Nillumbik. There are no other examples within the shire.

The Shire of Nillumbik also contains a number of community facilities and pre-schools of which a few postwar examples are on the Heritage Overlay. These include the Eltham South Kindergarten, 35 Fordhams Road, Eltham, 1965 (HO202); the Eltham Community Centre, 801 Main Road, Eltham, 1977-78 (HO117); and the Eltham Library 4-10 Panther Place, Eltham, c.1992 (HO239). While each of these places represent the expansion of community services in Eltham driven by population growth after World War II, they were not community funded, nor were they built as war memorials. Architecturally, they are also not directly comparable to the buildings on the subject site as they are representative examples of the 'Eltham Idiom' a style characterised by adobe buildings that have become symbolic of the Eltham area.



Figure 39. Eltham South Kindergarten, 35 Fordhams Road, Eltham, built 1965 (HO202). (Source: Hermes)



Figure 40. Eltham Community Centre, 801 Main Road, Eltham, built 1977-78 (HO117). (Source: Hermes)



Figure 41. Eltham Library, 4-10 Panther Place, Eltham, built c.1992 (HO239). (Source: Hermes)

Given the lack of comparable examples currently on the Heritage Overlay, it is therefore necessary to compare the subject site with examples from outside of the Shire of Nillumbik.

Generally, there are fewer postwar places included in the Heritage Overlay than nineteenth century and early twentieth century places with postwar memorial community facilities such as infant welfare centres

and kindergartens particularly under-represented. Furthermore, there are no identified examples of a complex of community buildings built specifically to provide child welfare services on the Heritage Overlay. For this reason, it has been necessary to compare the individual buildings on the site against representative examples of their specific typology that are outside the Shire of Nillumbik.

Comparable postwar examples include:

Post-war baby health centres in local heritage overlays

Baby Health Centre, 318-324 Lygon Street, Brunswick East, c.1939 (HO106 of Moreland Planning Scheme)

The Baby Health Centre at 318-324 Lygon Street, Brunswick East, is of local historical and architectural significance. The site has been associated with maternal and baby health care since the late 1930s. Architecturally, the building is a well composed late example of the Moderne style, with an interesting semi-circular facade.



Figure 42. Baby Health Centre, 318-324 Lygon Street, Brunswick East, c.1939 (HO106). (Source: Hermes)

The Aberfeldie Baby Health Centre, 13 Beaver Street, Aberfeldie, built 1955 (HO381 of Moonee Valley Planning Scheme)

The Aberfeldie Baby Health Centre is of local historic, social and architectural significance to the City of Moonee Valley. The centre was designed by S.C. Steele and constructed in 1955. It is socially and historically significant at a local level as a place that symbolises the determined efforts of the Council and local community to establish a place that would improve the health and welfare of women and children. As was typical of baby healthcare centres built at this time the building is domestic in appearance, resembling a cream-brick post-war house, asymmetrical in plan with a hip tile roof with boxed eaves.



Figure 43. Aberfeldie Baby Health Centre, 13 Beaver Street, Aberfeldie, built 1955 (HO381). (Source: Hermes)

Emerald Street Community Centre, 1 Emerald Street, Essendon West built 1963 (HO332 of Moonee Valley Planning Scheme)

The Emerald Street Community Centre is of aesthetic, architectural and technological (engineering) significance and historical interest, to the City of Moonee Valley. Built in 1963 to a design by the Shire's Engineer, Garnet Price, it is notable for its distinctive form and unique structural substructure that melds characteristic of the 'Melbourne School' of post-war modernist architecture with an innovative structural approach to overcome the constraints of an unstable site. Historically the building is of interest as one of a number of purpose-built infant welfare centres built in the 1950s and 60s in the City of Keilor due to rapid residential growth.



Figure 44. Emerald Street Community Centre, 1 Emerald Street, Essendon West, built 1963 (HO332). (Source: Hermes)

Baby Health Centre, 2 Merlyn Street, Coburg North built 1955 (HO399 of Moreland Planning Scheme)

The Merlynston Baby Health Centre is of local historic, social and architectural significance to Moreland City. It is historically significant as an example of a place associated with an important program that encouraged the provision of modern and up-date maternal and child health facilities, particularly throughout the growing suburbs on the fringe of metropolitan Melbourne, after World War Two. Designed in the form of a brick veneer house with a hip tile roof and a projecting flat-roofed porch, which is noted

on plan as a 'Pram park', The Merlynston Baby Health Centre is architecturally significant as a representative example of a small baby health centre, which illustrates the simple domestic scale and design that is typical of these buildings and reflects the philosophy of the Victorian Baby Health Centres Association.



Figure 45. Baby Health Centre, 2 Merlyn Street, Coburg North, built 1955 (HO399). (Source: Hermes)

Post-war pre-schools on the Heritage Overlay

Robert Cochrane Kindergarten, 2A Minona Street, Hawthorn built 1948-50 (VHR H2309, HO580)

Robert Cochrane Kindergarten, Hawthorn is a prototype of progressive post-war kindergarten design which had a profound influence on kindergarten design in Victoria. It was the first kindergarten to combine innovative planning and orientation with modern architectural expression; characteristics which became typical of many kindergartens designed by Horace Tribe and other architects throughout the 1950s.



Figure 46. Robert Cochrane Kindergarten, 2A Minona Street, Hawthorn, built 1948-50 (VHR H2309, HO580). (Source: Hermes)

Greenwood Park Kindergarten, 9 Greenwood Avenue, Ringwood built 1954-55 (HO28 of Maroondah Planning Scheme)

Greenwood Park Kindergarten is a Modernist timber building, built in 1954-55 after local organisations, traders and individuals raised funds for the kindergarten's Building Fund. It is historically significant as an early and striking embodiment of the post-war kindergarten movement. It is architecturally significant as a fine example of the Modernist style as an example of its building type.



Figure 47. Greenwood Park Kindergarten, 9 Greenwood Avenue, Ringwood, built 1954-55 (HO28). (Source: Hermes)

East Keilor Pre-School & Infant Welfare Centre, 31 Mark Street, Keilor East built 1967-68 (HO432 of Moonee Valley Planning Scheme)

The East Keilor Pre-School and Infant Welfare Centre is of local historic and social significance to the City of Moonee Valley. The pre-school and infant welfare centre is a brick building with a low-pitch skillion roof. The windows are floor to ceiling and have textured spandrels below set on manganese brick sills, and aluminium framed windows above with openable sashes set within fixed panes of glass. It is historically significant as an example of a place associated with an important program that encouraged the provision of modern maternal and child health facilities in suburban Melbourne during the early to mid-twentieth century. It is significant as a representative example of a combined pre-school and infant welfare centre of the post-war era. The mature eucalypts provide a related setting.



Figure 48. East Keilor Pre-School & Infant Welfare Centre, 31 Mark Street, Keilor East, built 1967-68 (HO432). (Source: Hermes)

East Ivanhoe Memorial Kindergarten, 1 King Street built 1958 (East Ivanhoe Pre-school), Ivanhoe (VWHI, not in HO)

The East Ivanhoe Memorial Kindergarten was opened in 1958. At the time of opening its official name was the 'East Ivanhoe Preschool Memorial Kindergarten'. It was the culmination of years of fundraising by the City of Heidelberg War Memorial Trust and the East Ivanhoe Pre-School Committee and was a response to the increasing demand for children's services in the area.



Figure 49. East Ivanhoe Memorial Kindergarten, 1 King Street, East Ivanhoe, built 1958 (not in HO). (Source: Hermes)

Armadale Memorial Kindergarten, William Street, Armadale, built 1951 (VWHI, not in HO)

Construction of the Armadale Memorial Kindergarten began in 1951 after intensive fundraising by the local community. It opened in February 1953. It has a marble plaque dedicated to those who had died during World War II and the quote "the foundation of every state is the education of its youth".



Figure 50. Armadale Memorial Kindergarten, William Street, Armadale, built 1951 (not in HO). (Source: Hermes)

Glenroy Memorial Kindergarten (not in HO)

The Glenroy Memorial Kindergarten was constructed in 1953 and was opened in 1954 by Health Minister Mr Barry. It was constructed at a cost of £7000 and initially provided accommodation for 50 children.



Figure 51. Glenroy Memorial Kindergarten, Glenroy (not in HO). (Source: Hermes)

War Memorial Kindergarten, Whittington (not in HO)

Following World War II, members of the local community engaged with the Shire of Bellarine to establish a permanent memorial to those who died during the war. It was decided the memorial should take the form of an infant welfare centre and a kindergarten. In 1951 the Shire purchased the land. About one third of the cost of the infant welfare centre was raised by the community and the balance was contributed through the Shire and other grants. The infant welfare centre opened in 1955 and was extended in 1961 for a kindergarten.



Figure 52. War Memorial Kindergarten, Whittington (not in HO). (Source: Hermes)

Discussion

The Eltham War Memorial Complex of buildings is an unusual grouping of buildings purpose built to memorialise those who served in World War II. There are no other known examples of war memorial buildings currently on the Heritage Overlay in Victoria that were specifically built to provide baby and child welfare services.

When compared to the above examples, each of the three buildings built under the auspice of the Eltham War Memorial Trust are good representative examples of modernist architecture as it developed within the Australian context.

Architecturally, the former Infant Welfare Centre building compares most directly to the earlier Baby Health Centre at 318-324 Lygon Street, Brunswick East, c.1939 (HO106). Both buildings break from the typical domestic form of architecture commonly used at this time for infant welfare centres as seen at the Aberfeldie Baby Health Centre 1955 (HO318) and the Merlynston Baby Health Centre, 1955 (HO399) utilising instead Dudok-inspired functionalist features. These include unadorned cream brick walls with a simple flat parapet and a sheltering pram porch. The composition and expression of these features gives the buildings a distinctive cuboid form that is typical of early modern functionalist architecture. It is of interest that the nearby Eltham Municipal Offices (now demolished), designed by A.K. Lines and MacFarlane in 1940-41, used a similar architectural style and compositional approach. This building is likely to have influenced the use of this architectural form for the Infant Welfare Centre in order to establish a visual unity between civic buildings in the area.

The Eltham Infant Welfare Centre building is not as progressive in design as the later Emerald Street Community Centre, Essendon West, 1963 (HO332) which is notable for melding characteristic of the 'Melbourne School' of post-war Modernist architecture with an innovative structural approach to overcome the constraints of an unstable site. This regional 'Melbourne style' is more evident in both the Eltham Pre-school building and the attached former Children's Library. In both these buildings we see the use of a steel portal frame to create an internal single span space that is enclosed with a low-pitched gable roof and window walls. These features are characteristic of the experimental structures and forms that typify Australian modernism of the 1950s and 1960s, particularly in Melbourne. This can be seen at the earlier Robert Cochrane Kindergarten 1948-50 (VHR V2309, HO580), the Armadale Memorial Kindergarten, William Street Armadale 1951 (not in HO), the East Ivanhoe Memorial Kindergarten, 1958 (not in HO) and the East Keilor Pre-School & Infant Welfare Centre, 1967-68 (HO432). This distinguishes the Pre-school and Library buildings from the War Memorial Kindergarten, Whittington c.1954-55 and the Glenroy Memorial Kindergarten, c.1953 both of which reference more typical conservative forms of domestic architecture in their design.

The Senior Citizens Centre was built in 1967 and was not part of the Eltham War Memorials Trust's original vision for the site. Built after the site was acquired by the Eltham Council, the building is notably different in its architectural style, details, materiality and orientation to the other three buildings on the site. It originates from a period of Eltham's history that is better represented on the Heritage Overlay i.e. Eltham Community Centre (HO117), the Eltham Library (HO239) and the Eltham South Kindergarten (HO202) however, it is more generic in its architectural expression. It does not contribute to an understanding of the distinctive 'Eltham Idiom', a style characterised by adobe buildings that developed at this time and have become symbolic of the Eltham area. As such the building is not considered to be of local significance. It is however of some interest as its construction was approved by the Eltham Memorial Trust prior to the Council acquiring the site and its design complimented the former Eltham Shire Offices built directly opposite in 1965 also to a design by Leith And Bartlett. The Eltham Shire Offices however, was however demolished in 1996.

As discussed earlier within this report, landscape changes have diminished the intactness and integrity of the site as a whole. Landscaping that was undertaken by the War Memorial Trust as part of the early scheme for the complex has been removed or substantially altered. As a result, the current landscaping of the site is not significant, with the exception of the War Memorial Gates, stone sun dial and remnant rubble stone walls. The Eltham War Memorial Cenotaph was relocated to the site in 2012 and is within its own Heritage Overlay.

ASSESSMENT AGAINST CRITERIA

✓	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 of 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).

STATEMENT OF SIGNIFICANCE

WHAT IS SIGNIFICANT

The Eltham Memorial Building Complex at 903-907 Main Road, Eltham, is significant.

The following features / components contribute to the significance of the place:

- former Infant Welfare Centre building (1950-51);
- War Memorial Gates (1954);
- Eltham Preschool (1956);
- War Memorial Hall (former Children's Library) (1961);
- Stone sundial dedicated to Mrs Ada Lyon;
- Remnant stone rubble garden walls.

The Senior Citizens Centre building is of historical interest only.

HOW IT IS SIGNIFICANT

The Eltham War Memorial Buildings, Eltham, are of local historic, representative and social significance to the Shire of Nillumbik.

WHY IT IS SIGNIFICANT

The Eltham War Memorial Building Complex is historically significant as a group of community buildings in Nillumbik that incorporated a range of community services and facilities. The complex included infant and child welfare, children's library, senior citizens centre, gates and gardens, and demonstrates the concept of a 'useful' or functional war memorial. The complex evidences the dedicated work by community groups in the postwar period in organising fundraising and managing the construction both of local war memorials and local community facilities across Victoria. The combined community and memorial functions of the Eltham War Memorial complex demonstrate the efficient and pragmatic use of limited resources. While the construction of buildings associated with infant and child welfare was not a rare type of war memorial building, a coordinated complex of several child welfare buildings as a war memorial is rare in Victoria. (Criterion A)

The collection of structures comprising the Eltham War Memorial Building Complex are largely intact, highly representative examples of Modernist architect-designed community buildings. Key design elements across the collection of buildings include the overall simplicity of the buildings, the simple box-like built forms with flat (Infant Welfare centre) or low-pitched gable roofs (Preschool and War Memorial Hall) and large expanses of windows. The War Memorial Gates are an excellent representative example of memorial gates for their period. The slate clad pillars, wrought-iron gates and arched wrought iron scroll are all typical landscaping materials used in the 1950s. (Criterion D)

The former Infant Welfare Centre is distinguished by its box-like form, which is emphasised through its use of planar wall surfaces and parapet, and is representative of a modern functionalist approach to design. The Preschool and War Memorial Hall buildings demonstrate characteristics of the 'Melbourne School' of post-war modernist architecture. This is reflected in their use of a steel portal frame to create an internal single span space that is enclosed with a low-pitched gable roof and large non-structural timber framed window walls. (Criterion D)

The Eltham War Memorial Building Complex is of social significance for its long and continuing associations with the local Eltham community to remember and honour those who fought in World War II. The site as a whole has played an ongoing role in the civic life of the local Eltham community since 1952, when the Infant Welfare Centre first opened on the site. The Eltham preschool, which has operated from the site since 1956, and the War Memorial Hall (former Children's Library) have served the community for over sixty years for various functions and activities, including the provision of services for children and meetings of local groups. (Criterion G)

RECOMMENDATIONS

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

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

NILLUMBIK PLANNING SCHEME

EXTERNAL PAINT CONTROLS	No
INTERNAL ALTERATION CONTROLS	No
TREE CONTROLS	No
OUTBUILDINGS OR FENCES (Which are not exempt under Clause 43.01-3)	Yes— Memorial Gates and sundial
TO BE INCLUDED ON THE VICTORIAN HERITAGE REGISTER	No
PROHIBITED USES MAY BE PERMITTED	No
ABORIGINAL HERITAGE PLACE	No

OTHER

N/A

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Title: Former Church of the Sacred Heart, 49-55 Main Street, Diamond Creek

Identified by: Trethowan Architecture

Prepared by: Trethowan Architecture

Address: 49-55 Main Street, Diamond Creek

Name: Former Church of the Sacred Heart	Survey Date: N/A
Place Type: Religious	Architect: JB Denny
Grading: Individually Significant	Builder: T Dakin
Extent of Overlay: To Property Boundaries	Construction Date: 1872-1874



Figure 1: Source: Tobin Brothers Funerals 2022.

Historical Context

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land located to the east of the creek, which was purchased by Dr John Blakemore Phipps in 1854. The rush to Diamond Creek began and soon Phipps was



renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the late 1860s and early 1870s. These included a post office, a Methodist church and school and three hotels (Barnard, 2008). In 1870, a national school was established (Edwards, 1979:118).

By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the Land Act 1869 and later under Section 65 of the Land Act 1884. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996:36). From 1885 onwards, the rural landscape of the area also inspired many artists to work in Diamond Creek and its surrounds, and the scenery of the area was captured in the works of the Heidelberg School painters (Edwards, 1979:143).

In 1912, the Eltham Railway Line was extended to Hurstbridge through Diamond Creek, bringing tourists to this area. Despite this, Diamond Creek remained a rural township concentrating on the orchard industry throughout the first half of the twentieth century, without much new industries to offer alternative employment opportunities. As such, the area entered a period of population decline (Edwards, 1979:177). This began to change in the 1960s and 70s, as, affordable land on subdivided orchards and accessibility to railway networks attracted young families to build their homes in the area, prompting further population growth in Diamond Creek (Barnard, 2008).

History

The corner stone of the church was laid on 14 July by the then Bishop (later Archbishop) of Melbourne, James Goold (*Advocate* 6 July 1872:6). An article published at the time stated the architect as being JB Denny, while T Dakin was the builder. The total cost of construction was £2500. The newspaper article further noted that branches of the Hibernian Australasian Catholic Benefit Society (HACBS) would be in attendance at the stone laying, in 'full regalia', indicating that the congregation was likely to have been substantially populated by Irish families at the time (*Advocate* 6 July 1872:6). The new Church was dedicated on the 11 October 1874 (*IANFHR* 4 November 1874:179). An image published in 1925 indicates that the building had a small side porch on the southeast side (**Error! Reference source not found.**).



Figure 2: c1925 image of the church, showing the original side porch to the southeast. Source: Barker 1925:17

John Bunn (JB) Denny (1810-1892) was a prolific church architect in Victoria. Prior to his arrival in Australia, Denny was Master of Works for the renowned architect Augustus Pugin on works at Alton Towers (Staffordshire, England) (Pugin Foundation 2013-2014:7). Denny was also involved with other Pugin projects, including churches, and it was in this time that he worked alongside William Wilkinson Wardell.

Wardell was responsible for Denny's arrival in Australia, hiring him to be the Clerk of Works on the construction of St John's College, Sydney. Although this position fell through, he was quickly hired by Wardell superintendent of the newly designed St Patrick's Cathedral. Both Wardell and Pugin had an enduring influence on Denny's own work (Pugin Foundation 2013-2014:8). Buildings designed by Denny include the Mortuary Chapel at Melbourne General Cemetery; sections of St Patrick's Cathedral, Ballarat; St John's, Clifton Hill; the hall at St Augustine's, Melbourne; Infant Jesus Church, Koroit; and St Finbar's, Brighton.

By 1965, the original Church building had become too small for the purposes of the congregation. The site was sold, and the property was sub-divided. Shortly afterwards, the congregation moved to a temporary building (which later became the parish hall following the opening of a new church building) next to the Sacred Heart Primary School in Gipson Street, Diamond Creek (Archdiocese of Melbourne 2022).

A restaurant named 'The Abbey' opened at the site in May 1978 (*Australian Jewish News* 2 November 1979:16). It appears that alterations were undertaken to the building at this time, including the addition of a chimney to the chancel, in a similar style as that evident to the original vestry. A castellated extension to the southwest, since removed also appeared to be constructed at this time. These additions, undertaken between 1963 and 1982, can be seen in Figure 3 and Figure 4.



Figure 3: A 1963 image of the church, showing the northwest side of the church. The small vestry with chimney is evident. Source: Collins 1963, SLV.

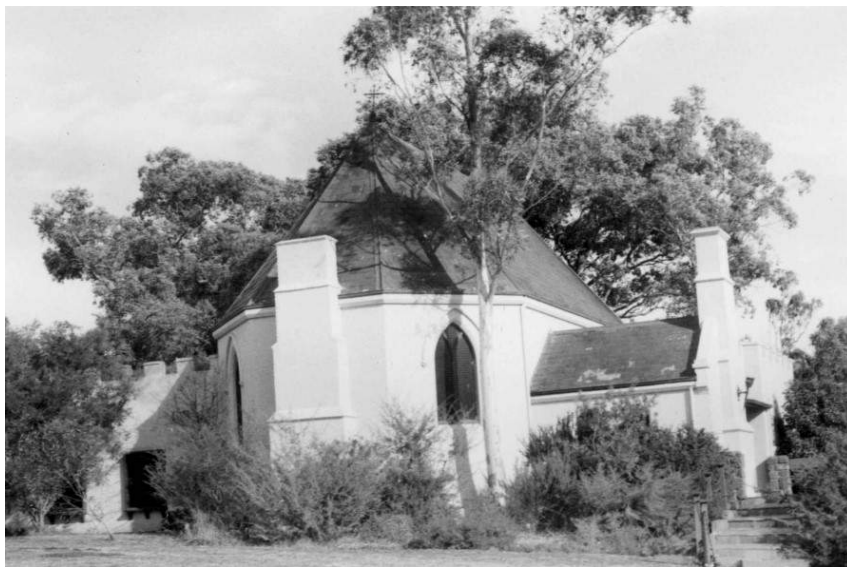


Figure 4: A 1982 image of the church, taken from the north, showing the later chimney to the chancel, and castellated additions. Source: Collins 1982, SLV.

The church was later used as a reception centre, during which extensive additions were undertaken. This included the construction of a large reception hall and associated rooms. The site is now used as a funeral home.

Description & Integrity

The former Church of the Sacred Heart at 49-55 Main Street, Diamond Creek, is a single storey building constructed in brick with concrete render, constructed on a northeast-southwest axis. Although broadly rectangular in form, the building's northeast chancel end features chamfered sides, creating the effect of a canted bay. The steeply pitched slate



roof bears a gable end to the southwest, and is hipped above the chamfered northeast end. A small iron cross is affixed to the ridgeline at the northeast, and small roof vents are evident along the ridgeline.

The church has a small vestry room to the northwest, which has a gable running perpendicular to the main roof. This room is lower than the main body of the church, and thus its ridgeline sits below the gutter of the main church roof. A substantial tapering chimney is placed centrally on the gable end of this room.

The church bears gothic-style pointed windows, with rendered drip moulds above the windows. These drip moulds terminate in rosettes. Examples of these windows are located on the chamfered sides of the chancel. A c1970s chimney, replicating the detailing of the vestry chimney, is located centrally on the chancel end.

The building has been substantially enveloped by later development, and appears to have lost its original southeast side porch. Despite this, the original church form appears legible.

Comparative Analysis

Churches were an integral part of the social life of communities within the Shire of Nillumbik and were often amongst the first buildings constructed within townships. Not only did these buildings provide places for worship, they often functioned as places to gather, celebrate and receive religious education.

Despite JB Denny's prolific work on churches in Victoria, no other examples in the Shire of Nillumbik have been identified. Because of this, the church is best compared against other modestly sized churches within the Shire. Comparable churches in Nillumbik on the Heritage Overlay are as follows:

- Presbyterian Church, 265 Eltham-Yarra Glen Road, Kangaroo Ground (HO46)
- Uniting Church (originally Methodist) 810 Main Road, Eltham (HO118)
- St Margaret's Anglican Church, 10-12 John Street, Eltham (HO154; VHD H0459)
- St John's Anglican Church, 61 Main Street, Diamond Creek (HO132)



Presbyterian Church, 265 Eltham-Yarra Glen Road, Kangaroo Ground (HO46)



Uniting Church (originally Methodist) 810 Main Road, Eltham (HO118)



St Margaret's Anglican Church, 10-12 John Street, Eltham (HO154; VHD H0459)



St John's Anglican Church, 61 Main Street, Diamond Creek (HO132)

The Presbyterian Church at 265 Eltham-Yarra Glen Road, Kangaroo Ground, is a bichromatic brick building with slate roof thought to have been built c1878, and one of only a few well preserved buildings in the town from that era. The church is historically and socially significant because it has served the local community since construction.

The former Methodist Church at 810 Main Road, Eltham, is a bichromatic brick building with slate roof build in 1880. The building is aesthetically significant as a finely detailed example of a rural community church. The place is also significant for its ongoing community role in the region.

St Margaret's Church at 10-12 John Street, Eltham, is a polychromatic brick building with slate roof constructed in 1861. Designed by the architect Nathaniel Billings, the church is built in the Gothic style and features extensive brick decoration, steep buttresses and a notable bellcote surmounting the gable end. The site is also significant for its historical connections with the early settlement of Eltham.

St John's Church at 61 Main Street, Diamond Creek, is a red brick building with metal roof, constructed in 1867. The church has side buttresses and a front porch, with the primary detailing provided by cream brick detailing to window and door openings. The church has had significant alterations to the rear to accommodate its ongoing use however remains legible from the front.

Like the subject site, each of these examples are modestly sized church buildings bearing the characteristics of the Gothic Revival style. Like the subject site, the size and relatively modest detailing of these examples reflect the modest needs of early congregations in rural areas. The subject site is set apart from these examples by its rendered materialist, as opposed to decorative polychromatic or bichromatic brick work. The subject site is also distinguished by its chamfered chancel end, which introduces a picturesque quality and more complexity than a standard gable roof. The inclusion of a small vestry room with substantial chimney is unusual in the shire, and further enhances the picturesque nature of the site. Like the other examples, in particular the next-door St John's Anglican Church, the subject site has been altered and added to through its history, however this does not detract from its legibility as a church building.

Although the subject site does not have a demonstrated continual use as a church, the building has continued a social aspect through its use as a restaurant, reception centre and funeral home. Overall, the subject site compares favourably against these examples in terms of historical associations and architectural expression of the Gothic Revival style in the modest rural context.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The subject site, constructed between 1872 and 1874, is an early building in Diamond Creek and thus serves as a reminder of the historical development of the township. Alongside the neighbouring Anglican Church, the prominent position on a hill near the centre of town demonstrates the importance of churches in town life in the nineteenth century. The subject site is also of historical interest for its associations with the prolific church architect JB Denny, who was greatly influenced through his direct work with the prominent architects Augustus Pugin and William Wardell.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The subject site is a finely designed, modestly sized Gothic Revival church. Although most churches constructed in the nineteenth century in the Shire adopt the Gothic Revival style, the subject site exhibits a particularly skilful application. The site is a particularly picturesque example, which is enhanced by its steep combination hip and gable roof, chamfered corners, and small vestry with substantial chimney. Additional details that contribute to the aesthetic qualities of the site include the window drip moulds, roof vents and metal cross on the ridge line.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The former Church of the Sacred Heart, at 49-55 Main Street, Diamond Creek, is significant.

Elements that contribute to the significance of the place include:

- The original form of the Church, with small adjacent vestry
- The original materials, including dressed concrete to the brick constriction and slate roofs
- Original detailing, including arched windows with drip moulding, the original chimney to the vestry, roof vents, and the small cross affixed to the ridge line of the roof

Development after 1874 at the site, and the chimney to the chancel of the church, are not significant.

How is it significant?

The former Church of the Sacred Heart, at 49-55 Main Street, is of historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The former Church of the Sacred Heart at 49-55 Main Street, Diamond Creek, is historically significant to the Shire of Nillumbik as a remaining early building that demonstrates the growth of Diamond Creek through the nineteenth century. Constructed between 1872 and 1874, the site demonstrates the importance of church life in early rural communities at that time. Along with the neighbouring Anglican Church, the prominent position on a hill near the centre of town is evidence of this. The subject site is also of historical interest for its associations with the prolific church architect JB Denny, who was greatly influenced through his direct work with the prominent architects Augustus Pugin and William Wardell. Denny was responsible for overseeing the construction of many of Victoria's early churches, as well as being responsible for designing a substantial amount himself. (Criterion A)

The former Church of the Sacred Heart at 49-55 Main Street, Diamond Creek, is aesthetically significant to the Shire of Nillumbik. The building demonstrates a particularly skilful application of the Gothic Revival style to a modest rural church building. The site is a particularly picturesque example of the style in the Shire, which is enhanced by its steep combination hip and gable roof, chamfered corners, and small vestry with substantial chimney. Additional details that contribute to the aesthetic qualities of the site include the window drip moulds, roof vents and metal cross on the ridgeline. The setting on a hill contributes to the aesthetic significance, despite the building being enveloped by later development. (Criterion E)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	Yes
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Trethowan



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Title: Former Yarrambat General Store, 466 Ironbark Road, Yarrambat

Identified by: Peter Mills & Samantha Westbrooke

Prepared by: Trethowan Architecture

Address: 466 Ironbark Road, Yarrambat

Name: Former Yarrambat General Store	Survey Date: February 2022
Place Type: House, shop	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To property boundary	Construction Date: C1877-1885 (house), and 1920s (shop)



Historical Context

Land to the west of Yan Yean Road, in the Parish of Marong, was sold at Crown land sales between 1840 and the early 1850s (Morang Parish Plan). The gold rushes brought an increase of population to the Diamond Valley and in their wake came the selectors who under the Selection or Land Acts of the 1860s, were able to purchase small holdings of land with the proviso that they improve them by clearing, fencing and building. Yarrambat, originally known as Tanck's Corner had a couple of gold rushes, one before 1860 and the other after 1900. However not enough gold was found to create a thriving township. The town was therefore primarily established by selectors. From the early 1860s commons were set up to allow settlers to graze livestock on Crown Land. The Greensborough Farmers' Common was gazetted in 1861. The land in the common was described as "mostly Stringy Bark Forest & barren" (Greensborough Farmers' Common File 907755, Item 21, Unit 892, VPRS242, PROV, Argus, 26 February 1861).

The lots on the north and south sides of Ironbark Road were the first to be taken by selectors Frederick Tanck and Thomas Reynolds in the early 1870s under sections 19 and 20 of the Land Act 1869, and they obtained their grants in the mid 1870s. Tanck's Corner was a T-intersection where Ironbark Road meets Yan Yean Road. While the first land acts were mainly tailored to selection of blocks of viable farm size, gold miners and their



associated service population lobbied for a system allowing small-holdings which would allow food gardens and keeping a horse and cow. Provision was soon made in the land acts for a system of occupation licenses for small areas of Crown land in auriferous areas. The resulting occupation licences on auriferous land, which were limited to twenty acres, were first introduced under Section 42 of the Land Act 1865. As gold was found in the area north of Nillumbik (Diamond Creek) relatively late, in the Tancks Corner locality twenty-acre occupation licenses were first taken up under Section 49 of the Land Act 1869. The first Section 49 licenses in the Tancks Corner area were taken up from c1883 ('Greensborough County of Evelyn', 1884).³¹⁸ These were close to the eastern edge of the auriferous land, next to Tanck's and Reynolds' selections. Further licenses were progressively taken up under Section 65 of the Land Act 1884 over the whole of the auriferous area north of Nillumbik (Mills 2013).

While the occupation licenses did not at first allow for eventual alienation of the auriferous land, under political pressure allowances were made for purchase after a period of lease if it could be shown that mining was unlikely to occur in the future. The first alienations of twenty-acre lots near Tancks Corner occurred in the late 1880s, with alienation occurring gradually on the remaining twenty-acre lots into the 1920s (Mills 2013). This process of occupation also eventually led to the demise of the Greensborough Farmers Common, despite resistance by surrounding farmers (Argus, 14 March 1879:3). The Common was officially abolished in 1907 (Victoria Government Gazette, 10 July 1907, No.86 p.3330).

In the broad swathe of over 800 twenty-acre license holdings stretching from Nillumbik (Diamond Creek) to the north-east of St Andrews (Queenstown), the conjunction of these small lots and the hilly and relatively unfertile lands of the auriferous areas was a major stimulus to the establishment of the orcharding industry which was the mainstay of the area's economy well into the twentieth century. A large proportion of the catchment population of the Tancks Creek/Yarrambat population made their living this way. The Tanck's Corner school, which had opened in 1878 in response to the influx of selectors, closed in 1892, possibly because surrounding land was increasingly being bought for speculation (Butler 1996, p45; Hooper, 1978, p 8). The locals petitioned for reopening, at one stage listing forty-eight children within one-and-a-half miles of Tancks Corner (Hooper 1978:33). The reopening in c1900, along with the establishment of postal service and store around the turn of the century, was related to this new and intensive form of settlement.

Many of the people whose names became associated with Yarrambat did not settle there until the 1880s or 1890s. Henry Montague Pepper, with his wife and family, took up their selection in 1889. Thomas Collins, who had lived in Diamond Creek, moved with his wife to Yarrambat to start an orchard in 1886. Another early family, the Stuchbery's, did not select their land, but bought two acres of the Oatlands Estate in 1890. On the banks of the Plenty River, together with their twelve children, they established a market garden and built a house, dairy and stable. The name of the town was officially changed to Yarrambat in 1929. It is unknown why the name was changed however Yarrambat is named from an Aboriginal word meaning "high hills" or "pleasant views".

For a long period of time community life in the township centred on the school, which opened in 1878 on land donated by Thomas Reynolds. Although there was a blacksmith's shop and store at Yarrambat, the school was the only community building until the 1940s, when the fire station was built in 1947 (replaced in 2001) and the Yarrambat Hall in 1948. Parishioners of St Michaels, who met in the school, prior to having a dedicated church of their own, worked from the 1930s to clear land and build their Church. It was officially opened in 1954. The original school building has been moved to Yarrambat Heritage Park (located adjacent to Yarrambat Golf Course).



History

Frederick Tanck was the first purchaser of the land on which this site is situated, and the namesake of Tanck's Corner, the area now known as Yarrambat. The land was transferred to Margaret Bird on 29 September 1877 (CT:V984 F196757). Margaret's husband Charles was described variously as a builder and bricklayer (CT:V984 F196757 and Argus 31 May 1878:2). It is possible that he built a brick dwelling at this time. Margaret sold the land to Samuel Jackson in 1879, and when he died in 1885 it was transferred to his wife Ellen Jackson (CT:V1095 F218932). The 1885 Valuation Book for the Greensborough Riding reveals that the property included a four-bedroom brick house with kitchen (VB 1885). The Valuation Book indicates that brick was a very uncommon material for a house at this time. The timeframe for the building of the brick residence on Parcel E7 appears to be the eight years from 1877 to 1885; aligning with Charles Bird's expertise as a builder and bricklayer.

Up until c1927 the local post office and store were located south of Ironbark Road. From 1927 the Post Office at Tanck's Corner operated from the thirty-acre lot north of Ironbark Road, purchased by Mr and Mrs Craig in 1922 (CT:V3398 F679494). This corresponds to the date at which the service became a post office rather than a receiving office. In 1931 the post office is described as a separate building on the Craig's land, fronting Ironbark Road (Advertiser (Hurstbridge) 27 March 1931:2). In 1935 the post-office also became a telephone exchange (Advertiser (Hurstbridge) 7 June 1935:5).

The Craigs sold the property to the Dowels 1940 (CT:V3398 F679494). With the involvement of Mrs Dowell this post-office store became the terminus of the new bus service from Greensborough in July 1941 (*E&WSA* 21 February 1941:3; 18 July 1941:1; 21 August 1942:3). The Dowels soon made a number of "improvements", including introducing a shop to the post office and removing pines and an acacia hedge (*E&WSA* 25 October 1940:3).

In August 1941 it was reported that Mr L. Dowel had made another improvement in the form of additions to their residence. The store and post office businesses were increasing, with the latter indicated by an increased "allowance", presumably from the Post Master General's Department (*E&WSA* 8 August 1941:1). In 1947 the lot was subdivided into two; the block on which the residence and store are located, was acquired by Ercil Damar Fellowes (CT:V3398 F679494), described as being from Plenty Post Office, Plenty (CT:V7733 F040).

The store building was extended in 1956 and later in 1970 (BP). Examination of the early photo shows that one of these extensions altered the front elevation by replacing timber extensions with a new brick section including a third display window. The site ceased to serve as the Post Office during the later part of the 20th Century, with the service returning to the south side of Ironbark Road opposite. The site continued to function as a general store.

The house underwent extensive additions in 1987 (adding some 100 sq metres) (BP) to the original four roomed Victorian house. The additions used modern bricks and some renovations also occurred to the original building, including its re-roofing to match the extension. The entire northern side wall of the original house has been rebuilt.



Figure 1: 'Yarrambat Post Office' c1950s. The timber section at the west (left of image) has been replaced with another brick bay. The pine trees have also been removed. Source: National Archives photograph, image B5919 2389.



Description & Integrity

House

The house at 466 Ironbark Road is a simple four-roomed brick Victorian Italianate styled structure with a large modern brick extension at the rear (north-east). It has an M-shaped roof to the original four rooms and features a skillion roofed verandah on the front (west) and south elevations supported on timber posts. The roof form and verandah appear to be original with later corrugated metal roof cladding. The house is clad in face-brick, which appears to be a later alteration dating from the same time as the addition. The house features typical details for the period of its construction, including two chimneys, a panelled front door hung in a door case with side and highlights, and double hung timber windows. A second door has been installed to the front room at the south in place of a front window. The plan features a central passage with two rooms accessed from each side. There are no distinctive interior features.

The 1987 addition at the north-east is constructed of brick with a gable roof clad in later corrugated metal (the same as the original residence). It features aluminium windows and a brick chimney constructed to match those of the old house.

The integrity of the house is low, with very limited original details and evidence of the Italianate style. The entire north wall, including windows, is later; the verandah posts, floor and roof are later alterations; a front window has been replaced with a door; the brick wall cladding and corrugated metal roof cladding are both later.

Shop

A covered walkway connects the house to the store, located to the south. The store is a simple brick structure with a skillion roof. The original building dates from c1920s and has been extended twice (1950s and 1970s) to the west and north making a much larger structure. It features a simple verandah running across the front (south) elevation and three sets of large multi-paned windows. The window furthest to the west forms a later addition; the original section is denoted by the central window, door and east window.

The integrity of the shop is compromised by the later additions, although the original form and appearance remain legible. There are no notable architectural features related to the inter-war construction period, or the later alterations.

Site

A driveway at the south-west provides vehicle access to an open parking area and fuel pump in front of the store, and there is a smaller driveway leading to the front (west) of the house. There is a row of mature trees along the street frontage and smaller plantings surrounding the carpark, shop and house. The site is otherwise open to the north, with no additional structures or mature landscaping of note.

The site has been an important social centre in Yarrambat for nearly 100 years. It forms part of a core of commercial and civic functions including the Primary School and St Michaels Church across the road.



Figure 2: Aerial view of 466 Ironbark Road, Yarrambat (outlined in red) dated 24 December 2021. The house is indicated in yellow and the shop in blue. Source: Nearmap, accessed March 2022.



Figure 3: Floor plan showing the original four roomed house (indicated in red) with rear extension and shop. Source: realestate.com.au



Figure 4: Front (west) elevation of the house. Note the original brick chimneys and the later door at the southern front room. Source: Trethowan Architecture, 2022.



Figure 5: North elevation of the original house, looking east towards the rear extension. Note the matching brick wall cladding and roof sheet between the original and later parts of the house. Source: Trethowan Architecture, 2022.



Figure 6: Joint between the new brick north wall (left) and earlier brick west wall. Source: Trethowan Architecture, 2022.



Figure 7: Interior view of front door, with later leadlighting. Source: Trethowan Architecture, 2022.



Figure 8: View of the house (right) and store (left) from the north-east. Source: Trethowan Architecture, 2022.



Figure 9: South (front) view of the shop. Note the skillion roof form and verandah. Source: Trethowan Architecture, 2022.



Figure 10: South (front) view of the shop. The original portion is delineated by the door and flanking multi-paned windows, with the later addition to the west (let). Source: Trethowan Architecture, 2022.



Comparative Analysis

The former Yarrambat General Store at 466 Ironbark Road, Yarrambat is a surviving example of a house and adjacent Post Office and shop within Yarrambat. It is located at the historic 'Tanck's Corner' commercial centre nearby to the Yarrambat Primary School, St Michael's Anglican Church, and the War Memorial Park.

Comparable examples of early mixed use commercial buildings incorporating post offices or attached residences that are included on the Heritage Overlay are as follows:

- Kangaroo Ground General Store & Post Office 280 Eltham-Yarra Glen Road, Kangaroo Ground. (HO48).
- Hurstbridge Post Office – Evelyn Observer Office, 794 Heidelberg-Kinglake Road, Hurstbridge (HO69).
- Former butcher's shop & house, 919 Heidelberg-Kinglake Road, Hurstbridge (HO75).
- Weatherboard shop & dwelling, 956-958 Heidelberg-Kinglake Road, Hurstbridge (HO77).



Figure 11. Kangaroo Ground General Store & Post Office 280 Eltham-Yarra Glen Road, Kangaroo Ground. (HO48).



Figure 12. Hurstbridge Post Office – Evelyn Observer Office, 794 Heidelberg-Kinglake Road, Hurstbridge (HO69)



Figure 13. Former butcher's shop & house, 919 Heidelberg-Kinglake Road, Hurstbridge (HO75)



Figure 14. Weatherboard shop & dwelling, 956-958 Heidelberg-Kinglake Road, Hurstbridge (HO77)



Kangaroo Ground General Store & Post Office 280 Eltham-Yarra Glen Road, Kangaroo Ground. (HO48) is historically significant as a centre of community and civic life since 1900, including its use for Council meetings. The site is also aesthetically significant as one of few well preserved public buildings in the Kangaroo Ground hamlet.

Hurstbridge Post Office – Evelyn Observer Office, 794 Heidelberg-Kinglake Road, Hurstbridge (HO69) is historically significant as it was constructed for the local newspaper. It is historically and socially significant as it has served as a post office since 1930, and forms part of a group of pre-1950s buildings in the town.

Former butcher's shop & house, 919 Heidelberg-Kinglake Road, Hurstbridge (HO75) is historically and aesthetically significant as one of Hurstbridge's most substantial commercial properties and an integral component of a cluster of 1910-1920s buildings in the centre of town. It is a rare example of a combined shop / residence.

Weatherboard shop & dwelling, 956-958 Heidelberg-Kinglake Road, Hurstbridge (HO77) is Historically and aesthetically significant as one of the earliest properties constructed after the arrival of the railway in Hurstbridge, illustrating the growth and change brought to the town. It is an integral part of the cluster of 1910-1920s buildings that characterise the centre of Hurstbridge.

Another comparable property that has been nominated for inclusion on the Heritage Overlay is the former Post Office and General Store at 920 Yan Yean Road, Doreen. It is an example of a 1930s development combining a store and residence and is representative of the early social and commercial centre of the township.



Figure 15. Former Post Office and General Store at 920 Yan Yean Road, Doreen (Recommended for HO)

The former Yarrambat General Store and residence at 466 Ironbark Road is comparable to these places in terms of its historical significance and association with the history of its locality. It is distinctive from these other examples as a brick residence from the Victorian-era, with an attached inter-war shop as well as post office. It is distinctive for the variety of services it provided for the community including the post office, fuel, general merchandise and food. The historic use of the place has ceased and it no longer provides services to the community.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The former Yarrambat General Store and residence is historically significant to the Shire of Nillumbik as a centre of commercial and civic life since the 1920s, including its former use as the Post Office and local general store. The form of the house and shop demonstrates its original historical identity, layout and use of the place as an early residence and a store in the locality. The house (c.1877) and store (c.1920s) are among the oldest extant structures in the locality of Yarrambat. The house is an early brick house in the area.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

The form of the house and shop as separate or detached forms is somewhat atypical of general stores and residences in the Shire, that tended to assume a more combined or attached plan.

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

Both the residence and shop are heavily altered, with minimal original detailing. Only the footprint, chimneys and general form of the original Victorian-era house remain. There is no remaining evidence of the former Post Office function in the fabric of the shop, which appears as a roadside convenience store. The significance is therefore historical rather than architectural or aesthetic,

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

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

N/A



Statement of Significance

What is significant?

The former Yarrambat General Store and residence at 466 Ironbark Road, Yarrambat is significant to the Shire of Nillumbik. The original c1877 four-roomed house, and the original 1920s shop, including extent of additions dating 1956 contribute to the significance of the place.

The rear additions to the residence and additions and alterations to the shop after 1956 are not significant.

How is it significant?

The former Yarrambat General Store and residence are of local historic significance to the Shire of Nillumbik.

Why is it significant?

The former Yarrambat General Store and residence are the two of the oldest extant structures in the township of Yarrambat. The house was built between 1877 and 1885 and is significant as an early brick house in the municipality. The store was constructed between 1927 and 1931 when Mr and Mrs. Craig purchased the property and Mrs Craig commenced duty as the Yarrambat Postmistress. The former Yarrambat General Store and residence are significant as a centre of commercial and civic life since the 1920s. (Criterion A)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Peter Mills & Samantha Westbrooke



References

Advertiser (Hurstbridge), as cited

Argus, as cited

Eltham & Whittlesea Shires Advertiser (E&WSA), as cited.

Greensborough Parish Plan.

Greensborough Riding Valuation Book 1885, Unit 1 VPRS 3657, PROV.

Land Victoria, Certificates of Title (CT), as cited

Rate Book for Greensborough Riding of Heidelberg Shire for 1892-3, Unit 5, VPRS 2870, PROV.



Title: Weatherboard Cottage, 631 Heidelberg-Kinglake Road Wattle Glen

Identified by: Bick 1992

Prepared by: Trethowan Architecture

Address: 631 Heidelberg-Kinglake Road Wattle Glen

Name: Weatherboard Cottage	Survey Date: 20.1.2022
Place Type: House	Architect: Unknown
Grading: Locally Significant	Builder: Unknown
Extent of Overlay: Title Boundaries	Construction Date: c.1890



Historical Context

Wattle Glen and Hurstbridge

The subject site is located between Wattle Glen and Hurstbridge, closest to Wattle Glen. It is just north of the boundary of the Wattle Glen area as defined by VicPlan and is therefore officially located in Hurstbridge, however it has historic ties to both areas.

Hurstbridge was noted as a centre of orcharding in the second half of the 19th century, with the turn of the century township boasting the Wattle Tea Rooms, Dorset House Wine and Billiard Saloon, Ryan's Butcher Shop, a blacksmith, bakery and grocery (Butler & Associates 1996, p.43). Historically, the localities of Hurstbridge and what is now Wattle Glen developed piece by piece with some buildings along the connecting road between Diamond Creek, the Wattle Glen area, and Hurstbridge. The extension of the railway line from Eltham to Hurstbridge and establishment of the Wattle Glen (earlier named Balee) and Hurstbridge stations in 1912 had the effect of focusing development around those centres. The railway also opened up the area to increased tourism, particularly trips to view the flowering wattle in season (Butler & Associates 1996 p.48).



The Wattle Glen area had its own school from 1878-1917 with the teacher's residence still in existence near Silvan Road, close to the subject site at 644 – 646 Heidelberg Kinglake Road, Wattle Glen. That site is now covered by HO208 *Upper Diamond Creek State School 2059 residence*. Hurstbridge's school opened in 1917. A local post office opened in 1901, and the current Wattle Glen Primary School opened in 1922 south of the subject site, in the township of Wattle Glen. The name of Wattle Glen's railway station was changed from 'Balee' to 'Wattleglen' in 1922 (Butler and Associates 1996, p.43, www.victorianplaces.com.au/wattleglen).

Site history

William Watkins of Fitzroy purchased 14 acres, 3 roods of land along Arthurs Creek on 9 April 1869 (CT: V313 F199). The land was transferred to John George Yates on 2 July 1873 (CT: V605 F862). A small part of the site at the south east was subdivided off on 17 January 1890 and purchased by Christine Marie Burston, a married woman in Nillumbik (CT V605 F862). This is the subject site.



Figure 1: Land title V605F862 shows the extent of subject site within John Yates property. The subject site is at the south east corner and is indicated with a circle. Source: Landata.

In 1914, Christine Burston transferred the property to Arthur Homesdale Steeth of Richmond. The existence of a building on the property is confirmed by an entry in the 1915 Rate Book, listing Steeth as the owner, and the land improved by a house (RB 1915). Steeth died in 1923 and the property transferred to James Steeth, passing to Ernest Henry Wales in 1925 (CT: V2237F210). In 1936 the property passed to Alfred Douglas Nevein of Hurstbridge, from him to Leslie Raymond Cowen in 1951, and then to George Edward Whitehead in 1952 (CT:V2237 F210).



Figure 2: Aerial photo dated 1968 shows the subject site (indicated with a circle). Source: Landata

Christine Rennie of Main Road Hurstbridge was proprietor on 23 April 1985, with ownership passing to Kenneth Eric Hudson and Lorraine Ruth Barnett of Fairfield on 4 July 1985 (CT: V9664 F314).

Given the circumstances of a relatively small subdivision off a larger lot in 1890 (the subject site), and Rate Book evidence of the land having a house in 1915, it is believed the house at the subject site either existed at the time of subdivision in 1890 or was built soon after. This aligns with visual evidence gathered from inspection of the building.

Description & Integrity

A weatherboard Victorian worker's cottage with full width skillion front verandah, central door and flanking Edwardian style triple timber-framed sash windows. The house has a traverse gable roof with a skillion rear addition. Roof material is corrugated galvanised steel (long sheet). The front verandah is modified in size, with Edwardian style arched details at front, galvanised steel roof and modern galvanised gutters. There are later interwar-style windows to the north and south elevations of the rear skillion roof addition. An external red brick chimney is visible on the south elevation of the front section of the house. The house is surrounded by predominantly native vegetation. The front boundary is defined by a modern reconstruction timber picket fence with scalloped detail. The vehicle gate is in the same style. Outbuildings are not visible from the street or aerial photographs.



Building facade showing Edwardian style windows and arched veranda detail. Image source: Trethowan Architecture 2022.



South side of building showing brick chimney, gable and skillion roof. Image source: Trethowan Architecture 2022.



Aerial view of subject site. Source: Google Maps 2022.

The subject site was identified in the *Shire of Eltham Heritage Study 1992, Volume 3* (p.330, pp.766-7). The building was described as a weatherboard cottage of standard design, 'presumably a former farmhouse', and comment was made on the cultural significance and rarity of this type of building within the Shire. The cottage facade has not changed significantly since the date of the image included in the Study.



Image of subject site taken from Bick, 1992 p.766.

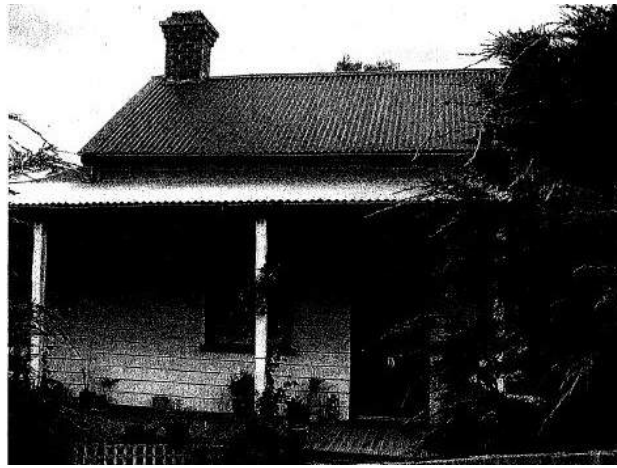


Comparative Analysis

631 Heidelberg-Kinglake Road Wattle Glen is a surviving example of an early timber farm cottage or worker's cottage, weatherboard-clad, with simple front veranda and rear skillion. It is located on the main connecting road between Wattle Glen and Hurstbridge.

Comparable examples of early timber cottages in Nillumbik included in the Heritage Overlay are as follows:

- **29 Main Street, Diamond Creek (HO225).** Pizzey House, later Rose Cottage. An Edwardian era cottage, one of the early houses in Diamond Creek and associated with industrialist Alfred Pizzey.



29 Main Street, front façade. Source: VHD



29 Main Street Diamond Creek, rear façade. Source: Google Street View



- **15 Silver Street Eltham (HO161).** Weatherboard Cottage. A 1918 house built within an orcharding and farming area which was later subdivided. One of the oldest surviving buildings in the area.



15 Silver Street Eltham. Source: Google Street View

- **38 Collins Street Diamond Creek.** A comparable example of a simple 1890s timber miner's or labourer's weatherboard cottage with Edwardian additions, being considered for inclusion on the Heritage Overlay.



38 Collins Street Diamond Creek. Source: Trethowan Architecture

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The cottage is historically significant for its association with the early residential subdivisions of Wattle Glen area, around the time when the first post office was opened at Diamond Creek Upper, and the extension of the train line.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

Representative of a turn of the twentieth century humble weatherboard cottage of the type that was commonly built in the early residential subdivisions of the predominantly rural Shire. It combines late Victorian form with Edwardian styled embellishment such as the verandah and triple windows. It compares well with other examples of cottages of this type and era around Nillumbik Shire.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The house at 631 Heidelberg-Kinglake Road Wattle Glen is significant.

How is it significant?

631 Heidelberg-Kinglake Road Wattle Glen is historically and representatively significant to the Shire of Nillumbik.

Why is it significant?

The house, a humble cottage dating to the turn of the twentieth century, was built on land first subdivided from the for residential purposes in 1890. The house is associated with the first residential subdivisions in the Wattle Glen area and the subsequent extension of urban services such as the post office and railway into this area. (Criterion A)

The house is significant as a representative of a turn of the century cottage in the Shire that combines late Victorian form with Edwardian decorative features such as the verandah and triple windows, comparable with a small collection of turn of the twentieth century cottages around Nillumbik. (Criterion D)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No



References

Bick, D and Kellaway, C 1992, *Shire of Eltham Heritage Study 1992, Vol. 3*, prepared for the Shire of Nillumbik.

Certificates of Title (CT) as cited.

Landata, 1968, Aerial photo No 212 (VIC 2178).

Graeme Butler & Associates 1996, 'Nillumbik Shire Heritage Study Stage 1 Vol.2, Environmental History', prepared for Shire of Nillumbik.

Shire of Eltham Ratebooks (RB), as cited.

Victorian Places, 2015 *Wattle Glen*, www.victorianplaces.com.au/wattleglen, accessed online April 2022.



Title: Mitchell House, 19 Fordhams Road Eltham
Identified by: Bick (1992)
Prepared by: Trethowan Architecture

Address: 19 Fordhams Road Eltham

Name: Mitchell House	Survey Date: N/A
Place Type: House	Architect: Alistair Knox
Grading: Significant	Builder: Alistair Knox
Extent of Overlay: Title Boundaries	Construction Date: 1985



Front facade of 19 Fordhams Road. Source: realestate.com.au

Historical Context

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeriwillam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A plan for fifty allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of the Diamond Creek and the Yarra River, was laid out an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton

Street. This area is known today as Eltham South. Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). The township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonian Diggings, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery and tannery on Diamond Creek. Several public buildings and institutions, including a police station, Wesleyan chapel, a Church of England School and a National School, were established in the 1850s -70s (Context, 2020:1).



Between the 1860s and the 1880s, Eltham supplied food and produce for the gold-mining communities of the Caledonian Diggings at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on route to the Woods Point diggings. Eltham's population grew in response. In 1871, the town's population was 165 and by 1881 this had increased to 388 (Victorian Places 2015). Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

The railway was extended to Eltham opened in 1902, which brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne as well as to attractive countryside with farms and uncleared stringybark forest (Victorian Places 2015). The attractive bush scenery attracted artists, writers and nature-lovers. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. Artist Justus Jorgensen established the notable Montsalvat artist's colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mud brick construction in the area. Several local architects and designers, including Alistair Knox, specialised in mud brick housing in the postwar period (Victorian Places 2015). Others who have been inspired by Eltham and have made the region their home include landscape architect Edna Walling, authors Alan Marshall and Carolyn Van Langenberg, artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actress Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased from 927 in 1933, to 1278 in 1947, to 7177 in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (Victorian Places 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment and the preference for bush gardens, especially after the 1970s. The Eltham Library, designed by architect Greg Burgess, was constructed in mud brick and recycled timbers and received the RAIA Institutional Architecture Award in 1995 (Bartolomei 2008).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

History

The house at 19 Fordhams Road was commissioned by Jenni Mitchell, a local artist, conservationist and former Eltham Shire Councillor. It stands on the site of her parents Grace and Arthur's former home. Bick (1992) relies on personal communications with the original owner Jenni Mitchell, and writes:



In 1985, Alistair Knox drew up plans for an extension to an old cottage in Fordhams Road, the first Eltham home of Jenni Mitchell's parents , Grace and Arthur, in the early 1950s. The old cottage which Jenni inherited was eventually pulled down. In its place stands the present house and studio designed in 1985 by Alistair Knox and the 1988 extension to the detached studio.¹

Plans for the current house exist and are shown below. The provenance of the studio is not established by these plans.

Bick (1992): The adobe Jenni Mitchell house is an excellent example of a small house environmentally designed by Melbourne's leading mud brick designer and builder, Alistair Knox, at the end of his career of nearly forty years in Eltham. The one bedroom dwelling is well detailed and shows the refinement of Knox's. design during this period, combined with the basic construction which has its roots in his early buildings of the 1940s and 1950s. A distinctive detail is the brick paved floor laid directly on the ground, rather than on a concrete slab. Knox is known for his substantial dwellings such as the Collar and Pittard residences, rather than smaller buildings of this sort.

Alistair Knox

Alistair Knox is one of a small number of architects and building designers in Victoria who are recognised by the general public as identities and whose architecture gave rise to a regional style. (Peterson & Kuzyk RMIT Design Archives 2014). Alistair Samuel Knox (1912 - 1986), architect, was largely self-taught. He advocated for using available resources for building construction, allowing the buildings to be in harmony with its environment. These ideals were influenced by shortages of building materials in the aftermath of WWII, by his artistic friends and by his own view of the world. His unique 'Eltham Style', which typically comprises a residence with mud brick and recycled materials in a bushland setting, marks the postwar built environment of Eltham and the surrounding areas (Alistair Knox Foundation c2018).

His stylistic periods were divided into the following:

The first Mud Brick (or earth building) Period (1947-53)

In the early period of his architecture career, Knox mainly designed residences for his friends from the artistic circle, including landscape architect Gordon Ford and filmmaker Tim Burstall. His houses are often sited on a slope with their foundation cut into the hillsides. He also used concrete slab for domestic architecture, a practice that only began to emerge during the postwar era (Alistair Knox Foundation c2018). Due to the shortage of building materials in the immediate aftermath of WWII, Knox began using the cheap mud brick as building material, hence marking Knox's first mud brick period. Notable work at this time includes the residence for Philip Busst at 71 Silver St, Eltham, and the Downing Le Galliene House at 12 Yarra Braes Road, Eltham (Alistair Knox Foundation c 2018).

Modular Houses (1955-c1961)

Following the easing of building materials and loan credit in the 1950s, Knox's design career entered a new height, as the demand of new houses had now surged. There were numerous houses produced in this period all based on the prototype he built for himself on the corner of the Pine Trees property, allowing for quick construction. These houses were rectangular with a large central beam that supported a gently pitched Stramit roof finished with a skin of Malthoid, bitumen and creek gravel. The walls were primarily glazed with timber or brick infills. The joinery produced the window frames that made up 60 per cent of the external walls (Alistair Knox Foundation c2018).



The Second Mud brick stage (1964-72)

The credit squeeze of 1961 had a deleterious effect on the Knox building enterprise. Financial restrictions forced him to return to mud brick. It was during this period that Knox's style solidified. Houses in this period retain the simplicity of his first mud brick stage, but many of them were now in a grander scale. The design in this time is also noted for windows and doors extended from floor to ceiling, puncturing the elevations with a predominantly vertical pattern. Clerestory windows, which let in natural lights, also became universal. He continued to build split-level houses on sloping sites, allowing the built forms to follow the contours of the land. Notable works in this period include the Pittard Residence at 430 Mount Pleasant Road, Research (HO139) (Alistair Knox Foundation c2018).

Apart from his architectural career, Knox served as an Eltham Shire councillor from 1972-1975 and its President in 1975. He was a founding member of the Australian Institute of Landscape Architects, becoming a fellow in 1983. In 1982, four years before he died, the University of Melbourne awarded him an honorary Doctorate. Knox continued to design houses until his death in 1986 (Alistair Knox Foundation c2018).

Peterson and Kuzyk (RMIT Design Archives 2014) sum up Knox's style thus:

In general, Knox's approach was modernist in its embrace of light, space, proportion, unadorned minimalism, modularity and orientation. His buildings sit empathetically within the natural landscape and his materials were nearly always those he perceived as 'rustic, and reclaimed'; he sought to build homes for people, not monuments to their architect.

Description & Integrity

The main dwelling, fronting Fordhams Road uphill to the south, is a single storey adobe and timber building. It has a low-pitched metal roof with central ridge running north-south. Its plan is an irregular hexagon footprint with chevron shaped gable ends. The house plan is oriented north-south, on an angle to the rectangular site, presumably to maximise the entry of light into the northern aspect. It has mud brick walls and columns. Timber framed floor to ceiling windows on the rear (north) elevation opening onto the garden, and timber framed windows at the front (south) with brick sills. The tops of the windows are raised to the roof level. Timber barge-boards to the gable ends, and timber-lined eaves. The house interior features brick floors, exposed timber beams under the roof and ceiling lining boards.

The garden setting includes what appears to be intact elements of original design such as the brick elements, curved front garden paths and rockery that enhance the natural bush setting.

The studio is said to have been designed and built by Knox, but has not been inspected. It is unknown whether it has any relationship to the April 1985 extension plans. The provenance of the 3x5m shed with loft is also unknown. Knox died in 1986, making this one of Knox's final designs.

The house appears substantially intact to the original 1985 design.



19 Fordhams Road Eltham, showing position of main house, studio and shed. Red line indicates property boundary. Source: NearMap 2022.



19 Fordhams Road, indicative layout of buildings on the site, and floorplans of house, studio and shed. Source: realestate.com.au accessed 2022 (2016 image).

Mitchell House Eltham, April 85 Job No 1234. Address: 19 Fordhams Rd, Eltham. 3095 VIC. 551 : 2: Plan Alistair Knox August 1985. Source: <http://alistairknox.org/plans/551>. This is an **unrealised** plan for the 'extension to the old cottage at 19 Fordhams Road', as described by Bick 1992 p.730, dated April 1985. The old cottage shown at the base of the plan (north) was demolished and the current chevron



shaped dwelling was built in this position on the lot. It is unknown whether this plan informed the present detached Studio at the north of the site in any way, but the roof form does not resemble it.



Rear (north) aspect of the main house, with view to the Studio down the hill to the north. Note the timber framed windows, mud brick walls, timber eaves and stylistically typical external brick paving. Source: realestate.com.au accessed 2022 (2016 image).



Interior of lower level studio, with bedroom beyond to the right (north) and upper level studio to the left (south). Source. Realestate.com.au 2022 (2016 image).



North view of main house showing extensive glazing, later shed addition at left (east). Source: Realestate.com.au 2022 (2016 image).



Interior view of main house showing stylistically typical brick floor and exposed timber ceiling and beams. Source: Realestate.com.au 2022 (2016 image).



Comparative Analysis

There are a number of houses in the HO that were designed by Alistair Knox. Some comparable examples are the following:

- Former Lim Joon House, 618 Main Road Eltham (HO119)
- The Coller House (HO136) at 185 Mount Pleasant Road, Eltham
- Pittard Residence (HO139) at 430 Mount Pleasant Road, Research
- Alistair Knox's House and Office (HO109), 2 King Street, Eltham



Former Lim Joon House, 618 Main Road Eltham. Source: Heritage Victoria.



The elevation of Coller House. Source: Bick, 1992.



Figure 1: Pittard Residence in 1992. Source: Bick, 1992



Image dated c 2010s shows the windowed wall of the Knox Residence. Source: realestate.com.au.

The former Lim Joon house at 618 Main Road Eltham (HO119)

The former Lim Joon house (c.1950s) is architecturally significant as an excellent example of a small, polygonal dwelling that also illustrates other advanced architectural features, of the time: floor to ceiling window walls, a single living area containing the kitchen at one end, a stone fireplace wall, a flat roof, and an integral carport.

The Coller House (HO136) at 185 Mount Pleasant Road, Eltham

In design and construction the Coller House exemplifies the Eltham mud brick residence of the 1970s and is an important work by the Architect Alistair Knox. Built in stages, the large main interior spaces with their subdued natural light, adzed timber beams and posts, timber board lined ceilings and internal walls, brick paved floors, timber floor to ceiling windows and doors, clerestory windows, all combined with the exterior mud brick walls, wide eaves and exposed timber framing are all the basic components of the Knox design idiom. This low-cost building was built largely with amateur labour and is a definitive example of the houses Knox regarded as most suitable for the Eltham environment. It also demonstrates his' theories for integration into a natural or man-planted bushland setting, as well as that environmental fathers produced environmental sons, his son Hamish being one of the builders (VHD).

Pittard Residence (HO139) at 430 Mount Pleasant Road, Research

The Pittard residence constructed in 1978, is a later and more substantial example of Knox's Eltham Style architecture, using mudbrick and recycled materials. The curved plan



shape and single plane roof rising up over the living area to the double storey end section are of particular note.

Alistair Knox's House and Office (HO109), 2 King Street, Eltham

The house and office, constructed in 1962-63, are historically significant as the purpose-built and final home and office of renowned Eltham architect Alistair Knox, who was so influential in creating Eltham's distinctive residential environment (Criterion H). Architecturally, they are excellent examples of Knox's innovative work, and exemplify his use of mud brick and recycled building materials within a complementary bush landscape. Apart from the materials, the house features large scale window openings, extending from floor to ceiling, and clerestory windows, a feature that is shared by the subject site and many of Knox's subsequent designs.

By comparison to these properties already on the HO, the subject property is much later. Given that Knox died in 1986, it is perhaps one of his last designs and belongs to his most mature period when he had been widely acclaimed for his stylistic approach and experience. It is notable that this house was executed for a Shire councillor, given Knox's association with the Shire as a former councillor and president, representing the wide recognition, status and local popularity of his style. The house demonstrates key elements of his style, notably the emphasis on plan orientation to natural features and light on the site, the low pitched roof, the natural brick, adobe and timber materiality. It also demonstrates strongly elements of the mature style such as the floor to ceiling windows and the experimentation with irregular plan shape, in this case a hexagonal or chevron-ended rectangular plan. The effect of the timber framed windows opening onto the bush or garden setting is reminiscent of Knox's own house and office, but in a chevron rather than rounded window wall. While more modest in scale than Coller House or the Pittard Residence, the subject property is designed for its smaller site and represents the maturity of his style applied to the more modest context, with greater emphasis on large scale window openings. It is polygonal like Jim Loon house, but again much later, with the adobe columns as a supporting or framing feature rather than the dominant material. The subject property thus compares well in terms of demonstrating the hallmark elements of Knox's mature design, while demonstrating also a distinctive form adapted to its particular site and client.

In the Bick (1992) Study it was noted in relation to the subject property that:

The adobe Jenni Mitchell house is an excellent example of a small house environmentally designed by Melbourne's leading mud brick designer and builder, Alistair Knox, at the end of his career of nearly forty years in Eltham. The one bedroom dwelling is well detailed and shows the refinement of Knox's design during this period, combined with the basic construction which has its roots in his early buildings of the 1940s and 1950s. A distinctive detail is the brick paved floor laid directly on the ground, rather than on a concrete slab. Knox is known for his substantial dwellings such as the Collar and Pittard residences, rather than smaller buildings of this sort.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The house at 19 Fordhams Road Eltham is one of Alistair Knox's last designs. The house is associated with the environmental design movement pioneered by Knox. The movement was often associated with the artistic and intellectual milieu that grew up in the Shire in the post-war period and gained increasingly formalised influence into the late twentieth century as practitioners like Knox and artists like Jenni Mitchell were elected to the Eltham Council. The house represents this fusion and maturity of the movement well through its design, commission and period of execution.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The house at 19 Fordhams Road Eltham is of aesthetic and architectural significance to the Shire of Nillumbik as a mature design of Alistair Knox, the renowned architect. Located in a bush garden setting, the house demonstrates Knox's ideals on how a residence should be in harmony with its surroundings through its orientation to the site and integration of indoor and outdoor through the large-scale windows. With the notable Knox architectural elements such as use of natural materials such as adobe, brick floors, exposed timber beams. It has a low pitch roof with broad timber eaves, and an unusual hexagonal plan. Mitchell House serves as a fine example of Knox's more mature design.

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 the Shire of Nillumbik's history (associative significance).

The house has historical associations with local artist, former Shire Councillor, Australian artist and conservationist Jenni Mitchell, who was intimately involved in its construction as the owner/ builder. This association is of local interest.





Statement of Significance

What is Significant?

The house at 19 Fordhams Road Eltham, is significant.

The original brick and rock landscaping with curved paths and a broad bush garden setting contribute to its significance.

How is it significant?

The house at 19 Fordhams Road Eltham is historically and aesthetically significant to the Shire of Nillumbik.

Why is it significant?

The house at 19 Fordhams Road Eltham is historically significant as one of Alistair Knox's last designs in the area, representing through its commission and construction, the late twentieth century maturity of the environmental design movement pioneered by designers, artists, intellectuals and activists in the Shire. (Criterion A)

The house at 19 Fordhams Road Eltham is of aesthetic and architectural significance to the Shire of Nillumbik as a mature design of Alistair Knox, the renowned architect. Located in a bush garden setting, the house demonstrates Knox's ideals on how a residence should be in harmony with its surroundings through its orientation to the site and integration of indoor and outdoor through the large-scale windows. With the notable Knox architectural elements such as use of adobe, brick floors, exposed timber beams, low pitch roof with broad timber eaves, and an unusual hexagonal plan, Carson House serves as a fine example of Knox's more mature design (Criterion E).

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place	No



<i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	
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Identified By

Bick 1992

References

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Title: Wigley House, 35-37 Kangaroo Ground-Warrandyte Road, Warrandyte North
Identified by: Trethowan Architecture
Prepared by: Trethowan Architecture

Address: 35-37 Warrandyte-Kangaroo Ground Road, Warrandyte North

Name: Wigley House	Survey Date: NA
Place Type: House	Architect: Fritz Janeba
Grading: Significant	Builder: Unknown
Extent of Overlay: To extent shown.	Construction Date: 1943-47



Figure 1: View of the house from real estate listing 2017. Source: realestate.com accessed March 2022.

Historical Context

Warrandyte was the site of the first registered goldfield in Victoria in 1851, when gold was discovered in Andersons Creek (now located within the Warrandyte State Park). It became established as a thriving small township, comprising mainly miners, orchardists and farmers (Warrandyte Historical Society, undated). Around the beginning of the 20th century Warrandyte became a haven for artists, architects and sculptors. The undulating and verdant region caught the eye of Heidelberg School painters in the early 1900s. In 1908, artist Clara Southern, who was part of the School, took up residence in the Warrandyte township and formed an artistic community, which included artists Penleigh Boyd and Louis McCubbin (Warrandyte Historical Society, n.d). It was soon followed by a group of artists, craftspeople and design professionals, including sculptors Danila Vassilieff and Inge King, potters Reg Preston and Gus McLaren; furniture designer Fred Lowen, and architects Fritz Janeba and John Hipwell (Reeves, 2020). The area also attracted day trippers and holiday makers, who were allured by the tranquil river scenery and bushland surrounds. Its



reputation for striking river scenery was further enhanced with the establishment of the Warrandyte State Park in 1975 (Warrandyte Historical Society, undated)

During the postwar era, the bush landscape gradually punctuated by innovative, architect-designed dwellings. Their designers included Hipwell, Janeba, Marcus Barlow, Robin Boyd and John and Phyllis Murphy. Many of these houses, however, were destroyed in the 1962 bushfire. However, the incident also paved ways for a new wave of considered housing development in the ensuing decades (Reeves, 2020).

History

The Wigley House was constructed 1943-47 to a design by local architect Fritz Janeba, for artist James Wigley (Townsend 2012:364). It is said to be the first use of a butterfly roof form in Victoria. The house was owned by a member of the Warrandyte Historical Society for over 40 years until sold in 2017, after which the building was noted to be 'extensively modernised'.

An aerial image from the 1960s (Figure 2), shows the roughly U-shaped house accessed via a winding driveway from the south-east. The footprint shows a long main section with a projecting angled room to the front (south), and two wings projecting at the north. Council records show that a deck was added in 2014 off the existing dining room (Figure 3), to a design by Mont Eltham Drafting.

The current footprint of the house (Figure 1) appears to be largely in line with the 1960s image, except for the addition of the deck from 2014. A smaller house located at the end of the block close to the street (listed as 39 Kangaroo Ground-Warrandyte Road), also designed by Janeba, was recently demolished.



Figure 2: Aerial photo of the site dated 1963, the house is indicated in red. Note the smaller cottage at right of the end of the driveway. Source: Landata.

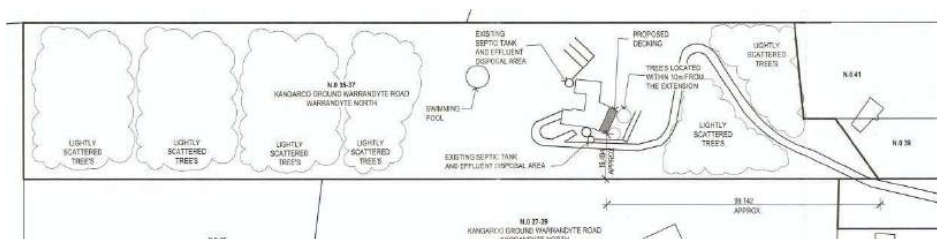


Figure 3: Site plan showing the new deck extension (in grey), dated 2014. Source: Nillumbik Building Plans.

James Wigley

James Wigley (1917 or 1918-1999), also known as Jim Wigley or James Vandeleur Wigley, was an artist working in drawing, painting and printmaking. Wigley initially studied in his home town of Adelaide (1933-39) and moved to Melbourne c1939 (Kerr & Bolton 1996). Wigley appears to have spent limited and sporadic periods of time in Melbourne, often travelling to the Northern Territory, Western Australia and Europe. Wigley exhibited alongside other artists including Nutter Buzacott and contributed to a 1942 anti-Fascist exhibition in Melbourne; he was known to sympathise with communist politics (*Argus* 20 March 1947:4). He studied the National Gallery of Victoria School (1945-47) and in Paris from 1948 to 1950 (Kerr & Bolton 1996). Returning to Australia in 1954, he continued to move between Port Hedland, Pilbara, Melbourne and Adelaide until his death in Melbourne. Wigley is known for his depictions of Aboriginal life in Australia's north and west, and for his sensitive rural subjects. Despite his nomadic lifestyle he was generally involved in the local artistic scene, particularly during the 1940s.

Fritz Janeba

Fritz Janeba (1905-83) was a Viennese architect who emigrated to Australia in 1939 and began working for noted modernist architect Best Overend. He later moved to Warrandyte and set up private practice (Townsend 2012:364-365).

In 1947 Janeba began teaching architectural design at the University of Melbourne. He constructed his own house in Warrandyte North (1948-50) which included studio workspaces for himself and his wife Kate (Scott 1949:23). Kate Janeba was a potter and an important figure in the local artists community centred around Warrandyte North (Finlay 1953:15-19). Kate exhibited with other local potters including Art Halpern, Sylvia Halpern, Reg Preston and Gus McLaren (*Canberra Times* 6 April 1963:17).

In 1962, Fritz Janeba was appointed by UNESCO to be Professor of Art and Architecture in Ankara, Turkey. In 1967 he returned to Vienna where he remained until his death (Townsend 2012: 364-365).



Description & Integrity

The description is based on publicly accessible information but a site visit has not been undertaken.

35-37 Kangaroo Ground-Warrandyte Road is a long, rectangular plot of land with a narrow frontage to the street (Figure 4). The house is set roughly one-third of the way up the block and is surrounded by dense vegetation. It is accessed via a driveway of the main road that leads to a carport at the rear.

The house is U-shaped in plan (Figure 5 and Figure 6) with a projecting dining area set on an angle at the front of the dwelling. A deck was added to the front section in 2014 (Figure 3). The house is set on a slope, allowing for a rumpus room underneath the main living space at the south, and access is via the single-storey section at the rear (north) (Figure 7). Bedrooms are concentrated to the east wing of the house.

The house is clad in natural stone, which continues through to the interior for walls and fireplaces, and is complemented by exposed timber beams (Figure 7 and Figure 8). Large strip windows along the front (south) elevation provide views and natural light into the living spaces. The roof is clad in corrugated metal and takes an unusual butterfly form, with a separate skillion roof to the projecting dining area (Figure 9).

Apart from the later timber deck the house appears to be largely intact externally. It has been modernised internally with updates to the kitchen, bathroom and living spaces.





Figure 4: Aerial view of the subject site (highlighted in yellow), with the house visible towards the centre. Source: Nearmap, image dated 24 December 2021, accessed March 2022.



Figure 5: Aerial view of the house, dated 24 December 2021, showing the general footprint of the place currently. Source: Nearmap, accessed March 2022.

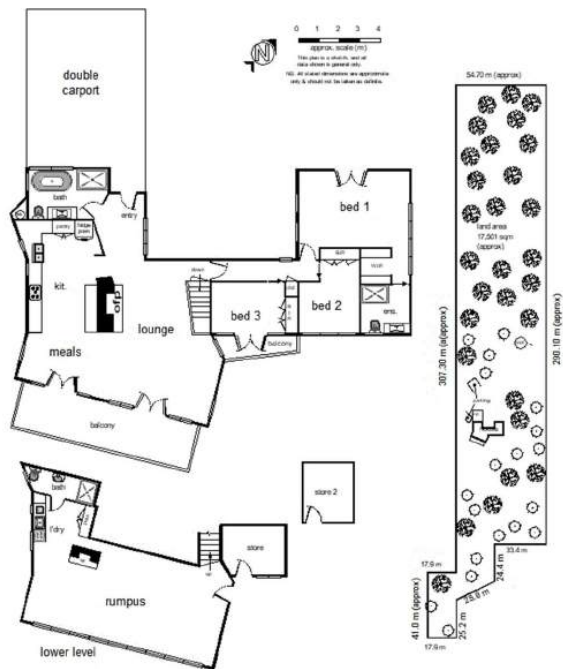


Figure 6: Floorplan of the house at 2017 sales advertisement. Source: realestate.com, accessed March 2022.



Figure 7: View of the entrance to the house from 2017 sales advertisement. Note the use of stone for walls. Source: realestate.com, accessed March 2022.



Figure 8: Interior view of the rumpus room, note the use of natural stone to the interior and large strip windows. Source: realestate.com.au, accessed March 2022.



Figure 9: View of the south (front) elevation showing the later deck, the stone walls, and the roof form comprising butterfly and skillion components. Source: realestate.com.au, accessed March 2022.



Comparative Analysis

Warrandyte North (and nearby Warrandyte) is known as an area of important progressive, modernist design ideas (Reeves, 2020). Important artists and designers lived and worked in the area, and contributed to the creative character of the place. Modernist architectural ideas formed an important part of this creative output. There is noted modernist work by Best Overend, John Hipwell, Marcus Barlow, Robin Boyd and John and Phyllis Murphy, as well as several examples of work by Fritz Janeba. The Wigley House at 35-37 Kangaroo Ground-Warrandyte Road can be compared with this existing body of modernist homes, and other works by Janeba, located within Nillumbik.

Nichol House, 49 Kangaroo Ground-Warrandyte Road, North Warrandyte (HO103), constructed in 1949 to a design by Robin Boyd. Nichol House is architecturally and historically significant as one of six houses by Boyd in the Warrandyte-Eltham area. It is an early example of modernist domestic architecture, and a relatively rare example of Boyd's work. It is associated with the active artistic community of the Eltham-Warrandyte area.

The Wigley House compares favourably against the Nichol House. Wigley House was constructed before the Nichol House, and is therefore an earlier example of nascent modernist design ideas in the area. Both dwellings are associated with the local artistic community; the painter James Wigley commissioned Janeba to design his house. The Nichol House stands out for the association with Robin Boyd who was a more influential and noted architect than Janeba. This does not, however, diminish Janeba's contribution to design and the education of architects during his short period of residence in Australia.



Figure: Views of the Nichol House. Note the stone chimney, skillion roofs and raked windows. Source: realestate.com.au

Buzacott House, 80 Kangaroo Ground-Warrandyte Road, Warrandyte North (HO104), built c1955, designed by Fritz Janeba. The Buzacott House is architecturally significant as notable Modernist house, representative of the characteristic style of the Eltham-Warrandyte area. It is historically significant for its associations with the active artistic community of the area. The house demonstrates typical characteristics of skillion roofs, natural materials including the use of heavy stone walls, and response to site. The house was designed for local artist Nutter Buzacott, who was a painter, printmaker, illustrator and commercial artist. Buzacott moved to Warrandyte in the late 1930s and shared Penleigh Boyd's studio for a time. In 1942 he exhibited alongside James Wigley at the Kadimah cultural centre. Similarly to Wigley, Buzacott was influenced by Marxist ideas, and spent much time at Kalgoorlie (Kerr, 1996).

The Wigley House compares favourably against the Buzacott House. Constructed before the Buzacott House, the Wigley House is an earlier example of modernist design. The two



houses together demonstrate the development of modernist ideas, as well as the work of Fritz Janeba in the area. There are similar architectural characteristics across both houses including skillion roofs, large expanses of window, and the use of natural stone walls.

Both houses are associated with the local artistic community, with Buzacott and Wigley known associates with similar political ideals.



Figure: Buzacott House at 80 Kangaroo Ground-Warrandyte Road. Note the use of stone and the skillion roof form Source: domain.com.au

Wright House, 84 Kangaroo Ground-Warrandyte Road, Warrandyte North (HO105) built 1964, designed by Robin Boyd. The house is architecturally significant as a notable example of Australian modernist domestic architecture, and one of six designed by Robin Boyd in the Warrandyte-Eltham area. The house features exposed natural materials such as stone walls and Oregon timber beams internally.

The Wigley House compares well against the Wright House as an example of early modernist domestic architecture. It utilises a similar palette of materials and basic forms. The Wright House is distinguished by its association with Robin Boyd, who is a more notable and influential architect than Janeba. Boyd was born nearby at The Robins (HO101), and Janeba lived and worked in Warrandyte North. Both had a connection to the area and contributed to the development of local architecture.



Figure: Views of the Wright House, note the use of exposed timber and stone internally, and the simple exterior form with skillion roofs. Source: realestate.com.au

Lowen House, 90-92 Kangaroo Ground-Warrandyte Road, Warrandyte North (HO106), constructed 1956 to a design by John and Phyllis Murphy for noted modernist furniture designer Fred Lowen (Fler Furniture), who was a post-war European émigré. The house is architecturally and historically significant for its association with both Lowen and the Murphys, and as one of a group of notable modernist houses at this part of Kangaroo Ground-Warrandyte Road.

The Lowen House is later than the Wigley House, and is associated with more prominent design names – both the architects and the owner. Nevertheless, both houses are representative examples of Australian modern domestic architecture, utilising natural materials in simple forms.



Figure: View of the Lowen House. Note the use of timber cladding and the skillion roof. Source: realestateview.com.au



Janeba House, 3 Dingley Dell Road, Warrandyte North; recommended for inclusion on the Heritage Overlay. Erected in 1945 it was designed by Janeba as a residence for himself and wife Kate. A kitchen was added in 1953, and the house included studio workspaces for both Fritz and Kate, who was a potter influential in the local artistic community. While this house is not currently listed on the Heritage Overlay, it contributes to the cluster of early modernist homes around this area, which are associated with prominent figures of the local architectural, artistic and design communities.



Figure: Janeba House at Dingley Dell Road, Warrandyte North. Source: realestate.com.au

Together, these houses form a cluster of modest, early modern homes on or near Kangaroo Ground-Warrandyte Road, and all associated with the artistic and design community. The houses in this cluster are designed by notable architects whose influence extends beyond the local area to the wider Melbourne architectural community. Characteristic features of these homes are a planning response to the landscape, the use of natural and local materials such as timber and stone, and simple forms finished in skillion, flat or butterfly roof forms. The precursor to these examples is the former headmaster's house at the Koornong Experimental School (HO110) designed by Best Overend in 1939.

The Wigley House contributes to this cluster of modernist homes for local artists. It is one of the earliest examples of this type, and is associated with important local architect Fritz Janeba and local artist James (Jim) Wigley. It is stylistically comparable with examples already included on the Heritage Overlay, including some also by Janeba.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The Wigley House is historically significant to the Shire of Nillumbik as part of a cluster of early modernist houses on, or near, Kangaroo Ground-Warrandyte Road, associated with the local artistic and design communities. The Wigley House is one of the earliest in this cluster, that peaked through the 1950s.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

The Wigley House is significant as a representative example of early Australian modernist domestic architecture, influenced by European styles. Fritz Janeba was an émigré architect who contributed to the development of a local modern architectural character. The Wigley House is representative of a class of houses designed for local artists, and demonstrates the progressive creativity of this community.

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

The Wigley House is a good example of a modernist house, and is largely externally intact. It includes key features of the local modern style including a butterfly roof, plan form responding to the site, and use of natural and local materials such as timber and stone.

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

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

The Wigley House is significant for its association with local architect Fritz Janeba, and local artist James Wigley. As part of a cluster of similar modern houses designed for local artists, the Wigley House is associated with the development of a distinct artistic and architectural character of the Warrandyte-Eltham area.



Statement of Significance

What is significant?

Wigley House at 35-37 Kangaroo Ground Road, Warrandyte North is significant to the Shire of Nillumbik.

The original form, materials, detailing and setting of the house contribute to the significance of the place. In particular, the U-shaped plan, butterfly roof, and use of timber and natural stone materials.

How is it significant?

Wigley House at 35-37 Kangaroo Ground Road, Warrandyte North, is of historic, representative, aesthetic, and associative significance to the Shire of Nillumbik.

Why is it significant?

Wigley House is historically significant as one of the earliest examples of a cluster of modernist houses on or near Kangaroo Ground-Warrandyte Road. It demonstrates the development of a characteristic architectural approach in the local area. (Criterion A)

Wigley House has representational significance as a good example of 1940s modernist architecture, designed by émigré architect Fritz Janeba. The house demonstrates a class of domestic architecture influenced by European styles. The house forms part of a cluster of houses designed for local artists and designers, and demonstrates the progressive creativity of that community. (Criterion D).

Wigley House is aesthetically significant as a good example of early modern domestic architecture, as evident in its form and materiality. The elegant butterfly roof opens out to the surrounding landscape, and combines with modernist strip windows to maximise the relationship between the house and its setting. The U-shaped plan, and material palette including timber and natural stone contribute to the aesthetic quality of the place, which remains largely intact externally. (Criterion E).

Wigley House is significant for its associations with the local Warrandyte artistic and architectural community. Fritz Janeba lived and practiced in Warrandyte, along with his wife Kate, a potter. James Wigley was an artist, involved with the wider creative community as well as revolutionary communist political groups. (Criterion H).



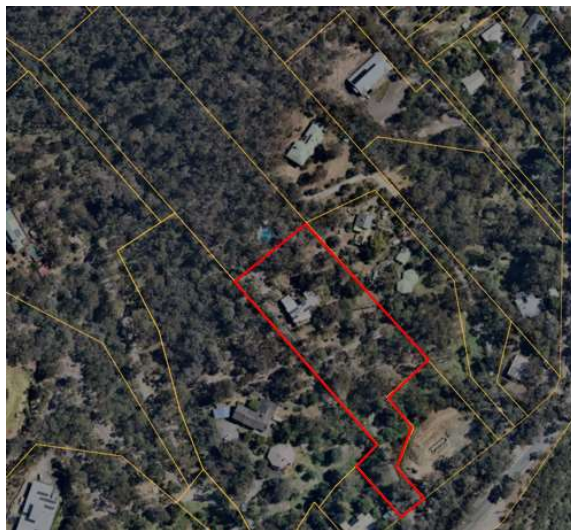
Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Proposed HO boundary:



Identified By

Trethowan



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Finlay, Keith August 1953 'Hand Made Pottery: Now an Industry', *Australian Home Beautiful: a journal for the home builder*, vol 32 no 8, pp15-17.

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Townsend, Catherine 'Fritz Janeba' in Goad, Philip & Willis, Julie (eds) 2012, *The Encyclopedia of Australian Architecture*, Cambridge University Press, Cambridge.



Title: Queen of the Shire

Identified by: Trethowan Architecture

Prepared by: Trethowan Architecture

Address: Corner Research-Warrandyte Road and Kangaroo Ground-Warrandyte Road, Warrandyte North

Name: Queen of the Shire	Survey Date: February 2022
Place Type: Object, sculpture	Sculptor: Deborah Halpern
Grading: Significant	Builder: Deborah Halpern
Extent of Overlay: Extent of object to concrete base.	Construction Date: 2015



Figure 1: Queen of the Shire – looking south towards the Yarra River and the City of Manningham.

Historical Context

Warrandyte was the site of the first registered goldfield in Victoria in 1851, when gold was discovered in Andersons Creek (now located within the Warrandyte State Park). It became established as a thriving small township, comprising mainly miners, orchardists and farmers (Warrandyte Historical Society, undated). Around the beginning of the 20th century Warrandyte became a haven for artists, architects and sculptors. The undulating and verdant region caught the eye of Heidelberg School painters in the early 1900s. In 1908, artist Clara Southern, who was part of the School, took up residence in the Warrandyte township and formed an artistic community, which included artists Penleigh Boyd and Louis McCubbin (Warrandyte Historical Society, n.d). It was soon followed by a group of artists, craftspeople and design professionals, including sculptors Danila Vassilieff and Inge King, potters Reg Preston and Gus McLaren; furniture designer Fred Lowen, and architects Fritz Janeba and John Hipwell (Reeves, 2020). Interesting to note that several of Inge King's sculptures have been added to the VHR (eg. Forward Surge), indicating the importance of this group of postwar artists for the state of Victoria. The area also attracted day trippers and holiday makers, who were allured by the tranquil river scenery and bushland surrounds. Its reputation for striking river scenery was further enhanced with the



establishment of the Warrandyte State Park in 1975 (Warrandyte Historical Society, undated)

During the postwar era, the bush landscape gradually punctuated by innovative, architect-designed dwellings. Their designers included Hipwell, Janeba, Marcus Barlow, Robin Boyd and John and Phyllis Murphy. Many of these houses, however, were destroyed in the 1962 bushfire. However, the incident also paved ways for a new wave of considered housing development in the ensuing decades (Reeves, 2020).

History

Commissioned by Shire of Nillumbik, Queen of the Shire was installed 2015. The sculpture is located at the Warrandyte North gateway, at the border with City of Manningham, just north of the Yarra River.

Deborah Halpern was born in 1957 to Sylvia and Arthur Halpern, artists and founding members of the Potters' Cottage in Warrandyte (Australian Women's Register, created 2008). Halpern's uncle Stazek Halpern and their family friend Inge King were also instrumental in establishing the Potters Cottage (*Age* 18 May 1997:1). Arthur Halpern is identified in the Thematic Environmental History as an important member of the post-war artistic community that was centred around Eltham and Warrandyte North, and later Montsalvat (TEH, 2016:116). Deborah Halpern is a long-time resident of the area and works from her studio in Warrandyte North.

Deborah Halpern was awarded an Order of Australia Medal (OAM) in 2021 for services to the arts (*Age* June 13, 2021).



Description & Integrity

Deborah Halpern's Queen of the Shire is a mosaic sculpture standing 2.5m above ground at the Warrandyte North Gateway. The sculpture is sited along a busy T-intersection at the southern edge of the Shire, nearby to a bus stop.

The sculpture is constructed of steel, aluminium, fibreglass and glass mosaic tiles, supported on two steel posts so it 'floats' above the road intersection. The sculpture is a stylised form of a female figure in flight, with flowing hair and clothes, watching over the roadway. The face and body are finished in glass tiles of blue, green and purple, while the hair is in yellow and orange tones.

Queen of the Shire is in good condition with no visible missing tiles or damage. She was temporarily removed for maintenance during roadworks in 2018.



Figure 2: View of Queen of the Shire when travelling north along Kangaroo Ground-Warrandyte Road.



Figure 3: Closer views of the sculpture looking north (left) and south (right).



Comparative Analysis

The Queen of the Shire compares with other works by Halpern within the Shire of Nillumbik, public art in the shire, and works by Halpern elsewhere in Melbourne. Post-war artistic activity is a significant theme in Nillumbik, and traditionally centred around Eltham and North Warrandyte (TEH 2016, 116). There are limited examples of artworks currently listed on the Heritage Overlay, including:

'Trembath Sculpture' is listed as significant to Edendale Farm & The Fences Act 1968 sculpture, 30-32 Gastons Road, Eltham (HO204). The sculpture is by Tony Trembath and is known as *The Fence Act 1968*. It is socially and aesthetically significant, and was commissioned by Eltham Council in 1989 to create an entrance gateway to the Edendale Community Farm. The sculpture uses recycled and found materials, and references iconography of isolated farmhouses, pioneers, post and rail fencing, and the impact of the Victorian Fences Act 1968 in the partitioning of land for settlement (Victorian Collections).

Queen of the Shire compares favourably with *The Fences Act 1968* as both are works commissioned by the Council as gateway structures. Both artworks are designed for the place in which they are situated, and reference themes and characteristics of Nillumbik. Both Trembath and Halpern are artists local to Nillumbik.



Figure 4: *The Fence Act 1968* by Tony Trembath (1989-1994)

Baker Eltham Style outbuilding & sculptures (2), 108 Research-Warrandyte Road, North Warrandyte (HO157). This place comprises a 1960s/1970s outbuilding, surrounding site and two 1970s/1980s sculptures. The two sculptures are historically and aesthetically significant because they demonstrate the individual and creative structures produced by artistic communities in the former Shire of Eltham during the 1970s and 1980s.

No artist is identified for the two sculptures at 108 Research-Warrandyte Road, nor is it clear if the works reference Nillumbik in any way. The Queen of the Shire is a more significant artwork due to its specific connection to Nillumbik, and its association with a well-known local artist.

Two sites associated with Halpern were nominated for the HO as part of the 1992 Study. Steven May and Deborah Halpern House at Kangaroo Ground-Warrandyte Road, and the



Halpern House and Studio at 155 Dodd Street, St Andrews. This included for their association with 'nationally known sculptress Deborah Halpern'.

In terms of comparison with places associated with the theme of local sculptors/artists from the 1990s to early 2000s, another place is Dunmoochin at 105 Barreenong Road, Cottles Bridge HO8. HO111 195 Laughing Waters Road, Eltham, is also significant including for its association with the local artistic community in the early 2000s (2001-2012).

In the vicinity of Nillumbik, neighbouring Manningham City has included Potters Cottage at Jumping Creek Road, Warrandyte HO97 for its important associations with the artists, craftsmen and architect collaborators that have shaped the Warrandyte community.

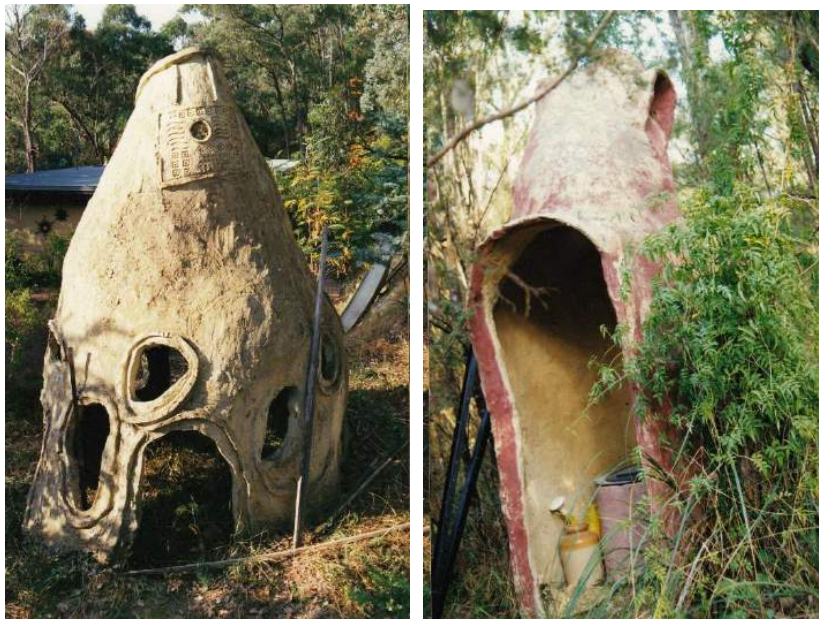


Figure 5: Two sculptures at 108 Research-Warrandyte Road.

Other artworks by Deborah Halpern within the Shire of Nillumbik, not listed on the Heritage Overlay, include:

The Spirit of Nillumbik (Rainbow Serpent), and *Spirit of Nillumbik* with artist Malcolm Laurence, that forms balustrade panels. Both works are dated 2001 and located at Eltham Town Square, Main Street, Eltham. These two works form part of a collection of public pieces commissioned by the Shire. The Queen of the Shire compares favourably against these works due to its scale and prominence. All three artworks are specific to Nillumbik and are designed with reference to local characteristics.



Figure 6: *The Spirit of Nillumbik (Rainbow Serpent)*.



Figure 7: *The Spirit of Nillumbik (part)*, with artist Malcolm Laurence.

The sculpture *Wayfarer* (2010) was donated by Halpern to the Shire of Nillumbik as part of its art collection and now resides in the Shire Offices in Greensborough.



Figure 8: *Wayfarer* (2010).

Other Works by Halpern outside of Nillumbik

Deborah Halpern has created works for site throughout Victoria. Two of her most well-known works are *Angel*, 1988, (commissioned by the National Gallery of Victoria and the Australian Bicentennial Authority, but later moved to Birrarung Marr), and *Ophelia*, 1992, (commissioned for Southgate, Melbourne). These two works have been described as defining Melbourne's identity (*Age*, 18 May 1997:1). *Ophelia* was selected as the 'Face of Melbourne' by Tourism Victoria in 1996, and formed the basis of Melbourne's national and international tourism identity. *Ophelia* is listed by the National Trust of Australia (Victoria) as file B3510 for South Gate Complex. No statutory heritage listings have been applied to either sculpture.



Halpern has stated that *Angel* and *Ophelia*, are cousins, and that *Queen of the Shire* is next in line (Herald Sun, 2 February 2015); tying the Queen of the Shire to the most well-known and significant pieces in her oeuvre.



Figure 8: *Angel*, located at Birrarung Marr, Melbourne



Figure 9: *Ophelia*, located at South Gate, Melbourne

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

N/A

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).



N/A

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

N/A

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

Queen of the Shire is aesthetically significant as a high-quality sculpture by Deborah Halpern, a well-known and highly regarded local artist. As a commissioned sculpture designed to represent and be located within Nillumbik as a gateway artwork, the sculpture has a distinctive design and landmark quality that represents the artistic heritage of the Shire. Its steel, aluminium, fibreglass and glass mosaic tile construction and style represents well the oeuvre of the sculptor Deborah Halpern.

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

Queen of the Shire is significant for its association with well-known local artist Deborah Halpern (OAM) who lives and works in the area. Halpern's work is a noted contributor to Melbourne's artistic identity; which is also evident in her local commissions including Queen of the Shire and Spirit of Nillumbik.

Halpern's parents, Sylvia and Arthur Halpern, were founding members of the Potters' Cottage and, along with her uncle Stazek Halpern and their friend Inge King, important members of Nillumbik's post-war artistic community centred around Eltham and Warrandyte North.



Statement of Significance

What is significant?

Queen of the Shire, located at the corner of Research-Warrandyte Road and Kangaroo Ground-Warrandyte Road, Warrandyte North is significant to the Shire of Nillumbik.

The sculpture's location at the southern gateway to the shire contributes to its significance.

How is it significant?

Queen of the Shire has aesthetic and associative significance to the Shire of Nillumbik (Criteria E and H).

Why is it significant?

Queen of the Shire is significant as a commissioned sculpture designed to represent and be located within Nillumbik as a gateway artwork. It is a high-quality artwork created by one of Melbourne's most significant sculptors, Deborah Halpern (OAM), demonstrating steel, aluminium, fibreglass and glass mosaic tile construction and style characteristic of her oeuvre. The work demonstrates a high level of aesthetic value. (Criteria E)

Queen of the Shire is significant for its association with Deborah Halpern (OAM) and more broadly the Halpern family of artists including Sylvia, Arthur and Stazek who were founding members of the Potters' Cottage. Deborah Halpern is noted for her contribution to Melbourne's creative identity through works such as *Angel* and *Ophelia*, and in her local commissions at the Eltham Town Square. The elder Halperns were important members of the post-war artistic community of Nillumbik, centred around Eltham and Warrandyte North, and noted for its individual and creative approach. (Criterion H)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nilumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	Yes
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Trethowan



References

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Herald Sun, as cited.

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Mills, P and Westbrooke S, *Nillumbik Shire Thematic Environmental History (TEH)*, 2016, prepared for Nillumbik Shire Council, Greensborough.

Victorian Collections *Sculpture: Tony Trembath (b1946 Sale, Victoria), Tony Trembath, The Fences Act 1968 – Location: Edendale Farm (entrance) 30 Gastons Road, Eltham, 1989-1994*. Identifier: 1994.6PA

<https://victoriancollections.net.au/items/53cf14bd2162fa0c2cd07001> Accessed 18 March 2022.



Title: Casa Warrandyte, 33 Koornong Crescent, North Warrandyte
Identified by: Trethowan Architecture
Prepared by: Trethowan Architecture

Address: 33 Koornong Crescent, North Warrandyte

Name: Carson House (currently Casa Warrandyte)	Survey Date: 20 January 2022
Place Type: House	Architect: Alistair Knox
Grading: Locally Significant	Builder: Unknown
Extent of Overlay: to the title boundary	Construction Date: 1972



Historical Context

Warrandyte was the site of the first registered goldfield in Victoria in 1851, when gold was discovered in Andersons Creek (now located within the Warrandyte State Park). It became established as a thriving small township, comprising mainly miners, orchardists and farmers (Warrandyte Historical Society, undated). Around the beginning of the 20th century Warrandyte became a haven for artists, architects and sculptors. The undulating and verdant region caught the eye of Heidelberg School painters in the early 1900s. In 1908, artist Clara Southern, who was part of the School, took up residence in the Warrandyte township and formed an artistic community, which included artists Penleigh Boyd and Louis McCubbin (Warrandyte Historical Society, n.d). It was soon followed by a group of artists, craftspeople and design professionals, including sculptors Danila Vassilieff and Inge King, potters Reg Preston and Gus McLaren; furniture designer Fred Lowen, and architects Fritz Janeba and John Hipwell (Reeves, 2020). The area also attracted day trippers and holiday makers, who were allured by the tranquil river scenery and bushland surrounds. Its reputation for striking river scenery was further enhanced with the establishment of the Warrandyte State Park in 1975 (Warrandyte Historical Society, undated).

During the postwar era, the bush landscape gradually punctuated by innovative, architect-designed dwellings. Their designers included Hipwell, Janeba, Marcus Barlow, Robin Boyd and John and Phyllis Murphy. Many of these houses, however, were destroyed in the 1962 bushfire. However, the incident also paved ways for a new wave of considered housing development in the ensuing decades (Reeves, 2020).

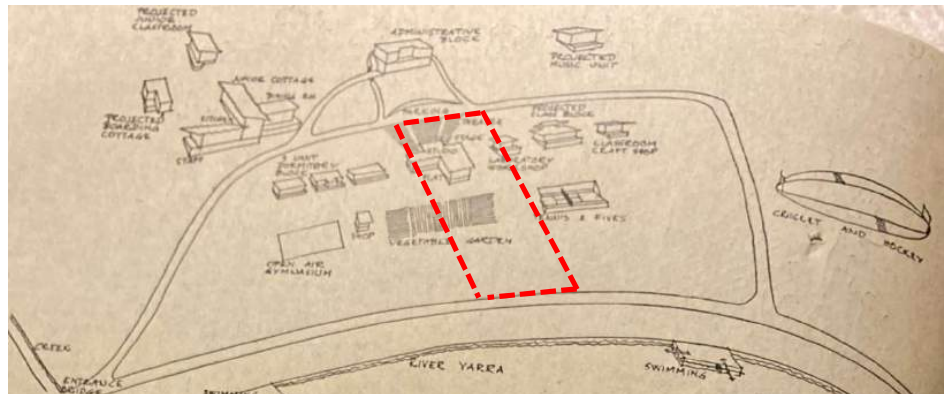


History

In 1887, Richard Cornwall Lee, a miner in Warrandyte, was granted 16-acres of land, forming part of Crown Allotment 24A, Section 4A of the Nillumbik Parish (CT: V2143F551). The land remained the property of Richard Lee and his family until 1937, when the land was purchased by Joseph Clive Nield, a school teacher (CT:V2143F551). With his wife Janet, Joseph Clive Nield (known as Clive Nield) established an alternative school on the site. The school opened in 1939 and contained buildings designed by architects including Fritz Janeba and Acheson Best Overend (Reeves, 2000). the school was closed by c1946 (Victorian Collections, 2019). In 1947, the site was temporarily leased to a war widow's trust and used as a retreat for war widows (A Colsten, pers comm 11 March 2022). In 1949, the property was bought by real estate agent Albert Robertson, who subdivided the property into several small allotments and sold them to individual buyers in 1950 (CT: V2143F551). At that time, some of the allotments still contained the original school buildings, many of which were later destroyed in the 1962 bushfire.



Figure 1: Extract from Certificate of Title F2143F551 showing the subdivision of the former Koonong School site in 1950. The subject site is indicated with a red arrow. Source: Land Victoria.



Lot 9 of the subdivision was purchased by John Henry Winter, an engineer, in 1951 (CT:V7740F136). The property was sold several times before the early 1970s. Subsequent owners included Iris Gray, a married woman living in Koornong Crescent (1962-68), Kenneth Watson, a hotelkeeper a Yarra Street Warrandyte (1968-72), Ivan and Jewell Beringer of Templestowe (May 1972). Lot 9 was the former location of an outdoor theatre, laboratory/ workshop and a vegetable garden of the Koornong School. Proprietors from 1951-63 might have used these structures as living quarter. However, by 1971 Lot 9 was recorded as an empty paddock, suggesting that the former school structures were either demolished or destroyed by the 1962 bushfire.



In 1972, Lot 9 was purchased by Peter Brian Danton Caron (1933-2019), a bacteriologist lived in 'Malakand', Banoon Road, Eltham South (Ct: V7740F136). Carson commissioned



architect Alistair Knox to construct a single-storey residence with two bedrooms within Lot 9. The house comprised a simple rectangular plan with a gabled roof form with corrugated iron cladding. Wide verandahs extend along the east and west elevations. Materials included adobe wall cladding and timber columns. The house is reportedly to have been a 'weekender' and fishing cabin for Carson (A Colsten, pers. Comm 11 March 2022; Killackey, 2017).

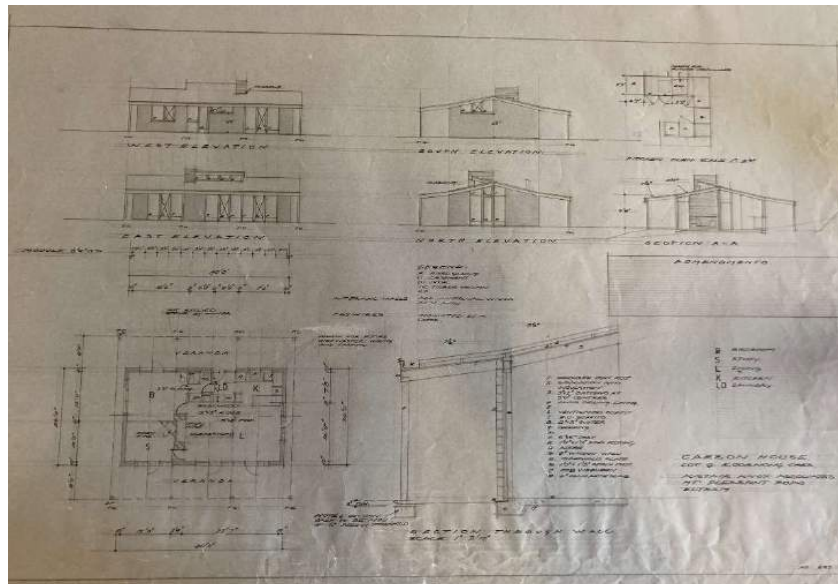


Figure 4: Architectural drawing dates 1972 shows the design of Alistair Knox. The house was a simple rectangular built form. Source: Alistair Knox Collection, State Library Victoria.

Further extensions were added to the Carson House in the late 1990s. The work included an additional bedroom and conservatory, and a freestanding artist's studio. As late as 2017, the property was owned by Stace Burt and Kenny Pomare (Killackey, 2017). Carson House is later renamed 'Casa Warrandyte' and is currently used as an Airbnb.

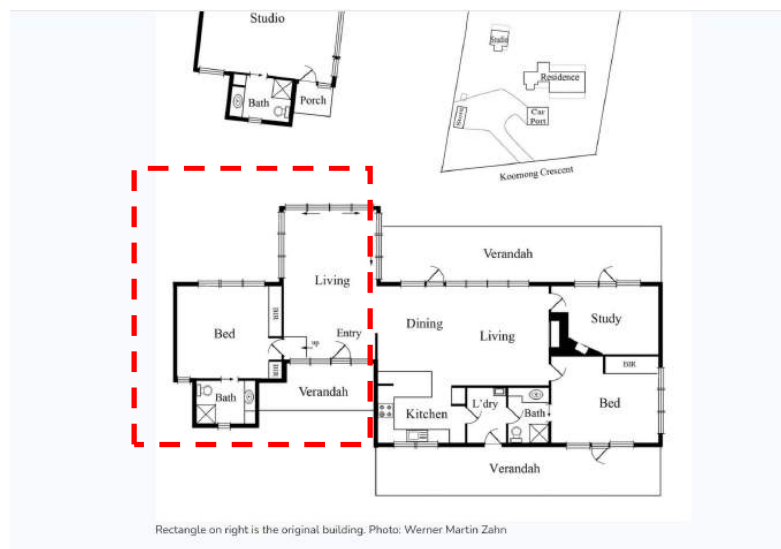


Figure 5: Floor plan shows the late 1990s addition. Koornong Crescent is located on the bottom. Source: Carson House, Alistair Knox Foundation.

Alistair Knox

Alistair Samuel Knox (1912 - 1986), architect, was largely self-taught. He advocated for using available resources for building construction, allowing the buildings to be in harmony with its environment. These ideals were influenced by shortages of building materials in the aftermath of WWII, by his artistic friends and by his own view of the world. His unique 'Eltham Style', which typically comprises a residence with mud brick and recycled materials in a bushland setting, marks the postwar built environment of Eltham and the surrounding areas (Alistair Knox Foundation c2018).

Born in Albert Park, Victoria, Knox left school at age 15. He worked at State Saving Bank of Victoria from 1927 to c1942, when he joined the Navy. After being discharged, Knox undertook a construction course at RMIT, and began designing buildings fulltime from 1947 onwards (Alistair Knox Foundation, c2018).

His stylistic periods were divided into the following:

The first Mud Brick (or earth building) Period (1947-53)

In the early period of his architecture career, Knox mainly designed residences for his friends from the artistic circle, including landscape architect Gordon Ford and filmmaker Tim Burstall. His houses are often sited on a slope with their foundation cut into the hillsides. He also used concrete slab for domestic architecture, a practice that only began to emerge during the postwar era (Alistair Knox Foundation c2018).

Due to the shortage of building materials in the immediate aftermath of WWII, Knox began using the cheap mud brick as building material, hence marking Knox's first mud brick period. Notable work at this time includes the residence for Philip Busst at 71 Silver St, Eltham, and the Downing Le Galliene House at 12 Yarra Braes Road, Eltham (Alistair Knox Foundation c 2018).

Modular Houses (1955-c1961)

Following the easing of building materials and loan credit in the 1950s, Knox's design career entered a new height, as the demand of new houses had now surged. There were



numerous houses produced in this period all based on the prototype he built for himself on the corner of the Pine Trees property, allowing for quick construction. These houses were rectangular with a large central beam that supported a gently pitched Stramit roof finished with a skin of Malthoid, bitumen and creek gravel. The walls were primarily glazed with timber or brick infills. The joinery produced the window frames that made up 60 per cent of the external walls (Alistair Knox Foundation c2018).

The Second Mud brick stage (1964-72)

The credit squeeze of 1961 had a deleterious effect on the Knox building enterprise. Financial restrictions forced him to return to mud brick. It was during this period that Knox's style solidified. Houses in this period retain the simplicity of his first mud brick stage, but many of them were now in a grander scale. The design in this time is also noted for windows and doors extended from floor to ceiling, puncturing the elevations with a predominantly vertical pattern. Clerestory windows, which let in natural lights, also became universal. He continued to build split-level houses on sloping sites, allowing the built forms to follow the contours of the land. Notable works in this period include the Pittard Residence at 430 Mount Pleasant Road, Research (HO139) (Alistair Knox Foundation c2018).

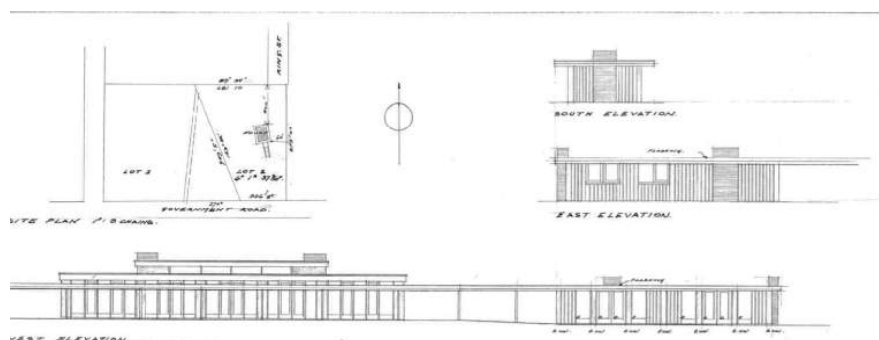


Figure 6: Site and elevation drawings of Knox's own house (constructed c 1962-63) at 2 King Street, Eltham. Source: Alistair Knox Foundation.



Figure 7: Elevation of the Knox House in c 2010s. Source: Alistair Knox Foundation.

Apart from his architectural career, Knox served as an Eltham Shire councilor from 1972-1975 and its President in 1975. He was a founding member of the Australian Institute of



Landscape Architects, becoming a fellow in 1983. In 1982, four years before he died, the University of Melbourne awarded him an honorary Doctorate. Knox continued to design houses until the early 1980s (Alistair Knox Foundation c2018).



Description & Integrity

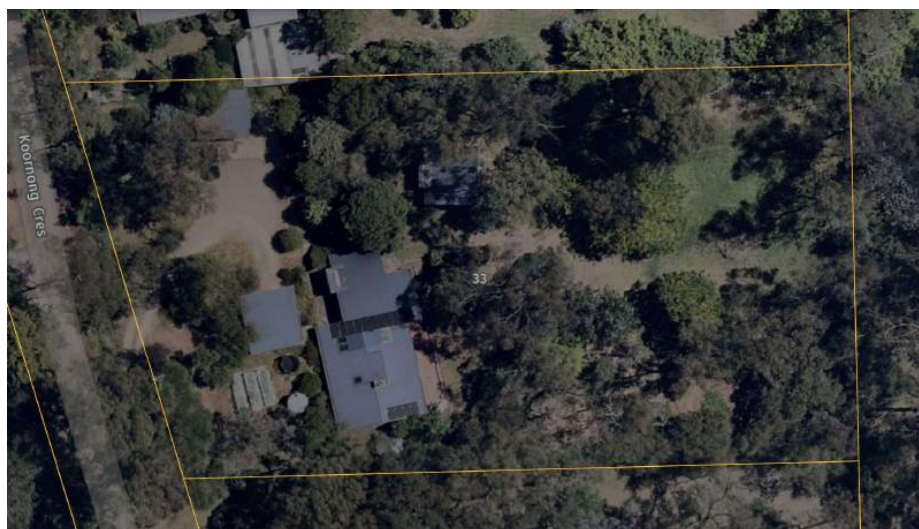


Figure 8: Aerial view shows the extent of 33 Koornong Crescent. Source: Nearmap, 2021.

The subject site is a sizeable rectangular block located to the east of Koornong Crescent's east branch. The site features mature trees and vegetation. Timber fencing marks its Koornong Crescent (west) property boundary.

The site comprises a single-storey residence with a simple rectangular plan. It features a gabled roof form with shallow pitch and corrugated iron cladding. The roof form projects outward to create wide verandahs, supported by timber columns, on the east and west elevations. On the east (rear) elevation, the roof form is dominated by a row of clerestory windows. A stone chimney, comprising later terracotta pots, projects upwards. All elevations comprise rectangular window and door openings and adobe wall cladding. Additional works dated late 1990s saw further extensions to the north. This includes an additional bedroom and conservatory, featuring an additional verandah on the west (Koornong Crescent) elevation and stone wall structure on the east.

Other structures within the site include a freestanding artist's studio on the northeast, a carport located on the west of the late 1990s addition, and a garage on the north of the property.



Figure 9: Front (west) elevation of the subject site. The later brick wall is visible on the left (indicated with an arrow). Source: Trethowan Architecture, 2022.



Figure 10: Image shows the existing west (front) elevation. The original 1972 section is located on the right. Source: Wendy Martin Zahn and Alistair Knox Foundation, c2010s.



Figure 11: Photo shows the southern section of the rear (east) elevation of the 1972 section. Note the prominent timber columns and the wall of handmade bricks. Source: Airbnb.



Figure 12: The east (rear) elevation of Carson House. The 1972 section is located on the left. The adobe wall was overpainted yellow in this image. Source: Wendy Martin Zahn and Alistair Knox Foundation, c2010s.

Comparative Analysis

Downing-Le Gallienne Mudbrick Residence and Garden (HO172) 12 Yarra Braes Road, Eltham

Like many other 'Eltham-style' buildings, the house was constructed in stages over an extended period of time and featured the extensive use of mud brick. The house is very unusual in both detail and arrangement - it comprises three separate but linked buildings (Criteria F & H). The house was built in separate stages, with stage one completed in 1948 and stage two in c1964. As a result, the house comprises three separated but interlinked build forms. Nonetheless, the Knox architectural language is clearly legible, including the wide eaves, extensive verandah, mudbrick wall and prominent window and door openings that feature in his later designs, such as the subject site.

The house is also historically significant because it is connected with a number of important figures. It was commissioned by the musician and pioneering composer of modern music, Dorian Le Gallienne, and the economist, Richard Downing (who was later Professor of economics and chairman of the ABC) (Criterion H). Several prominent local figures helped in the house's construction, including the renowned artists Clifton Pugh, and John Howley (who rendered the walls), and the well-known actor Wynn Roberts (Criterion H). The house is historically significant because Le Gallienne and Downing's commission of the property illustrates the way in which intellectuals were drawn to Eltham in the period following the end of World War II. The design of the house and its bush setting epitomise the ideal of the 'Eltham lifestyle' that was developed from the 1940s to the 1960s.



Figure 13 and Figure 14 show the dwelling. Note the mud brick walls, wide eaves and verandah and windows from floor to ceiling. Source: realestate.com.au, c2010s.

Alistair Knox's House and Office (HO109), 2 King Street, Eltham

The house and office, constructed in 1962-63, are historically significant as the purpose-built and final home and office of renowned Eltham architect Alistair Knox, who was so influential in creating Eltham's distinctive residential environment (Criterion H). Architecturally, they are excellent examples of Knox's innovative work, and exemplify his use of mud brick and recycled building materials within a complementary bush landscape. Apart from the materials, the house features large scale window openings, extending from floor to ceiling, and clerestory windows, a feature that is shared by the subject site and many of Knox's subsequent designs.



Figure 15: Image dated c 2010s shows the windowed wall of the Knox Residence (HO109). Source: realestate.com.au.



Figure 16: Clerestory windows of Knox's Residence. Source: realstate.com.au.

The Collier House (HO136) at 185 Mount Pleasant Road, Eltham

In design and construction the Collier House exemplifies the Eltham mud brick residence of the 1970s and is an important work by the Architect Alistair Knox. Built in stages, the large main interior spaces with their subdued natural light, adzed timber beams and posts, timber board lined ceilings and internal walls, brick paved floors, timber floor to ceiling windows and doors, clerestory windows, all combined with the exterior mud brick walls, wide eaves and exposed timber framing are all the basic components of the Knox design idiom. This low-cost building was built largely with amateur labour and is a definitive example of the houses Knox regarded as most suitable for the Eltham environment. It also demonstrates his theories for integration into a natural or man-planted bushland setting, as well as that environmental fathers produced environmental sons, his son Hamish being one of the builders (VHD).



Figure 17: The elevation of Coller House. Source: Bick, 1992.

Pittard Residence (HO139) at 430 Mount Pleasant Road, Research

The Pittard residence constructed in 1978, is a later and more substantial example of Knox's Eltham Style architecture, using mudbrick and recycled materials. The curved plan shape and single plane roof rising up over the living area to the double storey end section are of particular note.



Figure 18: Pittard Residence in 1992. Source: Bick, 1992

Carson House, designed in 1972, was designed by Alistair Knox towards the end of his Second Mud Brick House period. The 1972 section of the house is an Eltham-Style dwelling in a bushland setting, featuring Knox's usual building materials and design approach. Architectural elements, such as wide eaves and verandah, windowed walls and clerestory windows, are significant features of Knox's more matured later works. Although a modest dwelling, Carson House is a significant example in marking the maturity of Knox's design. More recent additions to the house, while prominent, are nonetheless broadly sympathetic to the style but distinct and distinguishable from the original house that was designed in a modular style that was easily suited to additions.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.



CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The house at 33 Koornong Crescent is associated with the period of post-war growth and experimentation in the Shire that occurred as these later subdivisions were taken up and attracted Modernist architects and designers such as Alistair Knox to the area. It demonstrates the 'environmental building' style of Knox as part of this movement. (Criterion A)

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

N/A

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

Carson House is of aesthetic and architectural significance to the Shire of Nillumbik as a modest design of Alistair Knox, the renowned architect. Located on a slope with its bushland setting, Carson House demonstrates Knox's ideals on how a residence should be in harmony with its surroundings. With all the notable Knox architectural elements, Carson House serves as a fine example of Knox's more mature design.

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

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

N/A

Statement of Significance

What is significant?

The original Carson House (1972) at 33 Koornang Crescent is significant.

The broad bushland setting contributes to its significance.

Additions after 1972 are not significant.

How is it significant?

Carson House is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?



Carson house is historically significant for its association with the period of post-war growth and experimentation in the Shire that occurred as these later subdivisions were taken up and attracted Modernist architects and designers such as Alistair Knox to the area. It demonstrates the 'environmental building' style of Knox as part of this movement. (Criterion A)

Carson house is of aesthetic and architectural significance to the Shire of Nillumbik as a modest design of Alistair Knox, the renowned architect. Located on a slope with its bushland setting, Carson House demonstrates Knox's ideals on how a residence should be in harmony with its surroundings. With representative Knox architectural elements such as handmade brick, timber verandah, low sloping roof, clerestory windows, floor to ceiling windows, Carson House serves as a fine example of Knox's mature design (Criterion E).

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Trethowan Architecture



References

Apperly, R, Irving, R, and Reynolds, P 1995, *A Pictorial Guide to Identifying Australian Architecture*, Angus & Robertson, Sydney.

Alistair Knox Foundation c 2018, *Alistair Knox, Designer, Environmentalist, Building, Landscape Architect*, <http://alistairknox.org/>, accessed online 01 April 2022.

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Warrandyte Historical Society, n.d. 'Local History' <https://whsoc.org.au/> accessed 20 March 2022.



Title: Tarrangower , 30 Koorngong Crescent, North Warrandyte
Identified by: Trethowan Architecture
Prepared by: Trethowan Architecture

Address: 30 Koorngong Crescent, North Warrandyte

Name: Tarrangower	Survey Date: 20 January 2022
Place Type: House	Architect: Albert William Ross
Grading: Locally Significant	Builder: Unknown
Extent of Overlay: to the property boundary	Construction Date: 1963-65



Historical Context

Warrandyte was the site of the first registered goldfield in Victoria in 1851, when gold was discovered in Andersons Creek (now located within the Warrandyte State Park). It became established as a thriving small township, comprising mainly miners, orchardists and farmers (Warrandyte Historical Society, u.d). Around the beginning of the 20th century Warrandyte became a haven for artists, architects and sculptors. The undulating and verdant region caught the eye of Heidelberg School painters in the early 1900s. In 1908, artist Clara Southern, who was part of the School, took up residence in the Warrandyte township and formed an artistic community, which included artists Penleigh Boyd and Louis McCubbin (Warrandyte Historical Society, n.d). It was soon followed by a group of artists, craftspeople and design professionals, including sculptors Danila Vassilieff and Inge King, potters Reg Preston and Gus McLaren; furniture designer Fred Lowen, and architects Fritz Janeba and John Hipwell (Reeves & Sharpe, 2020). The area also attracted day trippers and holiday makers, who were allured by the tranquil river scenery and bushland surrounds. Its reputation for striking river scenery was further enhanced with the establishment of the Warrandyte State Park in 1975 (Warrandyte Historical Society, n.d)



During the postwar era, the bush landscape gradually punctuated by innovative, architect-designed dwellings. Their designers included Hipwell, Janeba, Marcus Barlow, Robin Boyd and John and Phyllis Murphy. Many of these houses, however, were destroyed in the 1962 bushfire. However, the incident also paved ways for a new wave of considered housing development in the ensuing decades (Reeves & Snape, 2020).

History

In 1887, Richard Cornwall Lee, a miner in Warrandyte, was granted 16-acres of land, forming part of Crown Allotment 24A, Section 4A of the Nillumbik Parish (CT: V2143F551). The land remained the property of Richard Lee and his family until 1937, when the land was purchased by Joseph Clive Nield, a school teacher (CT:V2143F551). With his wife Janet, Joseph Clive Nield (known as Clive Nield) established an alternative school on the site. The school opened in 1939 and contained buildings designed by architects including Fritz Janeba and Acheson Best Overend (Reeves, 2000). However, due to financial difficulty, the school was closed by c1946 (Victorian Collections, 2019). The school buildings were temporarily leased to a war widow's trust and used as a retreat for war widows (A Costen, 11 March 2022). In 1949, the property was bought by real estate agent Albert Robertson, who subdivided the property into several small allotments and sold them to individual buyers in 1950 (CT: V2143F551). At that time, some of the allotments still contained the original school buildings, which were temporarily used as shelter for war widows (A Costen, 11 March 2022). Many of the buildings were nonetheless destroyed in the 1962 bushfire.

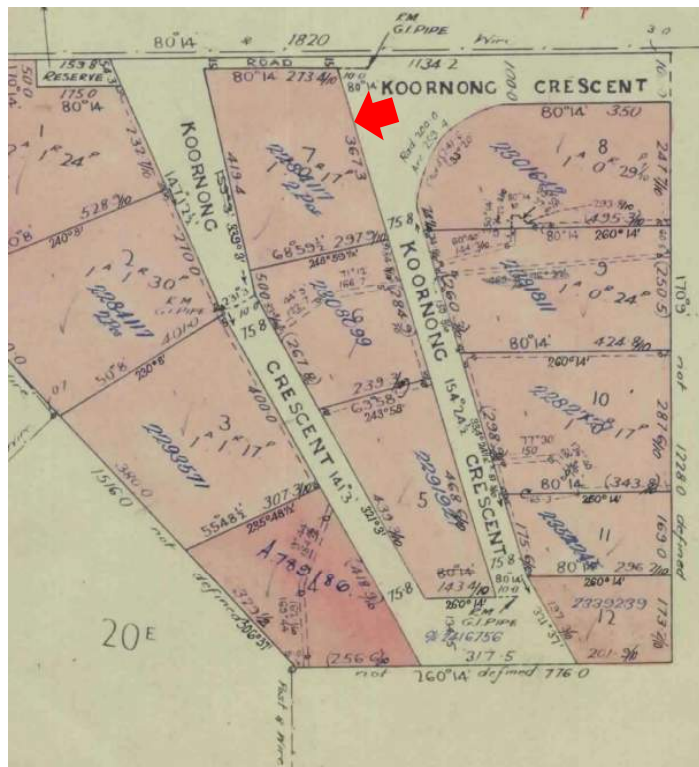


Figure 1: Extract from Certificate of Title F2143F551 showing the subdivision of the former Koonong School site in 1950. The subject site is indicated with a red arrow. Yarra River is located on the right. Source: Land Victoria.

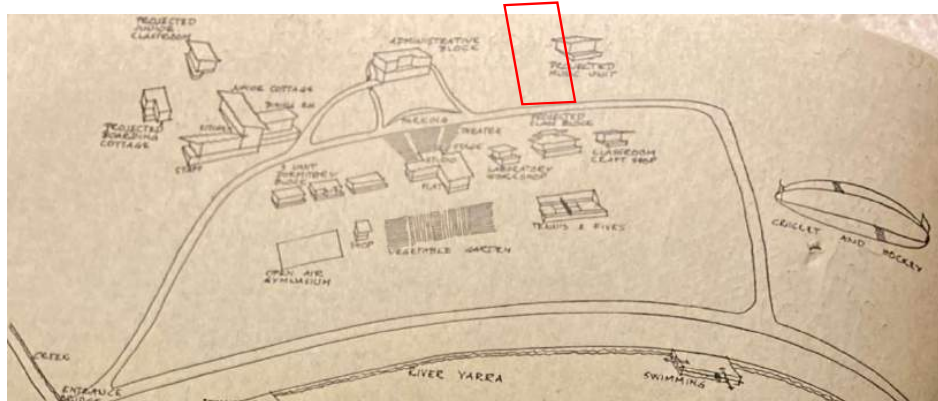
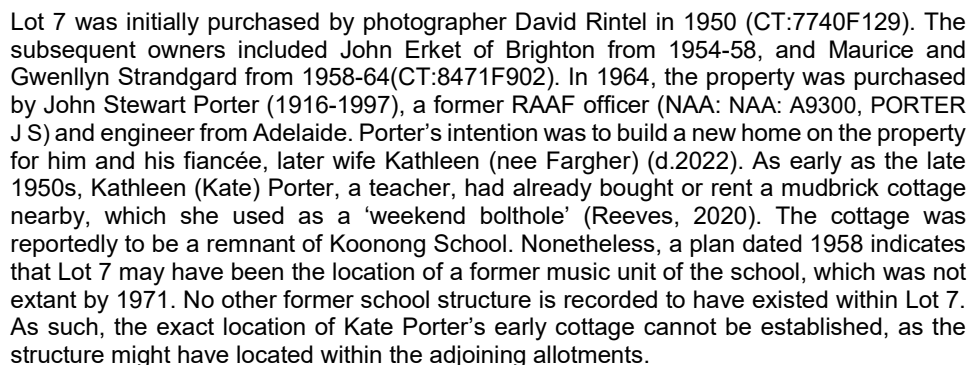


Figure 2: Plan shows the buildings and structure of the former Koornong School. The approximate location of Lot 7 is indicated with red. The music unit is located within 30 Koornong Crescent (Lot 7). Source: J C Nield, 1958.

The Porters initially approached architect John Hipwell for the design of the residence. Hipwell soon referred the job to his young partner, Albert Ross (Reeves & Snape, 2020). As such, it remains inconclusive whether Hipwell had ever contributed to the early design of the house. The Porters wanted a modest two-bedroom dwelling with open-planning living areas and a main bedroom oriented to the views. Apart from this, Kate Porter also demanded a laundry big enough to include a sewing room. Having been inspired by the popular housing magazine at the time, Kate also asked the kitchen to be located beside the front door. This arrangement would reduce the grocery transit between front door to the kitchen. The design went through several rounds of revision. In the final set, Ross proposed a built form that comprises a longitudinal split-level plan, with service areas and the second bedroom along the street side and remaining spaces opening to the river through a window wall and across a full-width balcony. John Porter supervised most of the construction works himself (Reeves & Snape, 2020).



Figure 3: Aerial photo dates 1971 shows the footprint of 'Tarrangower' (indicated with an arrow). The outbuilding located on the south is also visible. Source: Landata

The residence, which is named "Tarrangower", remained the family home of the Porters until the late 2010s (PROV, VPRS 28/P31, file 1184872). Minimal changes were made to the built form. After John's death in 1997, Kate Porter continued to live in the house until 2019, when the house was sold.

Albert William Ross

Albert William Ross (1931-) studied at Melbourne University and graduated with a Bachelor of Architecture degree with diploma in town and regional planning in the early 1950s (Melbourne University Archives, 1972). After his graduation, he joined the team of Grounds, Romberg & Boyd. In c1960-61. Around the same time, he was awarded the Robert & Ada Haddon Travelling Scholarship, which allowed him to travel and work overseas. Upon his return in c1961-62, Ross replaced Peter Mason, who was killed in a car accident, and became a partner of John Hipwell and Charles Weight, forming Hipwell, Weight & Ross. Around the same time, Ross collaborated with J Dale Fisher and participated in the design competition for the new Reserve Bank of Australia in Canberra. The team achieved a consolation prize for having submitted a highly-regarded entry (Built Heritage Pty Ltd, n.d).

Ross, Hipwell and Weight enjoyed a successful partnership throughout the 1960s. The firm was dissolved in 1968 after the death of Charles Weight. John Hipwell took up a position in the Public Works Department and Albert Ross established his own practice (Reeves, undated) and set up an office in Curzon Street, North Melbourne (ER, 1972). In 1973, Ross designed his own residence at 11 Seymour Road, Elsternwick.

Description & Integrity

The subject site is a sizeable rectangular block that slopes downhill towards the north. The property is marked by mature tree plantations around the property boundary. A driveway provides vehicular access into the site off the northern property boundary.



Figure 4: Aerial view shows the outline of 30 Koornong Crescent. Source: VicPlan, 2022.

The subject site comprises a residence constructed in the c1963-65. The residence is a rectangular brick built form featuring white textured Colortone brickwork. The residence has a simple rectangular plan and is sited on a slope and is supported by brick retaining walls and columns underneath, resulting in its single-storey presence on the south. The residence features a prominent gabled roof form with shallow pitch and corrugated metal cladding, supported by exposed rafters beneath. On the west, the southern fall of the roof extends further westward to form an car port. The north elevation, which comprises a projecting bay section, features window wall with timber mullions with fanlights. A wide balcony, comprising simple metal balustrade and timber posts, extends along the remainder of the north elevation and the entire east elevation.

On the south elevation, its eastern section is recessed to accommodate a covered deck area. Timber-framed window and door openings puncture the remaining south elevation and the east elevation.



Figure 5: The south elevation of the subject site as viewed from Koornong Crescent. The build form is sited on a slope, allowing it to be seen as a single-storey residence from the street. Source: Trethowan Architecture 2022.



Figure 6: Image showing the eastern and north elevations of the residence. The built form features white Colortone brickwork. Source: realestate.com.au. c2019.



Figure 7: The north elevation of the residence shows an elevated frontage. Balcony extends along most of the elevation except the projecting central portion. Source: Diana Snape, published on Architecture Au, 2020.



Figure 8: The single-storey outbuilding located to the east of the residence. Source: Trethowan Architecture, 2022.

To the east of the site is the location of a single-storey outbuilding or shed.

Comparative Analysis

International Style began to make a worldwide impact after World War II, prompting a unified building style worldwide. Despite this, the International Style also began to develop some recognisable regional variations. In Australia, almost every capital city had developed its own style, which were based on the interpretation of modern architecture of architects in the respective cities and states.

The concept of a Melbourne Regional Style emerged in 1947 in Robin Boyd's publication *Victorian Modern*. Architects worked in the style campaigned for the simple elegance offered by the International Style, while developing a regional architectural language that could be easily understood by the average citizens. Melbourne-Regional-Style houses were mostly residential and located in Melbourne's outer suburbs or in the bush (Apperley et al, 1989:218), such as in Warrandyte and Eltham. The reason for this maybe that the young architects had difficulty understanding Melbourne's urban environment in the aftermath of WWII and chose these areas to express their architectural ideas (Goad, 1992:2/30). The houses were typically narrow, linear, single-storey dwelling with a low pitched gable roof, exposed rafters and wide eaves. Walls were generally bagged or painted brick and contain large areas of glass with regularly spaced timber mullions.

As the 1950s progressed, larger, more expensive versions of the style began to appear in the more affluent suburbs in Melbourne and the flat-roof house with the wide, overhanging eaves became more acceptable.

In Shire of Nillumbik, several houses have been constructed with similar style during the 1960s. Comparable examples include:

17 Koornong Crescent, Warrandyte North (Recommended for an HO)

The c1956 house, which is located just to the south of the subject site, is a comparative example in terms of its historical and architectural/ aesthetic significance at a local level. Historically, the house is associated with retired military veterans who were seeking to establish a new life in the Shire of Nillumbik after their World War II experience. The house is aesthetically significant as it demonstrates the influence of Melbourne Regional Style, an architecturally quality that is shared by 30 Koornong Crescent.



Figure 9: The residence located at 17 Koornong Crescent, which demonstrates the influence of Melbourne Regional Style. Source: Trethowan Architecture, 2022.

Handfield Residence(HO83) at 16 Homestead Road, Eltham

The house, constructed in 1960, is architecturally significant. It was designed by the prominent modernist architect Robin Boyd after he returned from lecturing architectural students in Japan. The house is noted for its incorporation of traditional Japanese design and features modular wall arrangements, solid and glazed panels and sliding exterior doors and because the courtyard planning, floor to ceiling glass walls and the combination of single and double storey sections on the steep site illustrate quite advanced dwelling design for the time.



Figure 10. Image dated c1992 shows the double-storey elevation of Handfield Residence. Source: Nillumbik Shire Heritage Study, 1992.



Figure 11. The courtyard setting of the Handfield Residence in c1998. Note the glazed panels that clad the entire elevation. Source: realestateview.com.au.

Wright House (HO105) at 84 Kangaroo Ground- Warrandyte Road, North Warrandyte

The house, constructed in 1964, is architecturally significant as a notable example of Australian modernist domestic architecture and one of six houses in the Warrandyte-Eltham area designed by Robin Boyd between the 1940s and the 1960s (Criteria B, D, F & H). It is also significant as a notable example of Australian Modernist domestic architecture. The house is set on two levels and featured exposed oregon beams and bagged and painted surfaces evoking the Eltham mud-brick era (Criterion F). It comprises the simple, rectangular plan and built form that characterised the Modernist and Melbourne Regional Style residences, an influence that is clearly legible on 30 Koornong crescent.



Figure 12: Wright House at 84 Kangaroo-Warrandyte Road. Note the rectangular built form and windowed walls. Source: Nillumbik Shire Heritage Study, 1997.

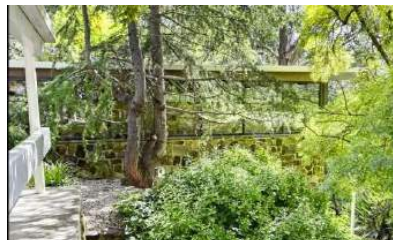


Figure 13. Wright House in c2012. Source: domain.com.au, 2012.

The house at 30 Koorong Crescent compares well to these examples. It displays characteristics of the post-war Melbourne Regional style such as simple rectangular plan, shallow pitch roof, window walls, prominent use of timber beams and broad eaves, and integration into the slope of the land, with projecting upper level and balcony to make use of the bush views. It is the only known Albert Ross design in the Nillumbik Shire.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Tarrangower is a good example that marks the residential development in the former Koorong School site in the 1960s. The residence, which was designed by architect Albert William Ross, demonstrates a strong Melbourne Regional Style that was a prominent feature in the postwar housing style in the Shire of Nillumbik. The residence was a purposefully-built home for a former serviceman and his family who chose to settle in the Shire of Nillumbik after the Second World War. As such, the residence is historically significant for its association with the post-war phase of development in the area that catered to a new generation of non-farming residents, in this case the ex-serviceman community of the Shire in the post-war period, and who desired a new style of home designed specifically around both the bush setting and their individual domestic needs.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

N/A

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

30 Koorong Crescent is of aesthetic and architectural significance to the Shire of Nillumbik as an intact early example of Albert Ross, who received his early training at Grounds, Boyd



and Romberg and worked with John Hipwell. The design of the house, while accommodating the residents' domestic needs at the same time, has perpetuated the post-war Melbourne Regional Style and forms one of the post-war architect-designed building stock within the Shire of Nillumbik. This is demonstrated by its simple, elegant form and linear plan, featuring Colortone brickwork, shallow-pitched gable roof form, window walls, exposed rafters and wide balcony. The house has an elevated form integrated into the slope of the landscape. 30 Koornong Crescent is significant as the only known project of architect Albert William Ross within the Shire of Nillumbik.

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

N/A

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 the Shire of Nillumbik's history (associative significance).

N/A

Statement of Significance

What is significant?

The house at 30 Koornang Crescent is significant.

The bush landscape contributes to the setting of the house.

How is it significant?

30 Koornong Crescent is of local historical and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

30 Koornong Crescent is of historical significance as a house demonstrating the new residential requirements and style of living of the wave of post-war residents who settled in the area, in this case a war veteran and their family who settled in the Nillumbik Shire after their military experience in WWII and who employed architects to design new homes catering both to their individual domestic needs and the enhanced appreciation of the bush setting. (Criteria A)

30 Koornong Crescent is of aesthetic and architectural significance to the Shire of Nillumbik as an intact early example of Albert Ross, who received his early training at Grounds, Boyd and Romberg and worked with John Hipwell. The design of the house demonstrates the post-war Melbourne Regional Style that dominated the post-war design of Melbourne residential housing, with a simple, elegant form and linear plan, featuring Colortone brickwork, shallow-pitched gable roof form, window walls, exposed rafters, broad eaves and wide balcony. The house has an elevated form integrated into the slope of the landscape. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.



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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Trethowan Architecture



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Title: Tilwinda, 130 Laughing Waters Road, Eltham

Identified by: Trethowan Architecture

Prepared by: Trethowan Architecture

Address: 130 Laughing Waters Road, Eltham

Name: Riverbend, formerly Tilwinda	Survey Date: 11 March 2022
Place Type: Residential	Designer: Alistair Knox
Grading: Individually Significant	Builder: Alistair Knox
Extent of Overlay: To extent shown	Construction Date: 1968



Historical Context

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeriwillam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A plan for fifty allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of the Diamond Creek and the Yarra River, was laid out an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. This area is known today as Eltham South. Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). The township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonian Diggings, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery and tannery on Diamond Creek. Several public buildings and institutions,



including a police station, Wesleyan chapel, a Church of England School and a National School, were established in the 1850s -70s (Context, 2020:1).

Between the 1860s and the 1880s, Eltham supplied food and produce for the gold-mining communities of the Caledonian Diggings at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on route to the Woods Point diggings. Eltham's population grew in response. In 1871, the town's population was 165 and by 1881 this had increased to 388 (Victorian Places 2015). Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

The railway was extended to Eltham opened in 1902, which brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne as well as to attractive countryside with farms and uncleared stringybark forest (Victorian Places 2015). The attractive bush scenery attracted artists, writers and nature-lovers. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. Artist Justus Jorgensen established the notable Montsalvat artist's colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mud brick construction in the area. Several local architects and designers, including Alistair Knox, specialised in mud brick housing in the postwar period (Victorian Places 2015). Others who have been inspired by Eltham and have made the region their home include landscape architect Edna Walling, authors Alan Marshall and Carolyn Van Langenberg, artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actress Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased from 927 in 1933, to 1278 in 1947, to 7177 in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (Victorian Places 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment and the preference for bush gardens, especially after the 1970s. The Eltham Library, designed by architect Greg Burgess, was constructed in mud brick and recycled timbers and received the RAIA Institutional Architecture Award in 1995 (Bartolomei 2008).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

History



Riverbend was designed in 1968 by Alistair Knox, for Rosemary and Bill Cuming, who had purchased the land not long before (Woollard 2016:226; Figure 1). Bill Cuming was an engineer, whose work had earlier taken him, Rosemary and their young family to Colmar in France. Following the construction of the home, Rosemary Cuming hand laid the brick paving in a distinctive shell pattern based on paving she had seen in Colmar (Woollard 2016:226). Other landscaping elements, including the stone bench and stairs, evidently made from salvaged building parts, date to the Cuming's time. The cast iron stove in the kitchen was brought to the site from Rosemary's sister's home in Wattletree Road, Armadale (Woollard 2016:226). Bill and Rosemary later sold the site due their relocation to America.



Figure 1: The house during construction c1968, showing its timber framing. Source: Cuming family, pers. Comm., January 2022.



Figure 2: The house, c1970, during the Cuming's ownership. Note the stairs, paving and stone bench.
Source: Cuming family, pers. Comm., January 2022.

Max and Tini Huygens, who had migrated with their family from The Netherlands following WWII, purchased the home in 1975. The family named the site Tilwinda, which was thought to have been derived from an Aboriginal word translated as 'hole in a rock' (Woollard 2016:227). Tini Huygens had been an Olympic high jumper and discus thrower for The Netherlands in 1936, while Max was an importer who brought, amongst other things, Sirena Tuna, La Gina tomatoes and Bisleri soft drinks to Australia through his business (Woollard 2016:227). The Huygens were responsible for further work on the house, including the construction of an open carport to the west, and a workshop to the east (Woollard 2016:228). Tini Huygens died in 1981, however Max stayed at the property until 2000 (Woollard 2016:230).

The house was later sold to Parks Victoria. In 2008, the Laughing Waters Artist in Residency program began using the site as a retreat. The open carport was removed in late 2021 following damage, and the house was restored at the same time to further accommodate use by an artists' residency program.

Description & Integrity

130 Laughing Waters Road is located on the south side of the street, directly adjacent to the Yarra River. The site slopes down towards the river, with the house placed on a clearing in the land that provides an expansive view over the river and valley. The block is otherwise heavily vegetated.

The house at 130 Laughing Waters Road, Eltham, is a modestly sized single storey brick veneer building with flat, metal clad roof. The floorplan is arranged on an east-west axis, however follows a slight curve, with the concave of the curve to the north (Figure 3). This allows the convex of the curve to face the river to the south. The mid-toned bricks are recycled from other sites in Melbourne.



Figure 3. A view of the house from the west, showing the curve of the house. Source: Trethowan Architecture 2022.

The building is simply detailed. To accommodate the curve of the building, the north and south facades are broken into bays that are separated by engaged brick columns. Between these columns are arrangements of timber doors and windows (Figure 4). Some windows, such as those to the kitchen, are set higher above sections of brick walls. The roof is supported by exposed dark-stained timber rafters, with similarly stained timber fascia boards.



Figure 4: The south of the house, showing how the sets of doors and windows are set between brick columns. Note the stained fascia, shell pattern brick paving and bluestone bench (highlighted in red). Source: Trethowan Architecture 2022.

A further single storey storeroom is built adjacent to the house on the eastern side. This



section uses similar recycled bricks to the main body of the house and continues the exposed rafters. The north wall of this room is finished in vertical stained timber boards.

An expansive terrace to the south of the house has brick paving in a shell pattern. A set of bluestone stairs lead down from this terrace to the river, with the treads made from bluestone blocks with dressed edges which appear to be former windowsills or door thresholds/lintels from a Victorian era building(s) (Figure 5). A simple stone bench on the terrace is made from similar bluestone. Bluestone sills and lintels are evident in the landscaping elsewhere around the site.



Figure 5: A view of the bluestone garden stairs. Source: Trethowan Architecture 2022.

Comparative Analysis

Although Postwar modernism had taken off across the suburbs of Melbourne, the Eltham and Warrandyte areas saw an alternative form of architectural experimentation. Mills and Westbrooke write that

the trend was characterised by an acceptance of the characteristics of the site, including the local bush, topography and geology and an attempt to blend and adapt to these conditions through building form and siting, choice of materials and landscape approach. The best-known spokesperson for this trend, Alistair Knox, gave it the label 'Australian environmental building' (Mills and Westbrooke 2016: 78)

The style that developed, often referred to as 'the Eltham Style' or 'the Warrandyte Rustic', was characterised by its use of honest, natural materials including mud bricks, local stone and expressed structural timber. Recycled materials were often utilised in construction (Mills and Westbrooke 2016: 78).



Alistair Knox was a prolific builder and designer who is widely associated with developing the style, and for his contribution to the built environment in the Shire of Nillumbik. Mills and Westbrooke further note that

inspired by his visits to Montsalvat in the early 1940s and, after the war, he studied building at the Melbourne Technical College. Knox's early work in Eltham falls into two main categories: simple rectilinear forms, which were the basis for most of his work up to the 1970s, and a first flush of complex exploratory designs ...

By the mid-1960s Knox had become something of an industry in his own right. A 1966 article indicates he had already built over one hundred houses since 1946. In this period, he was increasingly mining a rich vein of high-quality materials from the nineteenth century buildings then being demolished in the city. His Glover house in Eltham was built by Dutch immigrant builder Pieter Hellemons using recycled bricks and timber. The property was also graced with a 'natural rock and bush' garden design by Gordon Ford (Mills and Westbrooke 2016:79-80).

The subject site, designed by Alistair Knox, bears key characteristics of his work. Although Knox was a prolific builder and designer in the Shire, only a handful of examples of his work are represented on the Heritage Overlay. Comparative examples completed by Alistair Knox include:

- The Periwinkle House, 54 Batman Road, Eltham (HO11)
- The Pittard House, 430 Mount Pleasant Road, Research (HO139)



The Periwinkle House, 54 Batman Road, Eltham (HO11) Source: VHD



The Pittard House, 430 Mount Pleasant Road, Research (HO139) Source: VHD

The Periwinkle House at 54 Batman Road, Eltham, is a curved mudbrick house built in 1948 to a design by Alistair Knox. The house is significant as one of the first mudbrick houses constructed in Eltham, and the first curved wall house designed by Knox. The modest size is characteristic of Postwar development in the Shire.

The Pittard House at 430 Mount Pleasant Road, Research, is a substantial mudbrick home built between 1978-1979. The house features a large sweeping curved wall, and many recycled materials. The house is considered a good example of Knox's later work.

While the subject site does not use mudbrick construction like these examples, it compares well for its use of a curved wall that dominates the floor plan. As the subject site was built in 1968, it sits between the two examples (1948 and 1978-9, respectively), and demonstrates Knox's continued interest in curved forms throughout his body of work. Like the comparative examples, the site bears characteristics of Knox's work including the use of recycled materials and carefully selected bush settings. The subject site is distinguished from these examples by its use of recycled brick materials. Overall, the site compares well as a well-designed, modest example of Knox's work during the 1960s. The house is also distinguished by its expert positioning on a dramatic, vegetated block above the Yarra River, which expresses the ideals of the Eltham Style.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The house at 130 Laughing Waters Road is associated with the historical period of post-war growth and experimentation in the Shire that occurred as postwar subdivisions were taken up and attracted Modernist architects and designers such as Alistair Knox to the area. It demonstrates the 'environmental building' style of Knox as part of this movement.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The house at 130 Laughing Waters Road is a significant example of a well-designed, modestly sized house constructed in the Shire during the late 1960s and designed by Alistair Knox. The house's curved floorplan and use of recycled materials, in this case brick, are characteristics of Alistair Knox's work, and the type of architecture being promulgated in Nillumbik at the time. The house's expert positioning on a dramatic, heavily vegetated sloping block above the Yarra River substantially enhances the aesthetic quality of the place.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The house at 130 Laughing Waters Road, Eltham, designed and constructed in 1968 by Alistair Knox for the Cuming family, is significant.

Elements that contribute to the significance of the site include:

- The original form of the building, with slightly curved floorplan and flat roof
- The slightly later room added to the east by the Huygens family
- The recycled brick walls
- Timber framed doors and windows
- The landscaping elements created by the original owners, including brick paving, bluestone bench and garden staircase
- The setting of the house, high above the river in a densely vegetated landscape

How is it significant?

The house at 130 Laughing Waters Road, Eltham, is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The house at 130 Laughing Waters Road is historically significant for its association with post-war growth and experimentation in the Shire that occurred as postwar subdivisions were taken up and attracted Modernist architects and designers such as Alistair Knox to the area. It demonstrates the 'environmental building' style of Knox as part of this movement. (Criterion A).

The house at 130 Laughing Waters Road, Eltham, is aesthetically significant to the Shire of Nillumbik as a well-designed, modestly sized house designed and built by Alistair Knox during the late 1960s. The curved floor plan, recycled materials and landscaping demonstrate the characteristics of Knox's work, and more generally the type of architecture that was being promulgated in Eltham at the time. This type of refined yet rustic architecture has since become associated with the Shire of Nillumbik. The house is carefully and expertly positioned in a clearing on a block that dramatically slopes down to the Yarra River, which substantially enhances the aesthetic quality of the place. Original landscaping elements, including the brick paving and use of recycled bluestone, also contribute to the aesthetic significance of the place and demonstrate the importance of connecting with the outdoors evident in Knox's work. (Criterion E)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Extent of proposed HO:



Identified By
Trethowan



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Title: Laughing Water, 220 Laughing Waters Road, Eltham

Identified by: Trethowan Architecture

Prepared by: Trethowan Architecture

Address: 220 Laughing Waters Road, Eltham

Name: Laughing Water	Survey Date: N/A
Place Type: Residential	Designer: Alistair Knox
Grading: Significant	Builder: Alistair Knox
Extent of Overlay: To title boundaries	Construction Date: 1969



Figure 1: Source: Google Maps.

Historical Context

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeriwillam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A plan for fifty allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of the Diamond Creek and the Yarra River, was laid out an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. This area is known today as Eltham South. Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). The township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonian Diggings, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two



hotels, a brewery and tannery on Diamond Creek. Several public buildings and institutions, including a police station, Wesleyan chapel, a Church of England School and a National School, were established in the 1850s -70s (Context, 2020:1).

Between the 1860s and the 1880s, Eltham supplied food and produce for the gold-mining communities of the Caledonian Diggings at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on route to the Woods Point diggings. Eltham's population grew in response. In 1871, the town's population was 165 and by 1881 this had increased to 388 (Victorian Places 2015). Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

The railway was extended to Eltham opened in 1902, which brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne as well as to attractive countryside with farms and uncleared stringybark forest (Victorian Places 2015). The attractive bush scenery attracted artists, writers and nature-lovers. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. Artist Justus Jorgensen established the notable Montsalvat artist's colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mud brick construction in the area. Several local architects and designers, including Alistair Knox, specialised in mud brick housing in the postwar period (Victorian Places 2015). Others who have been inspired by Eltham and have made the region their home include landscape architect Edna Walling, authors Alan Marshall and Carolyn Van Langenberg, artists Clifton Pugh and Danila Vassilieff, composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actress Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased from 927 in 1933, to 1278 in 1947, to 7177 in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (Victorian Places 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment and the preference for bush gardens, especially after the 1970s. The Eltham Library, designed by architect Greg Burgess, was constructed in mud brick and recycled timbers and received the RAIA Institutional Architecture Award in 1995 (Bartolomei 2008).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.



History

The original Laughing Water house was built at the subject site in 1912-1913 for Dr Sidney Valentine Sewell. Sewell sold the house in 1922 to the O'Connor family, who moved to the property from the Gippsland (Woollard 2016:99). The O'Connors were relatives of the Barlee family, who were residents of the notable house Worlingworth on Banoon Road in Eltham (Woollard 2016:107). The street name is believed to be derived from the property.

The property was later purchased by Gosta Petre, the Swedish Consul. Using Laughing Water as his weekend residence, Petre commissioned the renowned landscape designer Edna Walling to lay out the garden (Woollard 2016:111; Figure 2). Edna Walling (1895-1973) was a designer and conservationist, who became well known for the gardens she created for wealthy clientele in the first half of the twentieth century. Known for her use of garden elements such stone walls, pergolas, stairs, parterres, pools and colonnades, she became a 'household name' in Australia by the 1940s. Many of her gardens remain around Australia, although most are in Victoria (Watts 2002).

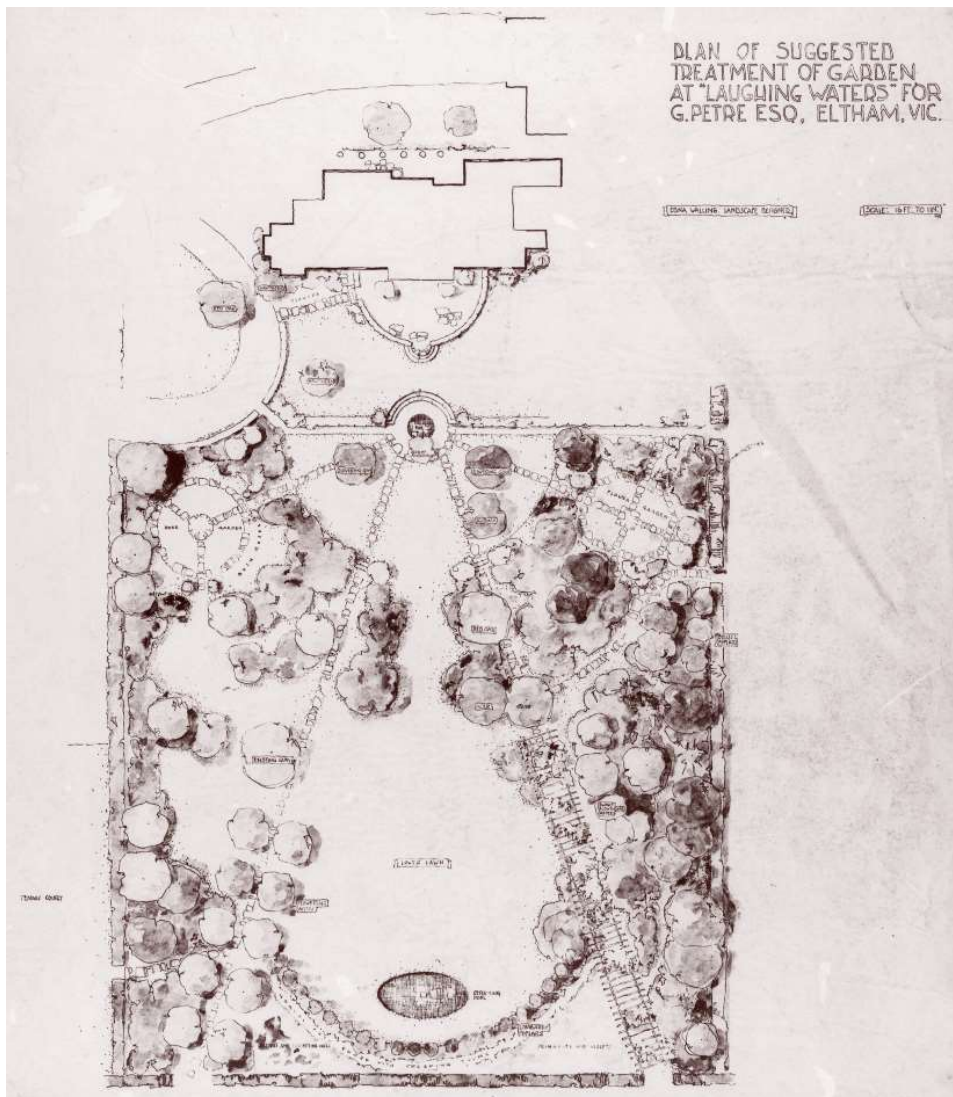


Figure 2: The garden plan prepared by Edna Walling for Laughing Water c1930s. Source: Walling c1930.

The house was purchased by Ken and Kath Guest c1941, following Petre's death. The Guests owned the house when a bushfire destroyed much of Laughing Waters Road in 1965, including the houses on the site (Woollard 2016:111, 118). In 1969, Kath Guest's daughter Susie and her husband Malcolm Hastie commissioned Alistair Knox to construct a new mudbrick house at the property, sited almost exactly where the former house had stood. When constructed, the Hastie family moved permanently to the house from Toorak (Woollard 1016:118). The landscape designer Gordon Ford was commissioned to undertake work on Walling's original garden, and his changes included making the pond larger and planting native trees.

The Hastie family remained at the house for almost four decades, until Parks Victoria acquired the property in 2006. In the same year, the house became a retreat for families



with children who were seriously ill or disabled. This program, known as 'Caitlin's Retreat', still operates at the site (Woollard 2016: 122-123).

Description & Integrity

220 Laughing Waters Road is a substantial, single-storey mudbrick house. The building is rectangular in form, on an east-west axis. The house is contained under one large, low-slung slate-clad gable roof. The central section of the southern gable plane extends over the ridgeline to accommodate a clerestory window.

The southern façade features a central recessed section. Substantial bluestone piers divide bays of windows in this recess (Figure 3). Timber framed windows and doors are evident across the building, as are stained timber fascia boards.



Figure 3: A view of the southern façade, showing the central recessed section with bluestone piers. Source: Tony Knox, Alistair Knox Foundation.

On the northern façade, timber rafters originally extended past the eave line to connect with timber posts to create an open trellis (Figure 4). These have since been removed and shortened to the eave line. This façade features rhythmically placed sets of French doors.



Figure 4: A view of the north east of the house. The original rafters extending to create the trellis on the north are still evident in this photo but have been removed. Note the clerestory windows. Source: Tony Knox, Alistair Knox Foundation.

Elements of Edna Walling's garden plan are still legible, including the general layout with splayed view lines radiating from the central round pond, with large pond located as a focal point at the end of the garden. These ponds still exist, along with stone walls, the tennis court, and possibly early tree planting (Figure 5).



Figure 5: An aerial of the site, showing elements of the garden that remain intact to Walling's plan (with later additions by Gordon Ford). These include the ponds (A&B) and tennis court (C).
Source: Google Maps.



Comparative Analysis

Although Postwar modernism had taken off across the suburbs of Melbourne, the Eltham and Warrandyte areas saw an alternative form of architectural experimentation. Mills and Westbrooke write that

the trend was characterised by an acceptance of the characteristics of the site, including the local bush, topography and geology and an attempt to blend and adapt to these conditions through building form and siting, choice of materials and landscape approach. The best-known spokesperson for this trend, Alistair Knox, gave it the label 'Australian environmental building' (Mills and Westbrooke 2016: 78)

The style that developed, often referred to as 'the Eltham Style' or 'the Warrandyte Rustic', was characterised by its use of honest, natural materials including mud bricks, local stone and expressed structural timber. Recycled materials were often utilised in construction (Mills and Westbrooke 2016: 78).

Alistair Knox was a prolific builder and designer who is widely associated with developing the style, and for his contribution to the built environment in the Shire of Nillumbik. Mills and Westbrooke further note that

inspired by his visits to Montsalvat in the early 1940s and, after the war, he studied building at the Melbourne Technical College. Knox's early work in Eltham falls into two main categories: simple rectilinear forms, which were the basis for most of his work up to the 1970s, and a first flush of complex exploratory designs ...

By the mid-1960s Knox had become something of an industry in his own right. A 1966 article indicates he had already built over one hundred houses since 1946. In this period he was increasingly mining a rich vein of high quality materials from the nineteenth century buildings then being demolished in the city. His Glover house in Eltham was built by Dutch immigrant builder Pieter Hellemons using recycled bricks and timber. The property was also graced with a 'natural rock and bush' garden design by Gordon Ford (Mills and Westbrooke 2016:79-80).

The subject site, designed by Alistair Knox, bears key characteristics of his work. Although Knox was a prolific builder and designer in the Shire, only a handful of examples of his work are represented on the Heritage Overlay. Comparative examples completed by Alistair Knox include:



The Periwinkle House, 54 Batman Road, Eltham (HO11)



The Pittard House, 430 Mount Pleasant Road, Research (HO139)



160 Henley Road, Kangaroo Ground (Recommended as individually significant in Nillumbik Shire Heritage Review Stage A, 2021).

The Periwinkle House at 54 Batman Road, Eltham, is a curved mudbrick house built in 1948 to a design by Alistair Knox. The house is significant as one of the first mudbrick houses constructed in Eltham, and the first curved wall house designed by Knox. The modest size is characteristic of Postwar development in the Shire.

The Pittard House at 430 Mount Pleasant Road, Research, is a substantial mudbrick home built between 1978-1979. The house features a large sweeping curved wall, and many recycled materials. The house is considered a good example of Knox's later work.

160 Henley Road, Kangaroo Ground, is a substantial mudbrick house built c1973 to a design by Alistair Knox. The house is dominated by a large, simple gable roof. An example of the 'Eltham Style', the house bears characteristics of Knox's work including exposed timbers and recycled bricks internally.

Like the comparative examples, the subject site demonstrates key characteristics of Alistair Knox's work including mudbrick walls and recycled materials. Although comparable to the Periwinkle House, the subject site is more aligned with the Pittard House and 160 Henley Road as substantial examples of Knox's work in the early 1970s. It appears that by this time, Knox was experimenting with large homes that had expansive internal volumes, evident at the subject site and these two homes. Similar to the house at 160 Henley Road, the house is also contained under a large gable roof. The house compares well as an example of Knox's mudbrick work from this era. The house is also distinguished by its historic landscape setting.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The house is historically significant for its layered development and associations with prominent designers. Originally an early weekend residence for wealthy families, the site has been occupied by a house since 1912. The site was later enhanced by a garden to Edna Walling's design, further demonstrating the wealth of the residents. Following its destruction by a bushfire in the 1960s, the house was replaced with a design by the notable Alistair Knox with garden additions by Gordon Ford. The street name is believed to be derived from the property.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The house is aesthetically significant as a good example of a substantial house built in the Shire during the 1970s. Built to a design by Alistair Knox, the house exhibits key characteristics of his work and the architecture being promulgated in the Shire at that time, including use of mudbrick and recycled materials. The garden setting, created by Edna Walling and reworked by Gordon Ford, greatly enhances the aesthetic significance of the place.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

Laughing Water at 220 Laughing Waters Road, Eltham, designed and constructed in 1969 by Alistair Knox for the Hastie family, is significant.

Elements that contribute to the significance of the place include:

- The original form of the house, with large gable roof
- The original materiality, including mudbrick walls and slate roof
- Key design elements, including recessed section to the south façade with bluestone piers and the clerestory windows
- The remnant garden layout created by Edna Walling
- Garden elements including the ponds, stone walls, and tennis court

How is it significant?

Laughing Water, 220 Laughing Waters Road, Eltham, is of historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

Laughing Water at 220 Laughing Waters Road, Eltham, is historically significant for its ability to demonstrate layered development, and for its associations with significant designers. The first Laughing Water house was originally built as a weekend residence, and continued to be used for that purpose in the following decades. Reflecting the wealth of those living at the site, a substantial garden was created to designs by Edna Walling. When the house was destroyed by fire in the 1960s, the substantial house that replaced it in 1969 was designed by Alistair Knox, who was one of the Shire's most prolific and prominent designers and builders. The new house utilised the existing Walling garden, with additions and changes made by the local Gordon Ford. The street name is believed to be derived from the property. (Criterion A)

Laughing Water at 220 Laughing Waters Road, Eltham, is aesthetically significant as a good example of a substantial house built in the Shire during the 1970s. Built to a design by Alistair Knox, the house exhibits key characteristics of his work and the architecture being promulgated in the Shire at that time, including use of mudbrick and recycled materials. Key details including the bluestone piers and clerestory windows contribute to its aesthetic qualities. The garden setting, created by Edna Walling and reworked by Gordon Ford, greatly enhances the aesthetic significance of the place. (Criterion E)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Trethowan



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Title: Souter House, 17 Koornong Crescent, North Warrandyte

Prepared by: Trethowan Architecture

Address: 17 Koornong Crescent, North Warrandyte

Name: Souter House	Survey Date: 20 January 2022
Place Type: House	Architect: Bruce George Souter and possibly P Packer or Douglas Shannon
Grading: Locally Significant	Builder: McAuley Brothers (stonemason)
Extent of Overlay: to the title boundary	Construction Date: c1953-57



Historical Context

Warrandyte was the site of the first registered goldfield in Victoria in 1851, when gold was discovered in Andersons Creek (now located within the Warrandyte State Park). It became established as a thriving small township, comprising mainly miners, orchardists and farmers (Warrandyte Historical Society, n.d). Around the beginning of the 20th century Warrandyte became a haven for artists, architects and sculptors. The undulating and verdant region caught the eye of Heidelberg School painters in the early 1900s. In 1908, artist Clara Southern, who was part of the School, took up residence in the Warrandyte township and formed an artistic community, which included artists Penleigh Boyd and Louis McCubbin (Warrandyte Historical Society, n.d). It was soon followed by a group of artists, craftspeople and design professionals, including sculptors Danila Vassilieff and Inge King, potters Reg Preston and Gus McLaren; furniture designer Fred Lowen, and architects Fritz Janeba and John Hipwell (Reeves & Snape, 2020). The area also attracted day trippers and holiday makers, who were allured by the tranquil river scenery and bushland surrounds. Its reputation for striking river scenery was further enhanced with the establishment of the Warrandyte State Park in 1975 (Warrandyte Historical Society, n.d).

During the postwar era, the bush landscape gradually punctuated by innovative, architect-designed dwellings. Their designers included Hipwell, Janeba, Marcus Barlow, Robin Boyd and John and Phyllis Murphy. Many of these houses, however, were destroyed in the 1962



bushfire. However, the incident also paved ways for a new wave of considered housing development in the ensuing decades (Reeves & Snape, 2020).

History

In 1887, Richard Cornwall Lee, a miner in Warrandyte, was granted 16-acres of land, forming part of Crown Allotment 24A, Section 4A of the Nillumbik Parish (CT: V2143F551). The land remained the property of Richard Lee and his family until 1937, when the land was purchased by Joseph Clive Nield, a school teacher (CT:V2143F551). With his wife Janet, Joseph Clive Nield (known as Clive Nield) established an alternative school on the site. The school opened in 1939 and contained buildings designed by architects including Fritz Janeba and Acheson Best Overend (Reeves, 2000). However, due to financial difficulty, the school was closed by c1946 (Victorian Collections, 2019). In 1949, the property was bought by real estate agent Albert Robertson, who subdivided the property into several small allotments and sold them to individual buyers in 1950 (CT: V2143F551). Most of the buildings were later destroyed in the 1962 bushfire.

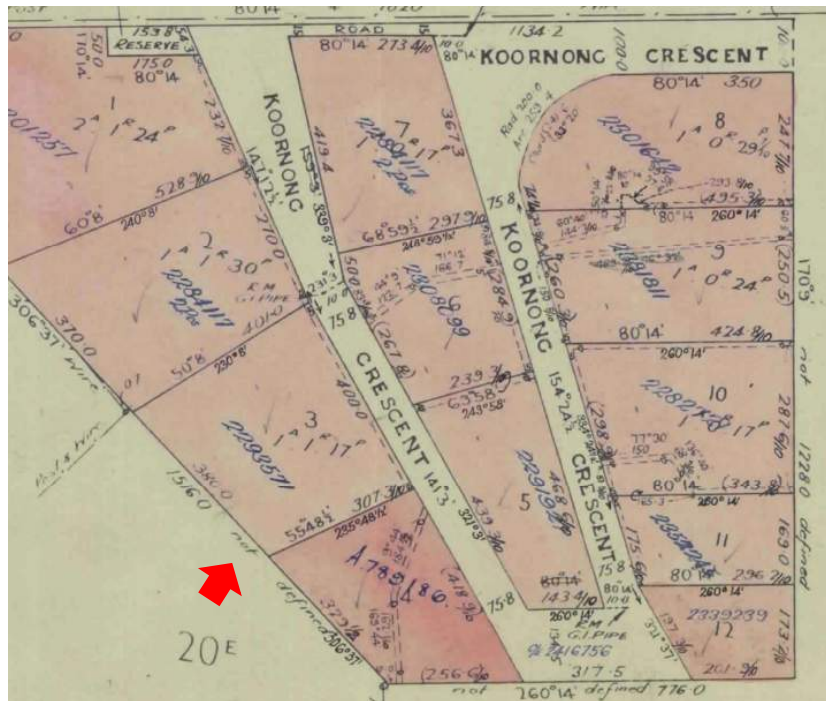


Figure 1: Extract from Certificate of Title F2143F551 showing the subdivision of the former Koonong School site in 1950. The subject site is indicated with a red arrow. Yarra River is located on the right. Source: Land Victoria.

In 1950, Lot 3 of the subdivision, which was to become 17 Koonong Crescent, was purchased by George Bruce Souter (aka Bruce Souter), a former army officer (NAA: B883: Army, 2nd AI F) and engineer from Adelaide (CT:V7740F131). He bought the property with the intention to build a family home for him and his wife, Leila Margaret (known locally as Lee Souter). At the time of purchase, Lot 3 was reportedly to be the only vacant block that contained no structure of Koonong School (Lee Souter, 2010).

The house was constructed within Lot 3 in c1953-57, using stones quarried from Lilydale (Souter, 2010) According to a 2010 interview with Lee Souter (c1910-2010), in essence, the concept of the residence was developed by Bruce Souter, but he sought assistance of an architect named P Packer to realise the project (Souter, 2010). As no further information



of Packer is available, it remains unclear whether he had in fact involved in the design of the Souter residence and whether he designed any other buildings in Nillumbik Shire or across Victoria. According to the Warrandyte Historical Society, another possible architect was Douglas (Doug) Carmelo Shannon. Shannon, who had also served in the Australian Imperial Army during WWII (NAA: B883: VX102752), was a resident at Kangaroo Road and purportedly an acquaintance of Bruce Souter (Warrandyte Historical Society, pers. comm 25 March 2022). Similarly, no documentary evidence has been retrieved to verify Shannon's involvement with the Souter residence.

The original house comprised a linear plan with a slight bend at the centre, as to mimic the shape of a boomerang (Souter, 2010). The north and south elevations feature window walls, comprising prominent timber mullions. The residence escaped the 1962 bushfire, which destroyed many buildings in Warrandyte and surrounding areas. The Souters also constructed a swimming pool to the southwest of the house. In 1972, the Souters made further alterations and additions to the house to suit their living requirements. These included the conversion of an eastern garage to a bedroom. The roof form was also extended further eastward to create a carport. Further extension was added on the south to create more internal space.



Figure 2: Aerial photo dates 1971 shows the original footprint of 17 Koornong Crescent. The swimming pool (indicated with an arrow) is visible (indicated with a blue arrow). Source: Landata



Figure 3: The 1970s addition and alteration saw the conversion of a former garage into an additional room (indicated with red). The work also involved the creation of an additional carport (indicated with yellow). Source: Trethowan Architecture, 2022.

After Bruce's death in c 2000s, Leila Margaret continued to live in the house until her death in 2010.

Description & Integrity

The subject site is located on the west of the west branch road of Koornong Crescent. The property is a sizeable block that slopes downhill on the southwest. The site has no fence is marked by mature trees and vegetation.



Figure 4: Aerial view shows the subject site at 17 Koornong Crescent. Source: VicPlan 2022.

The subject site comprises a single-storey brick and timber residence constructed in c1956. On the south, the residence is supported by stone foundation, which elevates the house to the street level on its north (front) elevation. The residence comprises a



predominantly linear plan, with a slight offset at the centre, on a east-west axis. It comprises a flat-roof form with corrugated iron cladding. Its wide eaves extend forward on the west and south elevations to create a covered deck area. The north elevation features vertical timber wall cladding, dominated by two large set of window and door openings, with fanlights, at the centre. The window openings are marked by large expanse of glazing and prominent timber mullions. To their east, a former garage was converted to an additional bedroom, which is dominated by a pair of large windows with fanlight, similar to the design of the existing. To their west, three rectangular timber-framed window openings punctuate along the upper section of the wall. The windowed walls dominate both the west and south elevations.

On the east, the elevation is featured by rubble stone wall. The south section of the wall is a c1970s extension, constructed with the same rubble stones by the same stonemason. As part of the c1970s work, the flat roof form is extended further southward to create an additional carport. To its west, the residence comprises a c1970s brick extension, overpainted dark brown. To its east, the roof form is extended forward to create an additional carport.



Figure 5: Image shows the north and west elevation of the residence. Source: Trethowan Architecture, 2022.



Figure 6: The windowed walls of the south and west elevations. Source: Trethowan Architecture, 2022.



Figure 7: The east elevation of the residence. The south (left) section of the wall is a c1970s extension. Source: Trethowan Architecture, 2022.



Figure 8: The brick extension (left) and the additional carport (right) located on the southeast of the residence. Source: Trethowan Architecture, 2022.

To the southwest of the residence is the location of a c1960s swimming pool. A brick bunker is located on the east end of the swimming pool.



Figure 9: The c1960s swimming pool located on the southwest of the property. Source: Trethowan Architecture, 2022.



Figure 10: the bunker located to the east end of the pool. Source: Trethowan Architecture, 2022.

Comparative Analysis

International Style began to make a worldwide impact after World War II, prompting a unified building style worldwide. Despite this, the International Style also began to develop some recognisable regional variations. In Australia, almost every capital city had developed its own style, which were based on the interpretation of modern architecture of architects in the respective cities and states.

The concept of a Melbourne Regional Style emerged in 1947 in Robin Boyd's publication *Victorian Modern*. Architects worked in the style campaigned for the simple elegance offered by the International Style, while developing a regional architectural language that could be easily understood by the average citizens. Melbourne-Regional-Style houses were mostly residential and located in Melbourne's outer suburbs or in the bush (Apperley et al, 1989:218), such as in Warrandyte and Eltham. The reason for this maybe that the young architects had difficulty understanding Melbourne's urban environment in the aftermath of WWII and chose these areas to express their architectural ideas (Goad, 1992:2/30). The houses were typically narrow, linear, single-storey dwelling with a low pitched gable roof, exposed rafters and wide eaves. Walls were generally bagged or painted brick and contain large areas of glass with regularly spaced timber mullions.

As the 1950s progressed, larger, more expensive versions of the style began to appear in the more affluent suburbs in Melbourne and the flat-roof house with the wide, overhanging eaves became more acceptable.

In Shire of Nillumbik, several houses have been constructed with similar style during the 1960s. Comparable examples include:

Comparable examples include:

Nichol House (HO 103) at 49 Kangaroo Ground-Warrandyte Road North Warrandyte

The house, built in 1949, is historically and architecturally significant as one of six notable houses in the Warrandyte-Eltham area designed by the prominent architect Robin Boyd between the 1940s and 1960s. It is a rare, early and notable example of Australian Modernist domestic architecture. It is also a relatively early example of Boyd's work (Criteria B, F & H). The house is historically significant for its association with the active artistic community of the Eltham-Warrandyte area (Criterion H). The house features a linear plan and windowed walls, featuring dominant window openings with prominent timber mullions, vertical timber cladding and stone chimney. The built form shares similar design approach, material and colour choice with 17 Koornong Crescent, confirming a strong influence of Melbourne Regional Style initiated by Boyd.



Figure 11:: front elevation of Nicol House, featuring prominent rectangular window forms and vertical timber cladding. Source: Realestate.com.au, c2010s.



Figure 12: The windowed wall of Nichol House. Note the similar approach to window design shared by 17 Koornong Crescent. Source: realestate.com.au, c2010s.

Handfield Residence(HO83) at 16 Homestead Road, Eltham

The house, constructed in 1960, is another architecturally significant residence designed by Robin Boyd after he returned from lecturing tours in Japan. The house is noted for its incorporation of traditional Japanese design and features modular wall arrangements, solid and glazed panels and sliding exterior doors and because the courtyard planning, floor to ceiling glass walls and the combination of single and double storey sections on the steep site illustrate quite advanced dwelling design for the time. Despite its Japanese influence, the characteristics of Internationalism and Melbourne Regional Style remain clearly legible.



Figure 13. Image dated c1992 shows the double-storey elevation of Handfield Residence. Source: Nillumbik Shire Heritage Study, 1992.



Figure 14. The courtyard setting of the Handfield Residence in c1998. Note the glazed panels that clad the entire elevation. Source: realestateview.com.au.



Wright House (HO105) at 84 Kangaroo Ground- Warrandyte Road, North Warrandyte
The house, constructed in 1964, is another Robin Boyd design in the Shire of Nillumbik (Criteria B, D, F & H). It serves as a notable example of Australian Modernist domestic architecture. The house is set on two levels and featured exposed oregon beams and bagged and painted surfaces evoking the Eltham mud-brick era (Criterion F). It comprises the simple, rectangular plan and built form, windowed wall featuring large windows with timber mullions, and wide projecting eaves. The design approach and material choice are similar to *Nichol House* (HO103) and 17 Koornong Crescent. This example has once again highlighted the strong influence of Melbourne Regional Style on the design of 17 Koornong Crescent.



Figure 15: Wright House at 84 Kangaroo-Warrandyte Road. Note the rectangular built form and windowed walls. Source: Nillumbik Shire Heritage Study, 1997.



Figure 16: Wright House in c2012. Source: domain.com.au, 2012.

'Tarrangower', 30 Koornong Crescent, Warrandyte North (Recommended for an HO)

The c1965 house, which is located just to the south of the subject site, is a comparative example in terms of its historical and architectural/ aesthetic significance at a local level. Historically, the house is associated with discharged army officers who were seeking to establish a new life in the Shire of Nillumbik after their military experience. Designed by Albert William Ross, a former employee of Grounds Boyd and Romberg, 'Tarrangower' is aesthetically significant as a piece of residential architecture that perpetuates the Melbourne Regional Style within the Shire of Nillumbik. Similar to the subject site, 'Tarrangower' is a purposefully-built residence to the former servicemen that chose to settle in Warrandyte North and is therefore socially significant to the Shire of Nillumbik. .



Figure 17: 'Tarrangower' located at 30 Koornong Crescent, which demonstrates the influence of Melbourne Regional Style. Source: Dianna Snape, 2020.



The comparative analysis indicates 17 Koornong Crescent is a 1950s example of Melbourne Regional Style. Comparison with residences of a similar period and style indicates that the house has been influenced by the Style and in particular, by the design of Robin Boyd. While the identity of the architect cannot be established, the residence is aesthetically, historically and socially significant as a purposefully-built Melbourne Regional Style residence for a former serviceman and his family, who chose to settle in the Shire of Nillumbik during the postwar era.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The house at 17 Koornong Crescent is a good example of an early residence that marks the beginning of the postwar residential development in the former Koornong School site in the 1950s. It is one of the early residences constructed in the Melbourne Regional Style, which was a prominent feature of the post-war housing style in the Shire of Nillumbik. The residence, constructed by local stonemasons, was a bespoke designed home for a former serviceman and his family that chose to settle in the Shire of Nillumbik after the Second World War. As such, the residence demonstrates the changing requirements and style of residential development in the area in the post-war period as new, non-farming residents and ex servicemen and their families moved into this area.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity). N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential). N/A

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

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

17 Koornong Crescent is of aesthetic and architectural significance to the Shire of Nillumbik as an early example of a home designed for its bushland setting and location, influenced by the Melbourne Regional Style. The house demonstrates characteristic features such as the flat roof, broad eaves, window walls, incorporation of timber cladding and rockwork, and the particular plan elongated to follow the curve of the terrain.

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

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). N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance). N/A

Statement of Significance



What is significant?

The residence and its landscaped setting.

How is it significant?

17 Koornong Crescent is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

17 Koornong Crescent is historically significant as an example of a residence that marks the early phase of the postwar residential development in the Shire, in this case around the former Koornong School site in the 1950s and chosen by a war veteran for their home. The house demonstrates the change in living requirements and lifestyle that differed from the previous pre-war farming communities in the Nillumbik Shire. (Criterion A)

The residence is of aesthetic significance to the Nillumbik Shire as an example of a local residence displaying the early influence of the Melbourne Regional Style. The house demonstrates characteristic features such as the flat roof, broad eaves, window walls, incorporation of timber cladding and rockwork, and the particular plan elongated to sit the curve of the terrain. (Criterion E).

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Trethowan Architecture



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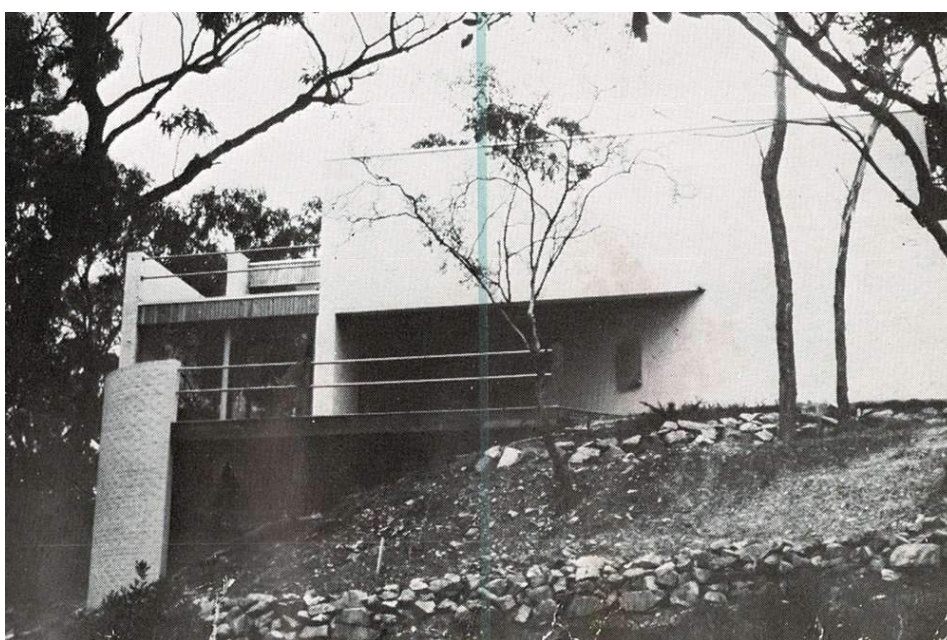
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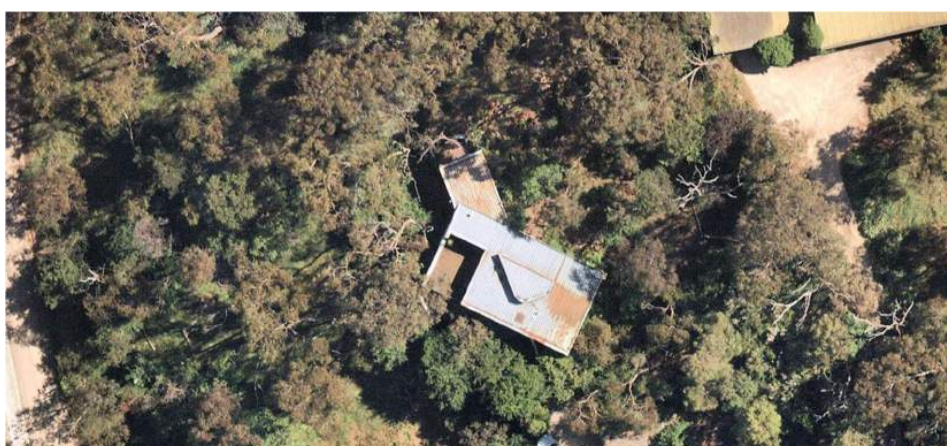
Title: Zadnic House, 7 Banoon Road Eltham
Identified by: Peter Mills and Samantha Westbrooke
Prepared by: Trethowan Architecture

Address: 7 Banoon Road Eltham

Name: Zadnic House	Survey Date: NA
Place Type: House	Architect: Ken Robinson
Grading: Locally significant	Builder: G Stewart
Extent of Overlay: Property boundaries	Construction Date: 1975



The house at 7 Banoon Road in c.1976. Source: Day 1976 p.185.



Contemporary aerial of house at 7 Banoon Road Eltham. Image source: Nearmap 2021.



Historical Context

The following history is extracted from 'War Memorial Building Complex, 903-907 Main Road' Eltham, draft citation, prepared for Nillumbik Shire Council by Context Pty Ltd in 2020.

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeriwillam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A plan for fifty allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of the Diamond Creek and the Yarra River, was laid out an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. This area is known today as Eltham South. Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). The township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonian Diggings, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two hotels, a brewery and tannery on Diamond Creek. Several public buildings and institutions, including a police station, Wesleyan chapel, a Church of England School and a National School, were established in the 1850s -70s (Context, 2020:1).

Between the 1860s and the 1880s, Eltham supplied food and produce for the gold-mining communities of the Caledonian Diggings at Queenstown (St Andrews) and Panton Hill. It also became a stopping place on route to the Woods Point diggings. Eltham's population grew in response. In 1871, the town's population was 165 and by 1881 this had increased to 388 (Victorian Places 2015). Several large properties surrounding the township had absentee owners, who subdivided their properties into smaller farms either for lease or sale. The smaller properties, especially in the Little Eltham township, were run by farmers who often made a modest living as wage labourers. Like many later Eltham residents, they were attracted by cheap land and the country life (Butler 1996:33).

The railway was extended to Eltham opened in 1902, which brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne as well as to attractive countryside with farms and uncleared stringybark forest (Victorian Places 2015). The attractive bush scenery attracted artists, writers and nature-lovers. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. Artist Justus Jorgensen established the notable Montsalvat artist's colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mud brick construction in the area. Several local architects and designers, including Alistair Knox, specialised in mud brick housing in the postwar period (Victorian Places 2015). Others who have been inspired by Eltham and have made the region their home include landscape architect Edna Walling, authors Alan Marshall and Carolyn Van Langenberg, artists Clifton Pugh and Danila Vassilieff; composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actress Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).



Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased from 927 in 1933, to 1278 in 1947, to 7177 in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (Victorian Places 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment and the preference for bush gardens, especially after the 1970s. The Eltham Library, designed by architect Greg Burgess, was constructed in mud brick and recycled timbers and received the RAlA Institutional Architecture Award in 1995 (Bartolomei 2008).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

Ken Robinson - Architect

Born in 1944 in East Melbourne, Ken Robinson grew up in Alphington and began Architecture at the University of Melbourne in 1962, studying under Brian Lewis. He describes the School of Architecture as 'a wonderful experience - colourful and exciting, a whole new world of art and interaction with interesting people' (pers.comm.). After graduating in 1967 he completed an internship with Peter McIntyre and was involved with the design of some of McIntyre's earlier 'Modern Houses'.

Robinson became a sole practitioner in 1968, collaborating with other enthusiastic recent graduates of the University of Melbourne School of Architecture. He worked closely with Dennis Carter and together they started Robinson Carter Architects in South Melbourne.

It was during this time Robinson was approached by Alex and Megan Zadnic, who commissioned the house at 7 Banoon Road Eltham. The design was partially a product of Robinson's interest in the Art Deco period, utilising curves, 45 degree angles, flat rooms and pitched ceilings.

In the mid 1970s, Ken Robinson left Robinson Carter Architects to pursue a heritage reconstruction project near Kyneton Victoria, immersing himself in working with brick, stone and slate. During this time he continued work as a sole practitioner, designing the Cave house at Wye River, and Brocklebank at Kyneton, both in Victoria.

In the early 1980s he moved to the Noosa hinterland in Queensland, where he designed buildings to suit the subtropical environment, utilising lightweight materials such as metal and timber. In 1990 his Spargo House in Noosa was awarded an HIA Queensland award for House of the Year.

History

On 19 January 1966 Donald Finlay Fergusson Thomson of Worlingworth, Eltham South (Anthropologist) became the first owner of Lot 1, Plan of Subdivision 71415, Parish of Nillumbik, County of Evelyn (the subject site). He died on 12 May 1970 and the property was inherited by Dorita Maria Thomson, widow, with probate granted 1 October 1971. The land was purchased by Alexander Zadnic (Engineer) and Dorothea Megan Zadnic (married woman) of 10 Cypress Avenue Lower Templestowe on 28 July 1972. Dorothea became sole proprietor on 4 December 1992.

The house was commissioned by the Zadnics to be designed by architect Ken Robinson and was the Age-RAIA House of the Week on 9 June 1975 (p.8).



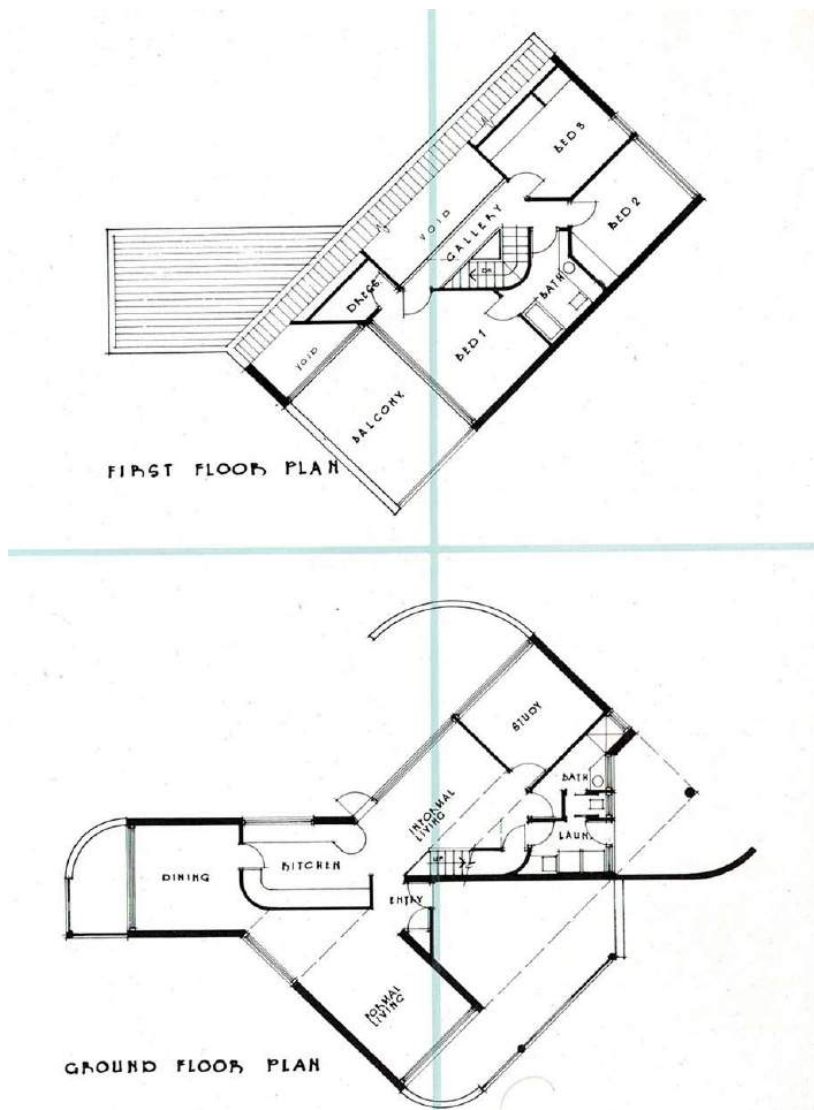
Source: Age, 9 June 1975 p.8.

Description & Integrity

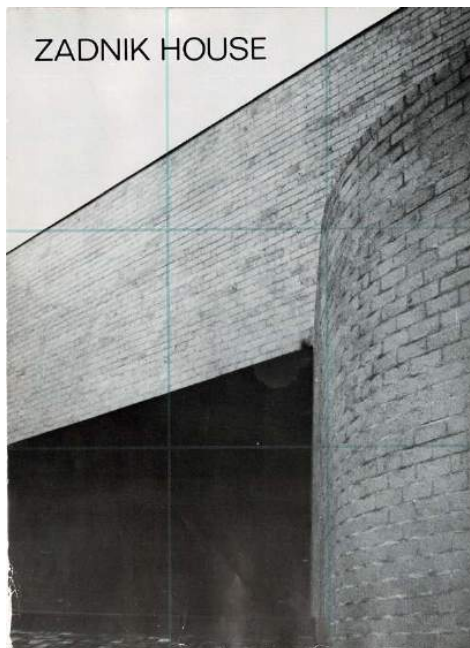
The house is set on a sloping, treed corner site of approximately 4400sqm. The building is of masonry construction with an exterior of bagged and painted brick, a metal roof, and timber window frames, decks and floors. Double tubular metal rails run horizontally beside balconies and decks. The form of the house is of simple rectangular shapes, over two distinct levels, and features curving brick arms at ground level.

In contrast to the earthy 'Eltham Style' of the 60s and 70s which express the bush environment through their materials such as mud brick, handmade brick, reclaimed and new timber, the materials of this house stand apart from their natural bushland setting:

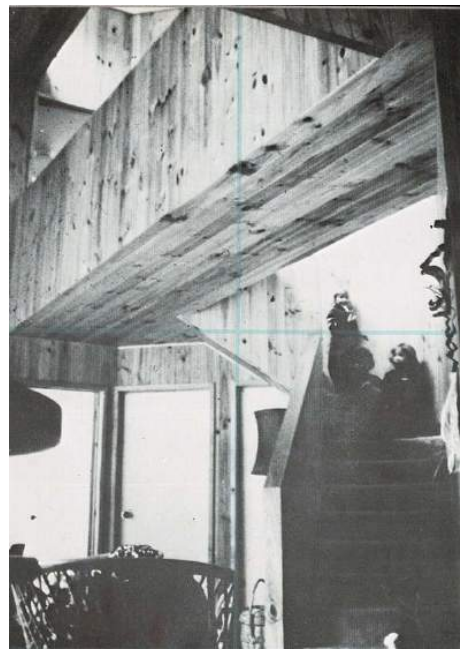
The clean white geometrical form of Ken Robinson's Zadnik house, located on a steeply sloping wooded site in Banoon Road, Eltham, was similarly intended to stand out 'in contrast to the rugged terrain'. The walls were of painted bagged brick and the roof of metal deck. (Mills and Westbrooke 2016 p.90)



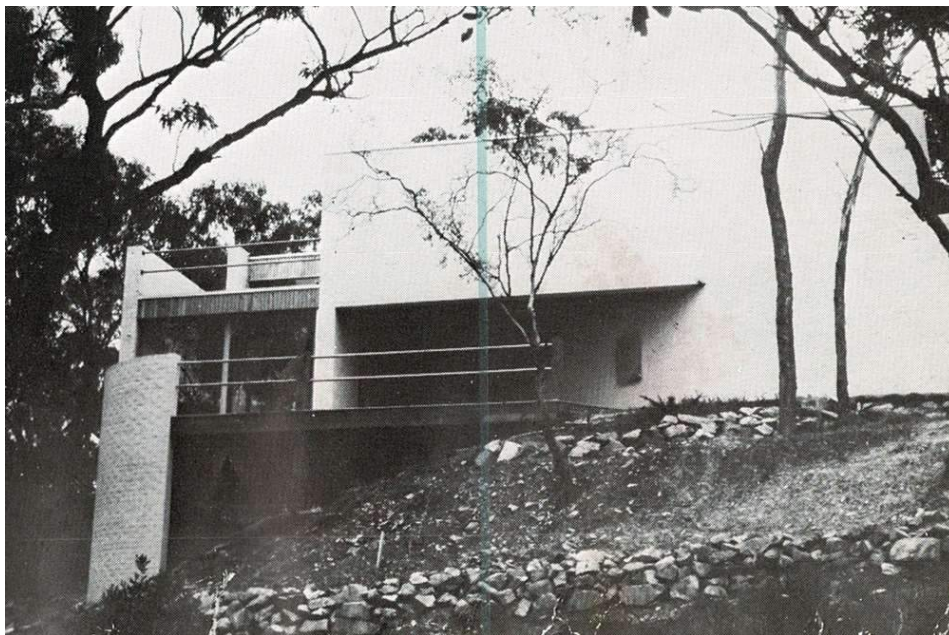
First Floor and Ground Floor plans. Image source: Day 1976 p.185.



Exterior showing bagged brick walls.
Image source: Day 1976 p.184.



Timber lined interior.
Image source: Day 1976 p.186.



The house at 7 Banoon Road in c.1976. Source: Day 1976 p.185.



Comparative Analysis

The Zadnic house moves away from the 'Eltham Style' of timber and mud brick, and neither does it follow the complex, detailed timber-rich forms of Ken Borland which step in stages down their sloping bushland sites. The house stands apart from its setting, bright and bold, and is stylistically unique for the period in this municipality. Robinson noted his interest at this point was in art deco architecture of the 1930s which is evident in the curving brick 'arms' and horizontal tubular rails, but the incorporation of other ideas particular to the time of the house's design such as the 45 degree angles on sections of roof with near flat roof elsewhere, sheer walls, voids, clerestory windows, floor to ceiling glazing, and interior timber lining is apparent, and these combine to produce an innovative and unusual building.

Other houses of the period notable for their unique design include the following:

- Richards House, 80 Dodd Street St Andrews - HO194
- Eltham South Preschool, 35 Fordhams Road Eltham - HO202
- 17 Haldane Road Eltham - Proposed for HO
- 16 Warringah Crescent Eltham - Proposed for HO



Richards House, 80 Dodd Street St Andrews - HO194



Eltham South Preschool, 35 Fordhams Road Eltham - HO202



17 Haldane Road Eltham - Proposed for HO.



14-16 Warringah Crescent Eltham – Proposed for HO.

The Richards House at 80 Dodd Street St Andrews (HO194) was one of a group of often irregularly shaped houses in the area built on sloping sites in the 1970s and 1980s, with angled walls and roof forms, a multiple levels.



The Eltham South Preschool, 35 Fordhams Road Eltham (HO202) was designed by architect Charles Duncan in c.1970s. The form of this building is noticeably unusual amongst 'Eltham Style' buildings of the time, with triangular floor plan.

The house at 17 Haldane Road Eltham – (Proposed for HO) is located immediately to the north of the subject site, this house was designed by Kevin Borland won the RAIA Victoria House of the Year award in 1974, and also adopts an unusual range of interlocking forms and irregular plan.

The house at 14-16 Warringah Crescent Eltham (Proposed for HO) is a concrete block and timber house designed by architect Peter Carmichael of Cocks Carmichael, built in c. 1975.

Ken Robinson's house at 7 Banoon Road compares favourably to these examples in terms of its architectural distinction, using an unusual plan and combination of forms that rise from the landscape, quite different to the more integrative approach of the 'Eltham Style'. In this respect it is most comparable to 14-16 Warringah Crescent, also built around the same time. The combination of Art Deco forms with more Modernist design, combining an angle plan with attached drum form, is distinctive, and the emphasis on sheer walls and expressed materiality tends towards a more Brutalist style.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The house at 7 Banoon Road is of aesthetic significance to the Shire of Nillumbik. Designed by architect Ken Robinson and recipient of an Age-RAIA house of the Week award in 1975, it was distinctive and notable for the time, exhibiting a new scheme for contemporary architecture in a bush setting which remains unique today. The body of the house is based around a rectangle with a protruding wing, and features bagged brick walls with curving 'arms', horizontal tubular rails, 45 degree angles on parts of the roof and near horizontal on others, sheer walls, voids, clerestory windows and floor to ceiling glazing. The combination of Art Deco forms with more Modernist design, combining an angle plan with attached drum form, is distinctive in Nillumbik, and the emphasis on sheer walls and expressed materiality using brick rather than concrete tends towards a more Brutalist style and a very different architectural approach to what was more popular at the time.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The house at 7 Banoon Road Eltham is significant.

How is it significant?

The house is aesthetically significant to the Shire of Nillumbik.

Why is it significant?

The house is aesthetically significant as a unique example of late 20th century architectural design in a bush setting, departing from both Modernist and 'Eltham Style' idioms towards a more Brutalist style. The two storey house is based around a rectangle with a protruding wing, and is bright against its surrounds rather than blending with them. The house displays features such as bagged brick walls with curved protruding 'arms', horizontal tubular rails, flat and 45 degree roof planes, sheer walls, voids, clerestory windows and floor to ceiling glazing. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.



Recommended extent for subject site. Image source: Nearmap 2021.

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

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



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

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Title: Former Nichols House, 17 Haldane Road Eltham
Identified by: Context PL
Prepared by: Trethowan Architecture

Address: 17 Haldane Road Eltham

Name: Former Nichols House	Survey Date: 11 March 2022
Place Type: House	Architect: Kevin Borland
Grading: Significant	Builder: J and LM Leaford
Extent of Overlay: Property boundaries	Construction Date: 1973



North facade and carport, 17 Haldane Road Eltham. Source: Trethowan Architecture 2022

Historical Context

The following history is extracted from 'War Memorial Building Complex, 903-907 Main Road' Eltham, draft citation, prepared for Nillumbik Shire Council by Context Pty Ltd in 2020.

Eltham, situated in hilly country northeast of Melbourne, is located on the country of the Wurundjeriwillam clan of the Woi wurrung, one of the five tribes of the Kulin Nation. A plan for fifty allotments in the Township of Eltham, Parish of Nillumbik, was announced in 1848, with the name officially gazetted in 1851. The township, near the junction of the Diamond Creek and the Yarra River, was laid out an area bounded by Baxter Street, Diamond Creek, Dalton Street and Bolton Street. This area is known today as Eltham South. Present-day Eltham, however, was not established on the township reserve, where land proved difficult to sell. Instead, the town grew from allotments in Section IV of the Parish of Nillumbik located on Main Road, to the north of Dalton Street and the township reserve (Butler 1996:32). The township grew during the 1850s around a cluster of buildings at the corner of Pitt Street and Main Road within the Little Eltham subdivision. Located on the road to the Caledonian Diggings, this small township became a service centre for the surrounding mining areas, and by 1854 supported a population of 282. In this period Eltham had two



hotels, a brewery and tannery on Diamond Creek. Several public buildings and institutions, including a police station, Wesleyan chapel, a Church of England School and a National School, were established in the 1850s -70s (Context, 2020:1).

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The railway was extended to Eltham opened in 1902, which brought excursionists from Melbourne, many of whom picked wattle during the flowering season, and focused development of the Eltham township around the railway station. Eltham was a picturesque village with the advantage of its proximity to metropolitan Melbourne as well as to attractive countryside with farms and uncleared stringybark forest (Victorian Places 2015). The attractive bush scenery attracted artists, writers and nature-lovers. The landscape painter Walter Withers (1854-1914) moved to Eltham in 1902 when the railway opened; other artists, including members of the Heidelberg School, painted in the area in the open air. Clara Southern and May Vale, landscape painters and students of Frederick McCubbin, settled in the region. Vale resided at Diamond Creek and Southern at Warrandyte (Bartolomei 2008). The war artist Will Longstaff also lived in Eltham for a period. Artist Justus Jorgensen established the notable Montsalvat artist's colony buildings, on land he purchased in 1934. Seeking a closer engagement with the natural environment, the establishment of Montsalvat, with its adobe and rammed earth buildings, influenced future mud brick construction in the area. Several local architects and designers, including Alistair Knox, specialised in mud brick housing in the postwar period (Victorian Places 2015). Others who have been inspired by Eltham and have made the region their home include landscape architect Edna Walling, authors Alan Marshall and Carolyn Van Langenberg, artists Clifton Pugh and Danila Vassilieff, composers and musicians Graeme and Roger Bell; jewellers and sculptors Michael Wilson, Simon Icarus Baigent and Matcham Skipper; writer CB Christensen; poet Chris Wallace-Crabbe; and actress Kerry Armstrong (Bartolomei 2008; Pierce 1987:354).

Eltham experienced significant postwar development with a number of residential estates subdivided and put up for sale. The population of the town increased from 927 in 1933, to 1278 in 1947, to 7177 in 1971. As a result, Eltham High School opened in 1950 and the Catholic Ladies College was relocated to Eltham in 1971 (Victorian Places 2015). The Eltham War Memorial Trust Baby Health Centre opened in 1951. New shire offices opened in 1965, and Eltham College commenced classes in 1974 (Eltham District Historical Society 2000:np).

A distinctive style in local building emerged in Eltham in the postwar period, with a strong use of natural materials, low form structures, and an integration with the natural environment and the preference for bush gardens, especially after the 1970s. The Eltham Library, designed by architect Greg Burgess, was constructed in mud brick and recycled timbers and received the RIAA Institutional Architecture Award in 1995 (Bartolomei 2008).

A group of young Modernist architects, later described by Robin Boyd as the Melbourne Moderns, made a small but significant contribution to the experimental activity occurring in the Nillumbik area and in adjoining suburbs such as Warrandyte and Lower Plenty. The greatest concentration of their work was along the Kangaroo Ground-Warrandyte Road in North Warrandyte. Apperly et al. would later describe their style as 'Post-war Melbourne



Regional' (Apperly, Irving & Reynolds 1995, p. 220–1). The Melbourne Moderns experimented with unusual structural systems and materials including steel frames, concrete block and strawboard panels (Heritage Alliance 2008, p. 22).). Robin Boyd designed a house in North Warrandyte for artists Doris and Ken Nichol (1949–50) (HO103). This is one of Boyd's earliest surviving works; it is also an example of his penchant for the structural expression of timber, most visible here in the sloping timber-framed window walls. The young architect, Kevin Borland's Rice house in Eltham (HO254) built for Harrie and Lorna Rice, was another clear example of the structuralist bent in the Nillumbik area (Nillumbik Thematic Environmental History 2016:77).

The Shire of Eltham became part of the Shire of Nillumbik in 1994, with a small area becoming part of the City of Banyule.

Architect: Kevin Borland (1926-2000)

A brief history has been extracted from 'Kevin Borland' in *Encyclopedia of Australian Architecture* (Evans 2012) and *Kevin Borland: Architecture from the heart* (Evans, Borland & Hamann 2006).

Employed by architect Best Overend in his youth, Borland studied at the Melbourne Technical College before he commenced architecture at the University of Melbourne in 1944. Enlisting during the war, he finished studies in 1951 with honours and with a Diploma in Town and Regional Planning. Immediately following university, he along with Peter McIntyre rented the basement of Mockridge, Stahle and Mitchell's office, while working with Robin Boyd and Neil Clerehan at the RVIA Small Homes Service. In 1952, they combined with John and Phyllis Murphy and engineer Bill Irwin to put forward the winning design for the Olympic Swimming Stadium (VHR H1977).

At the same time, he was undertaking his first residential commission for the Rice family at Eltham, using the experimental Ctesiphon construction system of intersecting catenary concrete arches (VHR H0123). This period also saw the construction of the Klepner House (1955), the Stein House (1956) and the Mollar House (1959), as well as Borland commencing teaching in 1955, a career that would last three decades and influence generations of architects in Melbourne.

In 1962, Borland also began his relationship with the Preshil School in Kew (VHR H0072), with the following decade producing a number of commissions including the octagonal hall (Kevin Borland Hall, 1962), classrooms ('treehouse', 1964) and home rooms (1972).

In conjunction with Daryl Jackson, he designed the seminal Brutalist building, the Harold Holt Swim Centre, in Malvern, in 1968-69 (VHR H0069). It was also in 1969-1970 that he would design the rugged timber Paton House, a project that was to influence his future output strongly, and win house of the year in 1972 (RAIA Victorian Chapter). Subsequent designs in this geometric style included the Nichols house in Eltham (1973), the Crossman flats at Launching Place (1973), the Colvin house in Warrandyte (1974), the McCaughey house in Tallarook (1975), and the Marshall house in Somers (1975).

In 1973, he founded the Architects Group, as a means to accommodate large projects into his growing practice and invited architects Max May, Osric Spence and Philip Cohen to the firm, with the venture lasting until 1977 and completing 'New Gordon House' in 1974-76 and the Clyde Cameron College in Wodonga in 1975-77 (VHR H2192).

During a time when industry awards weren't as widespread as today, Borland's designs won 11 awards and citations from the Royal Australian Institute of Architects Victorian Chapter, and his lasting impact to Victoria is acknowledged further with the recognition of five projects on the State Heritage Register.



History

On 19 January 1966 Donald Finlay Fergusson Thomson of Worlingworth, Eltham South (Anthropologist) became the first owner of Lot 4, Plan of Subdivision 71415, Parish of Nillumbik, County of Evelyn (the subject site). He died on 12 May 1970 and the property was inherited by Dorita Maria Thomson, widow, with probate granted 1 October 1971. On 14 February 1972 Roy Bruce Nichols, (Company Director) and Jennifer Ann Nichols (married woman) both of 19 Silverdale Road Ivanhoe, became joint proprietors and later commissioned the house to be designed by Kevin Borland. The house won the Age-RAIA House of the Year Award jointly with Max May's Rattle house at Harkaway. Hard landscaping was by landscape designer Gordon Ford (pers.comm).

Ronald and Jennifer Gowan bought the property on 31 October 1996 and are the current owners.



RAIA award plaque, front entry hall. Source: Trethowan Architecture 2022.

Below: Age announcement of the winning designs. Source: Age, 17 October 1974.



Description & Integrity

The subject site of some 5700sqm of sloping land is located down Haldane Road, a single track unsealed road. The house is centrally placed, set in bushland and not visible from the street. The unsealed driveway leads to the lower end of the house incorporating the carport, workshop and habitable levels above, with the rest of the house stepping up the hill toward the east. The house is a complex form which cascades down the hill, incorporating varied elements extending over four levels plus a mezzanine. It incorporates sections of butterfly roof and other angular, pitched roof sections in corrugated and standing seam metal; recessed and projecting walls; highlight windows, floor to ceiling windows; and deck and pergola areas. Eaves and verandahs are used intermittently with sheer walls.

External walls are of large, tinted modular concrete bricks (possibly Besser 'Beslite') with matching mortar; and also of timber. Timber walls are horizontal shiplap, with window frames also in timber. Exterior timber is painted.

The main butterfly roof, positioned to the east, features a protruding stormwater channel draining to a concrete cylinder on the terrace below, beside the formal entry.

Intersections in brickwork on the front steps and the southwest corner employ a distinctive interlocking pattern which repeats inside the building. The southwest corner also exhibits two dramatic sections of corbelled brickwork.

Evidence of the designed hard landscaping by Gordon Ford exists, comprising naturalistic positioning of large boulders and reclaimed bridge timbers as steps and paths. Other



paving such as in the carport and outside the formal entry is of standard size, possibly secondhand or rolled cream brick. The steps from the carport to the everyday entry are of smooth, rectangular terracotta tiles, a material which repeats in the interior of the house.

The house is in its second ownership since being designed and built for the Nichols family in 1973. The first owners added the tennis court extension and pergola at the northeast in the mid 1980s (pers.comm.). The current owners bought the property in 1995 and have undertaken some alterations to the exterior including extending the carport deck by approximately 1m in the early 2000s, and painting the external timber to slow its deterioration. The interior of the house including timber finish is substantially intact, with some minor alterations and repairs.



Two sets of steps lead up from the unsealed driveway. At left, timber bridge beam steps lead to the front terrace and formal entry, and at left terracotta tile steps lead to the informal, everyday entry. Source; Trethowan Architecture 2022.



North facade and formal entry. The protruding stormwater channel is to the upper left of the entrance. Source: Ron Gowan 2004.



South (rear) facade. Source: Ron Gowan 2020.



South (rear) facade from southeast. Source: Ron Gowan 2020.



Rear view of house from carport showing the lower three levels. Source: Trethowan Architecture 2022



Two level addition at northeast. Source: Trethowan Architecture 2022



Steps from carport to secondary front entry, showing brickwork, tiled steps and brick paving. Source: Trethowan Architecture 2022



Detail of brickwork at southwest corner of house, workshop area. Source: Trethowan Architecture 2022



Southeast corner of house, bedroom with loft. Source: Trethowan Architecture 2022



Looking toward northeast corner of house, showing mirroring two-level rooms, and later addition beyond. Source: Trethowan Architecture 2022



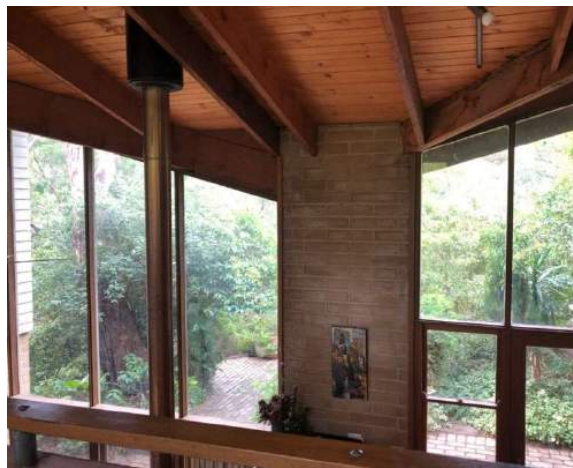
Rough stone steps looking toward rear terrace.
Source: Trethowan Architecture 2022



Rear terrace to living area, showing decorative brickwork at left. Source: Trethowan Architecture 2022



View of central living area showing cathedral ceiling and floor to ceiling windows. Source: Trethowan Architecture 2022.



View to front terrace from third floor gallery, nadir of butterfly roof above. Source: Trethowan Architecture 2022.



View from front entry looking up two further levels.
Source: Trethowan Architecture 2022.



Living room over carport. Source: Trethowan
Architecture 2022.

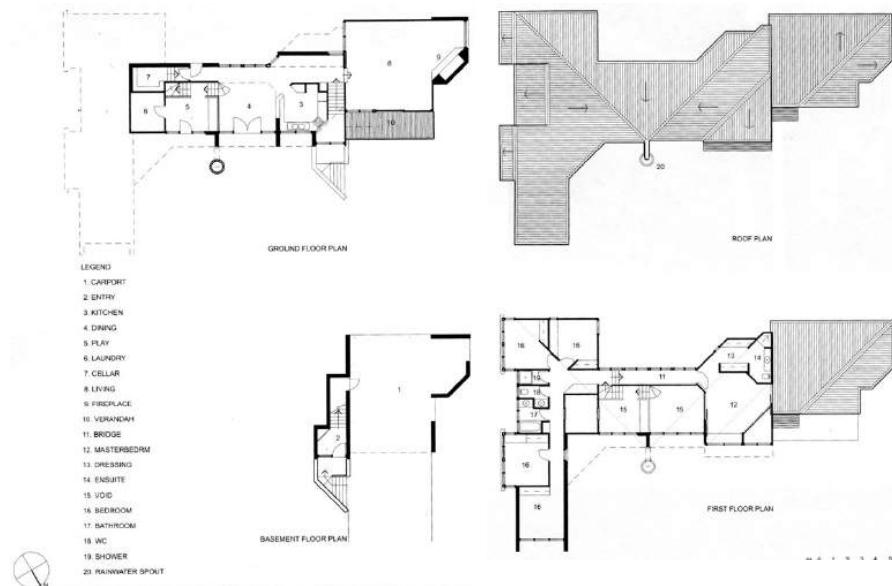


Condition and Integrity

There is evidence of deterioration in external timber at various points around the house. Exterior timber has been painted and some sections replaced with new material over time. Brickwork looks intact. There is aging of roofing at the rear terrace entrance. However apart from the deck extension over the carport, the wing added to the northeast of the house, and the painting of external timber, the house as a whole is substantially intact and true to its original design.



Architectural model of 17 Haldane Road by Huan Chen, donated to Museums Victoria for its exhibition 'Home Sweet Home: Changes in Victorian Domestic Architecture, 1839 - 1989'. The model shows the original design before deck extension at northwest, and addition at northeast. Also note timber finish on external walls, which was the original scheme before it was painted.
Source: Museums Victoria collection <https://collections.museumsvictoria.com.au/items/255676>



Plans of the Nichols House 1973. Source: D Evans *Kevin Borland: Architecture from the Heart* pp.194-195



Comparative Analysis

Architect designed houses in the 1960s-70s

The 1960s led the reassessment of the aesthetic ideals of post-war Modernism, and what followed was a return to the compartmentalised plan, natural materials and vernacular methods of construction in a search for traditional symbolic references to home and truth in structure and expression of materials (Goad 1992). This move away from the concept of uninterrupted space, towards an exploration of enclosed volume saw a rigorous investigation of the section and a return to primitive notion of space and shelter with the avoidance of the hierarchical notions of space. Key practitioners were David Saunders, Neville Quarry, Judith and John Brine, Graeme Gunn, Daryl Jackson and Kevin Borland and it was here the emergence of Brutalism in Melbourne was tentatively fostered. (London 2012; Goad 1992)

The Nichols House at 17 Haldane Road is distinctive as an individual design, and a later but similarly idiosyncratic and expressive example of Borland's work.

The following examples have been chosen to illustrate the rise of the architect designed house in the Shire of Nillumbik.

- **Rice House, 69 Ryan's Road Eltham - HO123 - Victorian Heritage Register**
Designed by Kevin Borland in 1951 and constructed in 1953-4, this was Borland's first commissioned house design and was a boldly experimental postwar project. It is architecturally and historically significant. The house was constructed using the 'Ctesiphon system', an innovative construction method developed in 1947. This system used 'cement containing a non-porite waterproofing agent [...] applied in layers to a form of regularly spaced catenary timber arches tightly covered by hessian'.

Rice house is of historical significance for its association with architect Kevin Borland whose innovative designs in both domestic and public architecture make him notable amongst the Melbourne architects of the second half of the twentieth century (SoS HO123).



Image source: Victorian Heritage Database.



- **Wright House 8 Kangaroo Ground-Warrandyte Road, North Warrandyte - HO105**

A postwar modernist house from 1964 designed by Robin Boyd, one of six in the area by this renowned architect. A two level building featuring exposed Oregon beams and bagged brick walls, evoking the Eltham mud brick era.



Wright House HO105. Image source: Context 2010

- **Pittard Residence, 430 Mount Pleasant Road Research - HO139**

Designed by Alastair Knox and built in 1978-1979, this mud brick and timber two level house makes use of recycled materials and has a curved plan and expansive sloping roof. The house is architecturally and historically significant and is an innovative example of Knox's later work.



Image source: SoS

- **16 Warringah Crescent Eltham**

A concrete block and timber house designed by architect Peter Carmichael of Cocks Carmichael, built in c. 1975. Recommended for HO in 'Nillumbik Shire Heritage Review Stage A'.



Image source: Nillumbik Shire Council Heritage Review Stage A, Context PL. p.185.



- **Colvin House, 3 Lawrence Court Warrandyte North**

This house, recommended for investigation and assessment, was designed by Kevin Borland and built in 1976. It was cited as an Age-RAIA House of the Week on 6 December 1976. The timber house steps down a steep hill under a triangular skillion roof, with floor levels adapting to the slope. (Age 6 December 1976 p.16; Mills and Westbrooke 2016 p.89; Day 1976 p.68)



Colvin House, Warrandyte North. Image source: Age, 6 December 1976, p. 16



Colvin House, Warrandyte North. Image source: Evans, D., Borland, H.C. and Hamann C. 2006, p.69

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The house at 17 Haldne Road Eltham is associated with the later period of 'Melbourne Modern' architects' involvement in the Shire, in this case Kevin Borland, who was among the prominent architects and designers experimenting with design in the Shire from the post-war period through to the late twentieth century.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The house at 17 Haldane Road Eltham is aesthetically significant as a mature example of architect Kevin Borland's residential work, recognised by the RAI Victoria House of the Year award in 1974. It represents the evolution of domestic architecture from the light, open spaces and simplicity of the modernist ideal, through the rugged 'Eltham Style' of solid shapes and reclaimed and handmade materials, toward the more 'structuralist' complexity of forms and interrelated planes and spaces responding to their landform setting which characterise Kevin Borland's work of this period. The landscaping is of aesthetic significance as an archetypal naturalistic design by landscape designer Gordon Ford.

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 the Shire of Nillumbik's history (associative significance).

Statement of Significance

What is Significant?

The house at 17 Haldane Road, formerly the Nichols house, is significant.

Elements of the original landscaping contribute to the setting of the place.

How is it significant?

The house at 17 Haldane Road is historically and aesthetically significant to the Shire of Nillumbik.

Why is it significant?

The house at 17 Haldane Road Eltham is historically significant for its association with the later period of 'Melbourne Modern' architects' involvement in the Shire, in this case Kevin Borland, who was among the prominent architects and designers experimenting with design in the Shire from the post-war period through to the late twentieth century. (Criterion A)

The house at 17 Haldane Road Eltham is aesthetically and architecturally significant as a mature example of architect Kevin Borland's residential work. It represents the evolution of domestic architecture from the light, open spaces and simplicity of the modernist ideal, through the rugged 'Eltham Style' of solid shapes and reclaimed and handmade materials, toward the complexity of forms and interrelated planes and spaces responding to their



landform setting which characterise Borland's work of this period. The landscaping is of aesthetic significance as an archetypal naturalistic design by landscape designer Gordon Ford. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.



Recommended extent of HO.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions	No



Are there outbuildings and fences which are not exempt from notice and review?	
Prohibited uses may be permitted Can a permit be granted to use the place for a use which would otherwise be prohibited?	No
Aboriginal Heritage Place Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?	No

References

Age, as cited.

Context PL 2021, *Nillumbik Shire Council Heritage Review Stage A*, prepared for Nillumbik Shire Council.

Day, N. 1976 *Modern Houses Melbourne* Brian Zouch Publications, Armadale Vic.

Evans, D. 2012 'Borland, Kevin' in Goad, P. and Willis, J. *The Encyclopedia of Australian Architecture* Cambridge University Press, New York

Evans, D., Borland H.C. and Hamann C. 2006, *Kevin Borland: Architecture from the Heart*, RMIT Publishing, Melbourne

Goad, Philip 1992, *The Modern House in Melbourne, 1945-1975*. PhD Thesis, Faculty of Architecture Building and Planning, University of Melbourne.

London, Geoffrey 2012, 'Brutalism' in *The Encyclopedia of Australian Architecture*, Cambridge University Press.

Mills, P. and Westbrooke, S. 2016, *Nillumbik Shire Thematic Environmental History*, Prepared for the Shire of Nillumbik.



Title: Arthurs Creek Methodist Church, 893 Arthurs Creek Road, Arthurs Creek

Identified by: Samantha Westbrooke and Peter Mills 2016

Prepared by: Trethowan Architecture

Address: 893 Arthurs Creek Road, Arthurs Creek

Name: Arthurs Creek Methodist Church	Survey Date: 2015
Place Type: Individual Place	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To Title Boundaries	Construction Date: 1873-1973



Historical Context

The first squatters arrived in the Arthurs Creek area in 1837. The Reid's run 'Hazel Glen', where the original stone and mud house survives, lay on the southwest. The Bears' 'New Leicester' lay on the northwest, the Macfarlane's 'Ard Chattan' lay between Running Creek and Arthurs Creek, and the Smiths 'Glen Ard' lay to the west of Running Creek (Hicks 1988:6). Most of the land west of the Plenty River was sold by the mid-1840s. The land to the east, including the Arthurs Creek area, which was forested and hilly with poor sedimentary soils, was considered 'cattle country' and remained under grazing leases for longer (Hicks 1988:13).



The more open undulating country between the Yan Yean Reservoir and Arthurs Creek/Deep Creek was bought at Crown Land sales in the mid-1860s (PROV, VPRS 16171/P1/6, Linton-2). Under the 1860 Land Act, the remaining grazing leases were revoked. The eastern margin of the Parish of Linton, including the Arthurs Creek locality, was surveyed in 1856 but remained unsold. Lots 16, 17 and 24 of this survey were the first to be selected in c1861 by C. Vaughan, M. McLaughlin and W. Watson (Department of Crown Lands and Survey, 1856). The remainder of the Arthurs Creek area became the Upper Plenty Farmers' Common (later Whittlesea Common) in 1861. An area to the east of Arthurs Creek was proclaimed as the Arthurs Creek Common in 1871 (Vic Gov Gazette, 26 March 1861, No.48:632; PROV, VPRS 0242/P0, file C90869). Most of the European settlers in the area were orchardists and dairy farmers, the most famous of which were the Ryders and Drapers (PROV, VPRS 16171/P1/6, Linton-2). The homesteads of the 1860s such as those of the Ryders and Murphys were typically slab huts (PROV, VPRS 627/ P1, Unit 235, File No 19301). Butter, eggs and poultry were often the first source of income.

A village began to appear in the early 1870s, with the Primitive Methodist church established in 1873, the school opened in 1876 and the Mechanics' Institute in 1878. The Arthur's Creek Fruitgrowers' Association formed in 1890 and held meetings and competitive exhibitions of fruit at the Mechanics' Institute (Argus, 14 May 1890:6). Daily mail services started in 1889. By 1899 George Murphy had built a post office and store (E&WSA& DCVA, 26 April 1918 :3; Payne 1975:191). The settlement would expand little after this point. In the late 1880s there were 1500 acres under fruit within a three-mile radius of Arthur's Creek. The extension of the railway to Yan Yean in 1889 made transport to market easier and quicker (Argus, 21 October 1889:9).

Poor prices during the Depression compounded the decline, and by the late 1930s all but the largest and most progressive orchards were unprofitable. Orchards were cleared and the land turned over to sheep. Markets for lamb and wool were variable and while the larger farms survived on sheep, the smaller holdings reverted to dairying and pigs. By the 1970s beef cattle were becoming more profitable. Orchardling continued at Glen Ard, which by 1975 was reputedly the largest orchard in southern Victoria (Five Pear Trees, Apted's Glen Ard Orchard, 120997). The township had about 350 residents at the 1996 census (Hunter-Payne, 2008).

History

The small settlement of Arthurs Creek featured only one church in the nineteenth and early twentieth century, a Primitive Methodist chapel. Methodism as a whole had only around a third of the adherents of Catholics and a sixth of the Church of England in 1857. Primitive Methodists, in turn, were outnumbered by Wesleyan Methodists by around nine to one. Most of the earlier settlements in the area had gained churches for each of the main denominations in early white settlement. The Heidelberg Primitive Methodist Mission, which started in 1854, opened a church in Eltham in 1860 and a first small chapel at Diamond Creek 1861. After quartz mining came to Diamond Creek in 1866, it gained a new church in 1871 (Lesley Alves 2015).

In the settlement of the Arthurs Creek locale, which took place following the squatting era from the early 1860s, a considerable number of the newcomers were Primitive Methodists including the Ryders, Macmillans, McDonalds, Manns (East Linton), Reids, Aireys (Lot 35), Bunkers and the Murphys of both Arthur's Creek and Streamville. Settlers from other denominations had access to well-established churches within a reasonable distance such as the 1868 Church of England at Queenstown. The Church of England held services in the Arthur's Creek Mechanics' Institute hall for a small congregation in the 1890s, possibly to cater for an increased population of orchard workers. It was only in the 1920s that the density of settlement was such that Catholic services were held in the Mechanics' Institute hall and only in 1928-9 that the short-lived Church of the Irish Martyrs was built



(EO&S&EBR, 14 October 1892:2. *Advocate* (Melbourne), 9 September 1920:31; 27 September 1923:30; Murphy and Draper 2004:304).

By the early 1870s a number of the Primitive Methodist settlers at Arthur's Creek banded together to arrange local services. According to a 1933 sixtieth anniversary account, the first service was held in 1872 by a preacher from Linton (Hazel Glen), succeeded by Mr Gilbert, a Primitive Methodist from Eltham. By a 1923 fiftieth anniversary account, the first service was arranged by the Ryders and George Gilbert and conducted by Gilbert and another preacher in 1873. A service was held by the Wesleyan Methodists from Yan Yean the following Sunday but as they found that Gilbert had arranged for regular services under the Primitive Methodist banner, they did not return. Subsequently the Arthur's Creek congregation became connected with the Heidelberg Primitive Methodist mission.

Services during warm weather were said to have been conducted under a "huge" gumtree on the Ryders' property. In wet weather and perhaps more often, services were held in Mrs MacDonald's barn and house on the property Glen Donald east of Arthur's Creek. By 1873, with attendances becoming too large for the accommodation, plans were made for a church. Both the Aireys and Ryders offered land and the Ryders' one-acre offer was taken up as the most central. Trustees were appointed and the land transferred to the Primitive Methodist Connexion (*Advertiser* (Hurstbridge), 30 November 1923:4; 13 October 1933:1).

The land was cleared by "the bachelors" [the unmarried men] of the congregation. Mrs "Stuart" [sic actually Stewart] assisted with sawing of "the blocks". The requisite sawn timber was brought from Melbourne, and the "palings", "battens" and "ties" were split from a single tree brought from "the mountain" by Thomas Murphy. (Reputedly there are still timber palings under the corrugated iron of the roof). Mr Stuart [sic actually Cornelius John Stewart, soon to marry Mrs MacDonald] was contracted to build the church with the aid of volunteer labour, at a cost of £60 (*Advertiser* (Hurstbridge), 30 November 1923:4; *Spectator & Methodist Chronicle*, 9 January 1918:32). The first three services were held in a packed church on Sunday 30 November 1873. Some attendees travelled as far as thirteen miles for the occasion. The services were conducted by the Rev. A. Glasson with Mrs Ryder leading the singing. Tea and public meetings were held the following Tuesday with the Reverends Glasson and Gilbert presiding, alongside the Rev. G Grey from Melbourne. A time-capsule enclosed in a bottle was placed under the pulpit. Mrs Stewart was the first to be married in the church, with Mrs Temple following soon after.

A Mr Amos Harrison planted pine trees at the side of the church. The Comers donated towards the purchase of an organ. The first Sunday School superintendent was Mr Airey, followed by Mt Thompson (of Back Creek), Mrs Taylor and Mr Stuart (probably actually Stewart). From 1886 Mr McMillan occupied the position for thirty-seven years. A porch was added in 1899. There were close connections with a succession of teachers at the Arthur's Creek school, including the Hammetts, the Grennesses and the Pitts (*Advertiser* (Hurstbridge), 30 November 1923 p.4.).

After the Methodist Union occurred in 1902, the church was referred to as the Arthur's Creek Methodist Church. The Arthur's Creek church became part of the Diamond Creek Methodist Home Mission Station, which also had churches at Diamond Creek, Cottles Bridge (built 1894), Hurstbridge and Wattle Glen (Alves 2015). In 1923 the jubilee of the church was held, repairs and alterations were undertaken and a skillion vestry was built at the rear (*Advertiser* (Hurstbridge), 30 November 1923:4).

In 1933 the sixtieth anniversary was celebrated with a tea meeting and concert in the Mechanics' Institute. In 1936 a brass plaque was placed in the church to commemorate the jubilee of Sunday School teacher Mr Hugh McMillan (*Advertiser* (Hurstbridge), 11 September 1936:6). During World War Two a service was held for departing soldiers from the congregation (Eltham and Whittlesea Shires *Advertiser*, 26 January 1940:4). In 1953



the “historic little Arthurs Creek Methodist Church ... glistened with fresh paint for its 80th anniversary”. A set of brick and steel memorial gates were also erected for the occasion (*Argus*, 29 September 1953:7).

In c1963 the Diamond Creek Methodist Home Mission Station began to build a new church and the old 1871 timber church was moved to Arthur’s Creek to function as a Sunday School hall (Edwards 1997, p.177, Draper 2012, pp.5-6). It was butted up to the rear/south side of the slightly smaller existing building. It appears that the existing vestry structure was moved to the south side of the Sunday School hall.

Primitive Methodism

The Wesleyan Methodists were the first to appear in the colony at Port Phillip in 1838. The Primitive Methodist Connexion was the first of the divisions of Methodism to appear in the colony, with the first services held in Melbourne in 1849 and a church building started in 1850. Another division, the Bible Christians, was almost as large as the Primitive Methodists (Lewis 1991:9). By the end of the nineteenth century the Primitive Methodists were the second largest group of Methodists in Victoria after the Wesleyans, with 125 church buildings in 1901. In 1902 the divisions of Methodism united to form the Methodist Church of Australasia. The 1000 accumulated churches of the various divisions were rationalised down to 829. (Lewis 1991: 10) The flexibility of worship of the Methodists, including the Primitive Methodists, was such that they were among the first to conduct services in goldfields, often in the open or in tents. By the 1860s a number of churches had been built. Those in the larger towns were relatively large masonry buildings often with classical architecture. Those in smaller settlements were typically small rustic timber and brick structures, with hints of Gothic in the doors and windows, barges and roof pitch. While the Methodist churches in the larger towns had some pretensions, the majority of churches were small and simple buildings in line with John Wesley’s prescription that preaching house should be plain and decent (Lewis 1991:10).

Description & Integrity



Aerial photograph 2015
Source: Nillumbik Shire Council



The church is set on a rise, above the road. The Arthurs Creek Road entry is framed by the 1953 Memorial Gates, which consist of brick walls clad in crazy slate and double wrought iron gates with a geometric pattern. The walls angle outwards from the gate opening and there are taller pillars either side of the gate. A timber post and rail fence with chain mesh wire panels between the posts sits behind the side walls and extends along the boundary on both sides of the entry.

Arthur's Creek Methodist Church is a weatherboard building with a gable roofed nave running perpendicular to the road making up the original 1873 section of the church. The side walls of the nave contain two pointed arch and timber framed windows with three panes. There is a small gable roofed porch to the front of the nave with a side single pointed arch entry door.

There is a small pointed arch timber framed window to the front elevation of the porch.

To the rear of the nave is a weatherboard Sunday School wing with a gable roof running perpendicular to the nave and extending either side of the nave. This building is the former Diamond Creek Methodist Church (constructed in 1971) moved to this site in 1963. There is also a gable roofed entry porch to the west end of the vestry with a square door on the north side facing the street. The windows to the vestry are also pointed arches and timber framed; however the windows to the vestry are larger with pointed arch panes to the top portion.

To the rear of the Sunday School is a skillion roofed, weatherboard clad wing. This is the vestry added to the church in 1923 and moved to this location in 1963 when the Sunday School was added.

All sections of the building have weatherboard clad walls and corrugated galvanised iron roof cladding which has been painted red. There are turned timber finials at the front gable ends of the nave and Sunday School wings.

There is a weatherboard clad single toilet at the rear of the church with a skillion roof. This building does not contribute to the significance of the place.

Comparative Analysis

Churches were an integral part of the social life of communities within the Shire of Nillumbik and were often amongst the first buildings constructed within townships. Not only did these buildings provide places for worship, they are generally modest in scale, and often functioned as places to gather, celebrate and be educated and span periods from the mid nineteenth to early twentieth centuries.

Comparable churches in Nillumbik on the Heritage Overlay include:

- Presbyterian Church, 265 Eltham-Yarra Glen Road, Kangaroo Ground c1878 (HO46)
- St Andrews Anglican Church, 15 Caledonia Street, St Andrews c1868 (HO21)
- Uniting Church (originally Methodist) 810 Main Road, Eltham 1880 (HO118)
- Plenty Methodist, later Uniting Church, built 1924 formerly 171 Yan Yean Road (HO250)



Presbyterian Church, 265 Eltham-Yarra Glen Road, Kangaroo Ground c1878 (HO46)



St Andrews Anglican Church, 15 Caledonia Street, St Andrews c1868 (HO21)



Uniting Church (originally Methodist) 810 Main Road, Eltham 1880 (HO118)



Plenty Methodist, later Uniting Church, built 1924, relocated to this site 2018 (Source: Context June 2021)

The Presbyterian Church at 265 Eltham-Yarra Glen Road, Kangaroo Ground, is a bichromatic brick building with slate roof thought to have been built c.1878, and one of only a few well preserved buildings in the town from that era. The church is historically and socially significant because it has served the local community since construction.

The Anglican church at 15 Caledonia Street, St Andrews is a simple timber building, thought to be erected c1868. The building is significant as one of only four buildings remaining from the town's goldmining era, and potentially gave its name to the township. The church is also important for the ongoing role it has played in local community life.

The former Methodist Church at 810 Main Road, Eltham, is a bichromatic brick building with slate roof build in 1880. The building is aesthetically significant as a finely detailed example of a rural community church. The place is also significant for its ongoing community role in the region.

The former Plenty Methodist Church was built in 1924 and relocated to its present site in 2018 from the former location at 171 Yan Yean Road.

Like the subject site, each of these examples bear the characteristics of a Gothic Revival style, applied to a simple and modestly sized building form with gable roof. The simple designs of the subject church, and these examples, reflect their rural location and the modest needs of the local congregations at the time when they were built. The subject site is most comparable in terms of materiality to the small timber chapels, St Andrews (HO21)



and Plenty Methodist (HO250), however it is earlier in construction than either. It is also distinctive as a Primitive Methodist church in the Shire, while it shares the simple non-pretentious character of the Methodist chapels more broadly. Similar to the comparable examples, the subject site has a demonstrated continual use as a church, servicing the local community as a place of worship and gathering. Overall, the subject site compares favourably against these examples.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Arthurs Creek Methodist Church is of historical significance for its demonstration of the early development period of the town of Arthurs Creek, particularly the development of spiritual and community life, when a village began to appear following settlement in the area resulting from the 1862 Land Act.

The Sunday School which was originally the Diamond Creek Methodist Church constructed in 1871 and moved to the site for use as a Sunday School in 1963 is also historically significant for its contribution to the history of Diamond Creek as well as for its demonstration of building re-use practice by the church denominations particularly in the rural areas of the municipality

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

Arthurs Creek Methodist Church is significant as a representative example of a substantially intact Victorian timber church typical of Methodist Churches, which were substantially small and simple in design with minimal pretensions.

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

The church demonstrates key features of its type and period including gable roof forms, small entry porch, pointed arch timber framed windows and timber finials. The Sunday School hall is complementary to the Church with its similar form and materials. The building is of aesthetic interest for its integration of a previous church building for use as a Sunday School at the rear of the original building. Despite the integration of the two buildings, the integrity of both individual buildings has been retained.

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 the Shire of Nillumbik's history (associative significance).

Statement of Significance

What is Significant?

The Methodist Church and Memorial Gates located at 893 Arthurs Creek Road, Arthurs Creek is significant.

The location, setting, form, materials and details of the 1873 Church, 1923 additions, 1871 Diamond Creek Methodist Church forming the Sunday School and the 1953 Memorial Gates contribute to the significance of the place.

The weatherboard clad toilet at the rear of the site does not contribute to the significance of the place.

How is it significant?

The Methodist Church and Memorial Gates located at 893 Arthurs Creek Road, Arthurs Creek is of local historic, aesthetic and representative significance to the Shire of Nillumbik.

Why is it significant?

Arthurs Creek Methodist Church is of historical significance for its demonstration of the early development period of the town of Arthurs Creek, particularly the development of spiritual and community life, when a village began to appear following settlement in the area resulting from the 1862 Land Act. The Sunday School which was originally the Diamond Creek Methodist Church constructed in 1871 and moved to the site for use as a Sunday School in 1963 is also historically significant for its contribution to the history of Diamond Creek as well as for its demonstration of building re-use practice by the church denominations particularly in the rural areas of the municipality. (Criterion A)

Arthurs Creek Methodist Church is significant as a representative example of a substantially intact Victorian timber church typical of Methodist Churches, which were substantially small and simple in design with minimal pretensions (Criterion D).

The church demonstrates key features of its type and period including gable roof forms, small entry porch, pointed arch timber framed windows and timber finials. The Sunday School hall is complementary to the Church with its similar form and materials. The building is of aesthetic significance for its integration of a previous church building for use as a Sunday School at the rear of the original building. Despite the integration of the two buildings, the integrity of both individual buildings has been retained. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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



External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	Yes – 1953 Memorial Gates
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Samantha Westbrooke Pty Ltd and Peter Mills 2016



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Victorian Government Gazette, as cited.



Title: Arthurs Creek School Shelter Shed, 900 Arthurs Creek Road, Arthurs Creek

Identified by: Samantha Westbrooke

Prepared by: Trethowan Architecture

Address: 900 Arthurs Creek Road, Arthurs Creek

Name: Shelter Shed	Survey Date: 2015
Place Type: Individual	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: One Metre around Shed	Construction Date: 1910



Historical Context

The first squatters arrived in the Arthurs Creek area in 1837. The Reid's run 'Hazel Glen', where the original stone and mud house survives, lay on the southwest. The Bears' 'New Leicester' lay on the northwest, the Macfarlane's 'Ard Chattan' lay between Running Creek



and Arthurs Creek, and the Smiths 'Glen Ard' lay to the west of Running Creek (Hicks 1988:6). Most of the land west of the Plenty River was sold by the mid-1840s. The land to the east, including the Arthurs Creek area, which was forested and hilly with poor sedimentary soils, was considered 'cattle country' and remained under grazing leases for longer (Hicks 1988:13).

The more open undulating country between the Yan Yean Reservoir and Arthurs Creek/Deep Creek was bought at Crown Land sales in the mid-1860s (PROV, VPRS 16171/P1/6, Linton-2). Under the 1860 Land Act, the remaining grazing leases were revoked. The eastern margin of the Parish of Linton, including the Arthurs Creek locality, was surveyed in 1856 but remained unsold. Lots 16, 17 and 24 of this survey were the first to be selected in c1861 by C. Vaughan, M. McLaughlin and W. Watson (Department of Crown Lands and Survey, 1856). The remainder of the Arthurs Creek area became the Upper Plenty Farmers' Common (later Whittlesea Common) in 1861. An area to the east of Arthurs Creek was proclaimed as the Arthurs Creek Common in 1871 (Vic Gov Gazette, 26 March 1861, No.48:632; PROV, VPRS 0242/P0, file C90869). Most of the European settlers in the area were orchardists and dairy farmers, the most famous of which were the Ryders and Drapers (PROV, VPRS 16171/P1/6, Linton-2). The homesteads of the 1860s such as those of the Ryders and Murphys were typically slab huts (PROV, VPRS 627/ P1, Unit 235, File No 19301). Butter, eggs and poultry were often the first source of income.

A village began to appear in the early 1870s, with the Primitive Methodist church established in 1873, the school opened in 1876 and the Mechanics' Institute in 1878. The Arthur's Creek Fruitgrowers' Association formed in 1890 and held meetings and competitive exhibitions of fruit at the Mechanics' Institute (Argus, 14 May 1890:6). Daily mail services started in 1889. By 1899 George Murphy had built a post office and store (E&WSA& DCVA, 26 April 1918 :3; Payne 1975:191). The settlement would expand little after this point. In the late 1880s there were 1500 acres under fruit within a three-mile radius of Arthur's Creek. The extension of the railway to Yan Yean in 1889 made transport to market easier and quicker (Argus, 21 October 1889:9).

Poor prices during the Depression compounded the decline, and by the late 1930s all but the largest and most progressive orchards were unprofitable. Orchards were cleared and the land turned over to sheep. Markets for lamb and wool were variable and while the larger farms survived on sheep, the smaller holdings reverted to dairying and pigs. By the 1970s beef cattle were becoming more profitable. Orchardling continued at Glen Ard, which by 1975 was reputedly the largest orchard in southern Victoria (Five Pear Trees, Apted's Glen Ard Orchard, 120997). The township had about 350 residents at the 1996 census (Hunter-Payne, 2008).

History

A meeting was held in Arthurs Creek in 1870 to seek establishment of a Common School. A committee was appointed consisting of John Ryder, Patrick Green, William Lodge, Pierce Brennan, Dougal McPhee and George Grey. In the application to the Education Department by George Ryder fifty-four eligible children were listed and Ryder offered an acre of his land for the purpose (Payne 1975, p.84). Two acres of Ryder's land was purchased in 1874 for £10 by the Education Department (School No.1666 Arthurs Creek, 1912-52, VPRS 795, Unit 2307). James Cockburn of Daylesford constructed State School No.1666 by the end of 1875. The school opened on 17 January 1876 (Blake 1973a, p.354). One room was added in 1888 and another in 1909 (Payne 1975, p.84).

On 22 October 1909 a "grand concert" was held at the Arthur's Creek Mechanics' Institute to raise funds to build a shelter shed at the school. Admission was 1s for the concert and



2s. 6d for the ball. The funds raised were to supplement the grant already obtained from the government. The concert was given by the school children under the guidance of the head teacher Mr Grenness. The Chairman and members of the Board of Advice attended and at the interval gave prizes for the best attendance at the school. After the concert Mr Grenness was thanked and the hall cleared for the dance, which continued "until a late hour" (*Evelyn Observer & Bourke East Record*, 8 October 1909 p.2; 5 November 1909:6). The octagonal shelter shed was built in 1910 (Blake 1973a, V.3 p.354).

Over the succeeding years the school committee requested funding for a variety of repairs and maintenance to the shelter shed. The "play house", presumably the shelter shed, received funds for painting in 1914. In 1925 the committee requested funding for the replacement of the shelter shed floor. The Department subsidised half of this £5 12s 4d cost in 1926 as well as half of the cost of repainting. Photographs from 1938 indicate that the ventilation of the shed took the form of diagonal timber lattice (Draper 2012, p.21). Repairs occurred again in 1950. A fire occurred in the school and residence in 1951.148 The "school shed and fence" were damaged by a tornado in 1959 (Blake 1973a, p.354).

Fire struck again on 23 October 1962. This time the school and residence were destroyed, and only the shelter shed remained. (Blake 1973a, V.3 p.354) It appears that this was an isolated building fire rather than the outcome of a bushfire. The school was held in the Mechanics' Institute for a few months. A new school building was ready by February 1963 (Payne 1975, p.85, Blake 1973a, p.354). The wall cladding of the shelter was refurbished in 2015 and a concrete floor slab added.

Contextual history of Shelter Sheds

Few schools had shelter sheds in the nineteenth century. School Boards of Advice or parents often requested them, but in only a few cases the Education Department provided small grants in only a few cases, or they were erected by the Public Works Department. Frequently boards or parents requested the cheaper alternative of building verandahs on the existing school building for this purpose (Blake 1973f, p.265).

In the early twentieth century the Department started a major campaign of updating the school buildings of the nineteenth century. Parents were still expected to organise and fund shelter sheds, fences, gates and woodsheds (Blake 1973, p.329). But, from c1905 the Education Department systematically gave pound-for-pound grants towards the cost of various improvements for school yards such as shelter sheds, fences, asphaltting and shade trees. In 1910, the year the Arthurs Creek shelter shed was built, the Department had subsidised 100 local contributions to a total of over £900. Parents typically formed themselves into local committees and arranged various means of raising their share of the funds. As far as the Department was concerned, this was a means for the parents to interest themselves in the state schools in which their children were trained. Parents were more inclined to think of these items as essentials that the department should have provided. An Education Department history of Victorian schools published in 1922 wrote of facilities in rural schools in the first decades of the twentieth century that "shady trees are in growth, and the deeper interest in the children is seen in the play pavilions without, and the libraries with books and magazines within" (Education Department of Victoria 1922, p.225).

A survey of advertisements for fundraising events and tender notices in Victorian newspapers indicates that from around 1905 into the 1920s many school communities held concerts, balls, dances, fetes and bazaars, usually at local halls or mechanics' institutes,



to raise money for a shelter shed or sheds in the same period as the efforts of the Arthurs Creek School.¹

Other schools in the Nillumbik area made use of the pound-for-pound funding. The Eltham North School held a dance in 1929 to augment their grant for a shelter shed from the Education Department (*Advertiser (Hurstbridge)*, 13 December 1929:2). The same year the Diamond Creek State School planned to erect separate boys' and girls' sheds following a fundraising ball and Education Department grant (*Advertiser (Hurstbridge)*, 10 May 1929:2). Shelter sheds were an important part of the life and memories of school. School shelter sheds were typically located in the playground at a distance from the classroom. They provided shelter from the elements – without them children might be forced to sit in the classroom in wet clothes after a rainy lunchtime. They also served as places to sit and eat lunch. For a number of larger schools there were separate sheds for boys and girls. They were very well ventilated as part of the push for children to experience fresh air in their playtime.

¹ See for instance Yarck State School (*Yea Chronicle*, 24 March 1909 p.2. *Alexandra and Yea Standard and Yarck, Gobur, Thornton and Acheron Express*, 16 September 1910 p.2), Majors Line School (*Mclvor Times and Yea Chronicle*, 16 June 1910 p.4; 16 September 1910 p.3), Williamstown North State School (*Williamstown Chronicle*, 26 August 1911 p.3), Glengarry (*Traralgon Record*, 26 September 1911 p.3), Glenmore School (*Bacchus Marsh Express*, 23 March 1912 p.2), Axedale School (*Bendigo Advertiser*, 5 February 1913 p.3), Seal Lake State School (*Sea Lake Times and Berriwillock Advertiser*, 22 August 1914 p.2).



Description & Integrity

The shelter shed is located in the south west corner of the Arthurs Creek Primary School site behind the front boundary fence. It is clearly visible from Arthurs Creek Road.

The Shelter Shed has an octagonal plan with an octagonal pyramidal roof form. The building is timber framed with substantially weatherboard wall cladding with the exception of timber lattice panels either side of the single door opening and on the wall opposite the door. The weatherboards have a round profile to the bottom edge. There were formerly scalloped boards to the central rows of weatherboards, but these have been replaced with plain weatherboards. The lattice panels are to the upper end of the walls with weatherboards below. The lattice panels extend between two posts being one full angle of the octagon. The roof is clad in corrugated galvanised iron (painted green) with flat galvanised iron strips over the joins and a tall turned timber finial at the apex. The eaves are exposed and there is no guttering or downpipes. The interior of the shelter shed is unlined.

Comparative Analysis

Small timber-framed shelter sheds with radial symmetry, whether hexagonal, octagonal or decagonal, sometimes described as rotundas, were a feature of a many schools in the State. Unfortunately few existing heritage citations provide details and dates for these structures because most heritage studies and type studies have been focussed on the architects of the school buildings. The radial sheds were probably outnumbered by rectangular sheds, but shared with them features such as ample ventilation through timber lattice at eaves or eaves and floor levels, as well as one open side.

Other examples of school shelter sheds with radial symmetry which have been identified in heritage studies and assessments include:

- An octagonal shelter shed at the Nichols Point Primary School, Mildura, built c1907.
- a decagonal shelter shed at the former Kerrie Primary School No.1290 (VHR H1631),
- a decagonal shelter shed at State School No.2118 at Coleraine, moved from the Coleraine Primary School site in 1960
- an octagonal shelter shed at former State School No.971 Drik Drik,
- a hexagonal shelter (pavilion?) at Glenroy Primary School No.3118 (Moreland City HO382)
- a hexagonal shelter shed at Auburn Primary School No.2948 (Boroondara City HO110),
- a large octagonal shelter shed with tiled roof at Primary School No.484 Coburg (VHR H1709), with umbrella-like internal structure
- an octagonal shelter shed at Heywood State School, built 1912,
- an octagonal shelter shed at 'Old Gippstown' collection, moved from the Grey St Primary School Traralgon
- A small hexagonal shelter shed at former Harcourt State School No.299 built c1918

There is a spectrum of scale and sophistication in these sheds, ranging from small rural examples such as at Arthurs Creek, Kerrie, Heywood and Drik Drik, to the larger examples such as at Bell St Coburg primary School, which display more complex and heavier



structures and materials. There are also parallels in these simple structures with bandstands and rotundas in parks and cemeteries.

In Nillumbik Shire, Strathewen Primary School No.3947 School Building, Hexagonal Shelter Shed and Exotic Site Planing, 5 School Ridge Road, Strathewen (HO160) contained a comparable hexagonal shelter of around the same period, however it and the complex were destroyed by fire in 2009.

The Strathewen Primary School had historic and social significance as the local school, while the one room schoolroom illustrates a standard design found throughout Victoria. The intact hexagonal shelter shed is a quite rare example of this type of structure in a Victoria-wide context. The three exotic trees are important components in the school grounds and direct links to the school's past. Strathewen School was established by the local community and leased by the Education Department, an unusual arrangement for an early 20th century school (Bick Study 1992).



The former shelter shed at Strethewen (destroyed) pictured in 1992.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The Arthur's Creek Primary School Shelter Shed is historically significant as the only remaining remnant of the earlier Arthurs Creek Primary School (1876), which burnt down in 1962. Constructed at the school in 1910, the octagonal shelter shed represents a time of growth in the local school community, with funds raised in 1909, around the same time as another new room was added to the school. As a shelter shed it demonstrates the changing requirements and designs of school playground buildings in the early twentieth century, incorporating a lattice for ventilation at a time when the importance of ventilation and fresh air was gaining prominence in public health.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

Shelter sheds were a common feature of state schools during this period, but few seem to have survived, with notable examples attached to schools having been replaced or otherwise lost or destroyed by fire.

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The Arthur's Creek Primary School Shelter Shed located at 900 Arthur's Creek Road, Arthur's Creek. The original form, materials and detailing of the 1910 Shelter Shed and its location on the Arthur's Creek Primary School site contributes to the significance of the place.

How is it significant?

The Arthur's Creek Primary School Shelter Shed is rare and of local historic significance to the Shire of Nillumbik.

Why is it significant?

The Arthur's Creek Primary School Shelter Shed is historically significant as the only remaining remnant of the earlier Arthurs Creek Primary School (1876), which burnt down in 1962. As a shelter shed constructed in 1910 it demonstrates the changing requirements and designs of school playground buildings in the early twentieth century, including lattice ventilation window. (Criterion A)

Constructed at the school in 1910, the octagonal shelter shed is a rare surviving building type in Nillumbik, where other examples have been lost or destroyed by fire (Criterion B).

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Samantha Westbrooke



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Victorian Government Gazette, as cited.



Title: Arthurs Creek Mechanics Institute, 906 Arthurs Creek Road, Arthurs Creek

Identified by: Mills & Westbrooke

Prepared by: Trethowan Architecture

Address: 906 Arthurs Creek Road, Arthurs Creek

Name: Mechanics Institute	Survey Date: 2015
Place Type: Individual	Architect: Edgar J Henderson
Grading: Significant	Builder: D.J. Murphy
Extent of Overlay: To Title Boundaries	Construction Date: 1886



Arthurs Creek Mechanics Institute as viewed from Arthurs Creek Road, Samantha Westbrooke
12.05.2015

Historical Context

The first squatters arrived in the Arthurs Creek area in 1837. The Reid's run 'Hazel Glen', where the original stone and mud house survives, lay on the southwest. The Bears' 'New Leicester' lay on the northwest, the Macfarlane's 'Ard Chattan' lay between Running Creek and Arthurs Creek, and the Smiths 'Glen Ard' lay to the west of Running Creek (Hicks 1988:6). Most of the land west of the Plenty River was sold by the mid-1840s. The land to the east, including the Arthurs Creek area, which was forested and hilly with poor sedimentary soils, was considered 'cattle country' and remained under grazing leases for longer (Hicks 1988:13).

The more open undulating country between the Yan Yean Reservoir and Arthurs Creek/Deep Creek was bought at Crown Land sales in the mid-1860s (PROV, VPRS



16171/P1/6, Linton-2). Under the 1860 Land Act, the remaining grazing leases were revoked. The eastern margin of the Parish of Linton, including the Arthurs Creek locality, was surveyed in 1856 but remained unsold. Lots 16, 17 and 24 of this survey were the first to be selected in c1861 by C. Vaughan, M. McLaughlin and W. Watson (Department of Crown Lands and Survey, 1856). The remainder of the Arthurs Creek area became the Upper Plenty Farmers' Common (later Whittlesea Common) in 1861. An area to the east of Arthurs Creek was proclaimed as the Arthurs Creek Common in 1871 (Vic Gov Gazette, 26 March 1861, No.48:632; PROV, VPRS 0242/P0, file C90869). Most of the European settlers in the area were orchardists and dairy farmers, the most famous of which were the Ryders and Drapers (PROV, VPRS 16171/P1/6, Linton-2). The homesteads of the 1860s such as those of the Ryders and Murphys were typically slab huts (PROV, VPRS 627/P1, Unit 235, File No 19301). Butter, eggs and poultry were often the first source of income.

A village began to appear in the early 1870s, with the Primitive Methodist church established in 1873, the school opened in 1876 and the Mechanics' Institute in 1878. The Arthur's Creek Fruitgrowers' Association formed in 1890 and held meetings and competitive exhibitions of fruit at the Mechanics' Institute (Argus, 14 May 1890:6). Daily mail services started in 1889. By 1899 George Murphy had built a post office and store (E&WSA& DCVA, 26 April 1918 :3; Payne 1975:191). The settlement would expand little after this point. In the late 1880s there were 1500 acres under fruit within a three-mile radius of Arthur's Creek. The extension of the railway to Yan Yean in 1889 made transport to market easier and quicker (Argus, 21 October 1889:9).

Poor prices during the Depression compounded the decline, and by the late 1930s all but the largest and most progressive orchards were unprofitable. Orchards were cleared and the land turned over to sheep. Markets for lamb and wool were variable and while the larger farms survived on sheep, the smaller holdings reverted to dairying and pigs. By the 1970s beef cattle were becoming more profitable. Orchardling continued at Glen Ard, which by 1975 was reputedly the largest orchard in southern Victoria (Five Pear Trees, Apted's Glen Ard Orchard, 120997). The township had about 350 residents at the 1996 census (Hunter-Payne, 2008).

History

Moves towards creating a mechanics' institute and free library at Arthurs Creek started in 1886. By this time most of the surrounding land was settled. Land to the east of Arthurs Creek and Running Creek was typically obtained at land sales in the 1860s, while land on the banks of Arthurs Creek, Running Creek and Deep Creek land was taken up under various clauses of the Land Acts, starting in 1863. The Primitive Methodist Church was built 1873 and the school was established in 1876. By the 1880s Arthurs Creek was a flourishing orcharding area with a number of well-established landholders.

At a public meeting at the school in March 1886 a chairman, secretary and treasurer were appointed and subscriptions were collected (The Australasian, 3 September 1910 p.10; 17 September 1910 p.10). By April William Murphy had offered half an acre of land next to the Primitive Methodist Church. In August trustees and a committee were elected and the local member of Parliament, Mr Cameron, promised to lobby for government support. Murphy made an alternative offer of land adjacent to the school, and this site was accepted at an October meeting (Murphy and Draper 2004, p.299). A Mr Mcfarlane was asked to prepare plans for a hall of 40x20ft with a library of 14x12ft, and arrangements were made for transfer of the land. At a January 1887 meeting Charles Draper encouraged the engagement of Melbourne architect Edgar J Henderson to prepare plans. Draper offered to supervise the works (Murphy and Draper 2004, p.300) and an advertisement for tenders to build the hall appeared in city and local papers in February 1887 (EO&S&EBR, 25 February 1887 p.2). D.J. Murphy, of the Streamville family of Murphys, was the successful tenderer (Murphy and Draper 2004, p.300).



The hall of 40x20ft had a raised dais on the north side, with a library of 17x12ft and a dressing room of 12x11ft at the rear. This £200 build provided only a first stage of Henderson's design. The opening was held on 2 September 1887. "As this was the first entertainment of the sort ever held at Arthur's Creek, much speculation was indulged in as to how it would come off, and it is pleasing to record that the result achieved ... far exceeded the most genuine expectations of those concerned in its production." The hall was filled to overflowing and William Reid chaired the meeting. The concert of vocal and instrumental performances by locals was concluded with the national anthem, and the hall was then cleared for a dance. Around forty couples participated in the twenty-one dances, which finished at 5am (*Argus*, 10 September 1887:7; *EO&S&EBR*, 16 September 1887:2).

The hall soon proved its value as a focus for almost every aspect of the public life of the Arthur's Creek community. A public meeting was held in April 1888 to discuss calls for extension of the Heidelberg railway line, a vital matter for the local orchardists (*EO&S&EBR*, 28 June 1889:3). A committee of the Arthur's Creek Railway League was appointed, which subsequently used the library room for its meetings. Another public meeting at the hall in June 1889 considered the poor postal services in the district (*EO&S&EBR*, 28 June 1889:3). Many social events were also held in the hall. The Arthur's Creek Brass Band started to practice in the hall in 1890 and the Arthur's Creek Cricket Club also met there as well as a local debating club. The local fruitgrowers met in May 1890 and formed the Arthurs Creek Fruitgrowers' Association. The Church of England even held services for a small congregation during the period (*EO&S&EBR*).

As funds became available the buildings and facilities were gradually improved. Some funds came from rents for the various uses. The Institute also held its own fundraisers, such as the Queens Birthday and New Years Eve balls (*EO&S&EBR*, 19 December 1890:2). a picket fence was added in front of the hall and a fireplace in the library in 1889. A six-stall stable was added and the hall painted in 1893 and in 1894 ornamental trees were purchased for the grounds and a curtain added to the stage (Murphy and Draper 2004, p.302).

The adult education role of the Mechanics' Institute was also being exercised to some extent in the nineteenth century. In late 1891 £35 was spent on books for the library, including a copy of Chamber's Encyclopaedia and a Map of Victoria. The committee of the circulating library published a catalogue of its "fine collection" and the librarian attended on Tuesday and Saturday nights. It seems the library was tailored to the needs of the local orchardists - in 1893 a £30 purchase of books included "some of the best works on fruit culture" (*EO&S&EBR*, 10 March 1893:2). The lectures were slanted in a similar vein. In 1892 the government entomologist Mr Hammett read a paper at the hall. A debating club started to meet at the hall in 1893 (Murphy and Draper 2004, p.302).

In first years of the new century, the Mechanics' Institute mainly provided a venue for meetings of various clubs and associations and a wide variety of benefit events. It is at the turn of the century that use of the alternative moniker 'Arthurs Creek Hall' begins to become more prevalent in the newspapers. In April 1900 a concert and ball were held for victims of the bushfires that had recently swept through Arthur's Creek (*EO&S&EBR*, 30 March 1900 p.2; 20 April 1900:2). The use of the hall was such that in 1903 plans were made for extensions and a new Kauri Pine floor.²⁰⁵ Fifteen feet were added to the south end of the hall. The Health Department also required an additional door on the east side.²⁰⁶ The work was completed in time for an opening concert and ball in December (Murphy and Draper 2004, P.303).



In 1909 a concert and dance were held at the hall by the school to raise funds for a shelter shed (EO&BER, 8 October 1909 p.2; 5 November 1909:6). During World War I takings from monthly socials were divided between the hall and the Red Cross (Murphy and Draper 2004, p.303). In the interwar period, Sporting clubs continued to use the hall for meetings and events, but with the decline of fruit growing in the district and the onset of the World War II, most of these were disbanded by the early 1940s. The fortunes of the hall continued to wane, despite some repairs in 1949, and between that year and 1952 the hall was used only once a year. The books from the library were donated to the school and the dividing room between library and dressing room removed to make a single meeting room/kitchen (Murphy and Draper 2004, p.304). From 1966-74 the Arthurs Creek Progress Association took over administration of the hall. A new masonry toilet block was constructed in 1982, funded with help from the Shire, local donations and an overdraft (Murphy and Draper 2004, p.305).

The hall's centenary celebrations took place over a weekend in 1987 and included a dance for young people, an old time ball, an ecumenical church service and a barbecue and game afternoon. The celebrations for the 125th anniversary of the school in 2001 included a dinner for 300 at the hall. A storage shed was added c1997. The hall was used as a relief centre following the 2009 Black Friday fires. After the fires funding was obtained for another storage shed and the upgrade of the hall kitchen (Draper 2012, pp.31-32). A large open sided skillion was added to the east side of the hall c2010. The Hall Committee continues to foster community activity and a number of local groups meet and hold events in the hall, including the Cemetery Trust, local Landcare group and bush fire brigade (Murphy and Draper 2004, p.305).

Description & Integrity



Aerial view of the Mechanics' Institute
Source: Nillumbik Shire Council

Arthurs Creek Mechanics Institute is a weatherboard building with a main gable roofed hall running perpendicular to the street. At the rear of the hall is smaller gable roofed wing running perpendicular to the hall. There is a decorative bargeboard with hanging beam and finial at the front gable end of the building. The front elevation also contains double doors with a painted sign to the gable end with the wording Arthurs Creek Mechanics Institute AD 1887. On the east side of the hall is a skillion roofed canopy attached to the building and added in 2010. It is possible that the doors on this side of the building were also altered at this time. The timber framed double hung windows to the building appear to be original



and in their original locations. Therefore apart from the changes to the east side, and door openings, the Mechanics' Institute is substantially intact.



Front view of the Mechanics' Institute and the same view prior to east side additions



East elevation



Rear, west view

There is a row of three outbuilding buildings on the eastern boundary. The northernmost is a weatherboard shed with a gable roof of recent construction. The central outbuilding is a skillion roofed rendered brick toilet block constructed in 1982 and the southern most one adjacent to the hall, is a replica Edwardian weatherboard shed constructed in 2010. These later outbuildings buildings (1982 and 2010) are non contributory.



West side view



Rear shed and brick toilet block

Comparative Analysis

Not many Mechanics Institutes have survived in the Shire. The earliest halls in the Nillumbik area usually took the form of mechanics' institutes and free libraries. The mechanics' institute movement started in Scotland in 1800 with the intention of improving the education of working men (Mills & Westbrook 2017). Several of these early halls were either destroyed by fire or demolished over time. For example, the Diamond Creek Public



Hall and Literary Institute was possibly the earliest hall in the area, opening in 1868. The hall was used to house the infant grades of the state school when there was a rapid increase of pupils in the early 1870s (Mills & Westbrooke 2016:103). A new hall incorporating sections of the old was built in 1905 however this building was destroyed by fire in 1969 (Mills & Westbrooke 2017). At Kangaroo Ground a hall, which became known as Stevenson Hall after its builder, was built in 1885. It did not have a library but did host the typical list of entertainments and meetings and was noted for its good dance floor. The Shire ordered the demolition of the dilapidated hall in 1969. (Mills & Westbrooke 2017)

Surviving community halls in the Shire include:

- Christmas Hills Mechanics Institute, 775 – 787 Ridge Road, Christmas Hills, rebuilt in 2013 (HO243)
- St Andrews Hall, 1 Proctor Street, St Andrews (1925)
- Plenty Hall, Plenty Heritage Park 2-6 Memorial Drive Plenty (1931)
- Gibson Hall, 575 Kangaroo Ground-St Andrews Road, Panton Hill (c1924) (HO96).



Christmas Hills Mechanics Institute, 775 – 787 Ridge Road, Christmas Hills rebuilt in 2013 (HO243 Shire of Nillumbik). Source: <https://christmashillshall.org.au/>



St Andrews Hall, 1 Proctor Street, St Andrews built 1925. Source: <https://www.standrewscommunitycentre.org/history-of-st-andrews-hall.html>



Gibson Hall, 575 Kangaroo Ground-St Andrews Road, Panton Hill built in c1924 (HO96). Source: <https://commons.wikimedia.org/wiki/File:PantonHillGibsonHall.JPG>



HO248 Plenty Hall, Plenty Heritage Park 2-6 Memorial Drive Plenty. Constructed 1930-31, additions 2010. Image source: Context May 2021.

The Christmas Hills Mechanics Institute, 775 – 787 Ridge Road, Christmas Hills, (HO243) had a similar weatherboard materiality and simple gable form. It opened in 1877, partly funded partly by public donations and partly by a government grant and was located on a temporary Crown land reserve (Mills & Westbrooke 2017). Destroyed by fire in 1894, the hall was rebuilt on its current site in 1895 and again in 2013.



Fundraising for the Queenstown Mechanics' Institute and Free Library started in 1882 with the building opening in 1883. In 1889 the building was moved to a more central position in the town, as it had been too inaccessible. The institute was reopened in 1899 and was an important part of the community until 1924 when it was destroyed by fire. It was rebuilt in 1925 at its current location and is now known as the St Andrews Hall (Mills & Westbrooke 2017).

There is also a small timber hall building adjacent to the St Matthews Church at 575 Kangaroo Ground-St Andrews Road, Panton Hill. Known as Gibson Hall and built in c1924 the building is within the curtilage of HO96 and is comparable to the Plenty Hall having a similar materiality, form and interwar build date. Like the subject building it has also been in continual use as a hall since built. The Plenty Hall (HO248), in Plenty Heritage Park 2-6 Memorial Drive Plenty was constructed 1930-31, with comparable weatherboard and a simple gable form.

Compared to the above examples Arthurs Creek Mechanics Institute shares similar weatherboard materiality and simple gable forms, but it is distinctive as an earlier (1887) surviving example with more elaborate late nineteenth century features such as the decorative bargeboard with finial, exposed rafter ends. Only Christmas Hills was earlier but has been significantly rebuilt in its entirety.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Arthurs Creek Mechanics' Institute is historically significant as an early and important public building in the township of Arthurs Creek since 1887 and as an early surviving example in Nillumbik more broadly. Constructed in 1887, the Mechanics' Institute demonstrates the heyday of Arthurs Creek in the late 19th century, when there was a much larger population in the area and it played an important role in the townships continuing development. The building is of significance a substantially intact example of a Mechanics' institute constructed in the Shire during the Victorian period when compared to others that hark mostly to the Interwar period. The Mechanics' Institute is a visual reminder of the once more populous township of Arthurs Creek. The Mechanics' Institute has been the venue for meetings of various clubs and associations and a wide variety of benefit events and thus played an important role in the development of local community life. This has included its provision of a library and adult education services focussed on the particular needs of the local area.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity). N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential). N/A

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).

Arthurs Creek Mechanics' Institute is aesthetically significant as a substantially intact example of a weatherboard Victorian Mechanic's Institute of the late Victorian period. Key features of the style include the all-encompassing gable roof form, timber framed double hung windows and their placement, double doors to the front, gable end decorative bargeboards and finial, and weatherboard cladding. It compares well to other community halls in Nillumbik, particularly as expressing the late Victorian style compared to many other surviving halls that are Interwar.

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

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). N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance). N/A



Statement of Significance

What is Significant?

Arthurs Creek Mechanics Institute located at 906 Arthurs Creek Road, Arthurs Creek. The original form, materials and detailing of the Mechanics Institute are integral to the significance of the site.

Additions and alterations after 1945 are not significant.

How is it significant?

Arthurs Creek Mechanics Institute is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

Arthurs Creek Mechanics Institute is historically significant as an early and important public building in the township of Arthurs Creek since 1887. Constructed in 1887, the Mechanics' Institute demonstrates the heyday of Arthurs Creek in the late 19th century, when there was a much larger population in the area and it played an important role in the townships continuing development. The building is of significance a substantially intact example of a Mechanics' institute constructed in the Shire during the Victorian period. The Mechanics' Institute is a visual reminder of the once more populous township of Arthurs Creek as it developed in the late Victorian period and early twentieth century. The Mechanics' Institute has been the venue for meetings of various clubs and associations and a wide variety of benefit events in the area's community life during that time. This has included its provision of a library and adult education services focussed on the particular needs of the local area. (Criterion A)

Arthurs Creek Mechanics' Institute is aesthetically significant as a substantially intact example of a weatherboard Victorian Mechanic's Institute. Key features of its late Victorian style include the all-encompassing gable roof form, timber framed double hung windows and their placement, double doors to the front, gable end decoration and weatherboard cladding. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions	No



Are there outbuildings and fences which are not exempt from notice and review?	
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Mills & Westbrooke

Proposed Extent



Proposed extent indicated by the red line, which follows the property boundary

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Victorian Government Gazette, as cited.



Title: Park View, 25 Brennans Road East, Arthurs Creek
Identified by: Samantha Westbrooke Pty Ltd, Dr Peter Mills and Trethowan Architecture
Prepared by: Trethowan Architecture

Address: 25 Brennans Road East, Arthurs Creek

Name: Park View	Survey Date: 2015
Place Type: Individual	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To the title boundary	Construction Date: From c1890



Historical Context

The first squatters arrived in the Arthurs Creek area in 1837. The Reid's run 'Hazel Glen', where the original stone and mud house survives, lay on the southwest. The Bears' 'New Leicester' lay on the northwest, the Macfarlane's 'Ard Chattan' lay between Running Creek and Arthurs Creek, and the Smiths 'Glen Ard' lay to the west of Running Creek (Hicks 1988:6). Most of the land west of the Plenty River was sold by the mid-1840s. The land to the east, including the Arthurs Creek area, which was forested and hilly with poor sedimentary soils, was ~~called~~ 'cattle country' and remained under grazing leases for longer (Hicks 1988:13).

The more open undulating country between the Yan Yean Reservoir and Arthurs Creek/Deep Creek was bought at Crown Land sales in the mid-1860s (PROV, VPRS 16171/P1/6, Linton-2). Under the 1860 Land Act, the remaining grazing leases were revoked. The eastern margin of the Parish of Linton, including the Arthurs Creek locality, was surveyed in 1856 but remained unsold. Lots 16, 17 and 24 of this survey were the first to be selected in c1861 by C. Vaughan, M. McLaughlin and W. Watson (Department of Crown Lands and Survey, 1856). The remainder of the Arthurs Creek area became the UpperPlenty Farmers' Common (later Whittlesea Common) in 1861. An area to the east of Arthurs Creek was proclaimed as the Arthurs Creek Common in 1871 (Vic Gov Gazette, 26 March 1861, No.48:632; PROV, VPRS 0242/P0, file C90869). Most of the



European settlers in the area were orchardists and dairy farmers, the most famous of which were the Ryders and Drapers (PROV, VPRS 16171/P1/6, Linton-2). The homesteads of the 1860s such as those of the Ryders and Murphys were typically slab huts (PROV, VPRS 627/ P1, Unit 235, File No 19301). Butter, eggs and poultry were often the first source of income.

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History

The Park View homestead is located on the east side of Deep Creek, north of Brennans Road East on Lot 28D, Parish of Linton.

Thomas and Elizabeth Anne Murphy migrated from County Armagh to Australia in 1856 with three children, William, Sarah and Thomas Jnr. They farmed first at Clifton Hill, followed by dairying at Somerton. Information provided by James T Murphy, Thomas Murphy's descendant, indicated that the Murphys had moved to Arthurs Creek in 1864 and purportedly settled in Arthurs Creek (Payne 1975, p.79). In 1867 Thomas Murphy applied for a Section 42 occupation licence for the 80-acre Lot 28E (*Argus*, 28 June 1867:3). Thomas's daughter, Sarah, applied for an occupation license under Section 42 for Lot 28D and Lot 27C combined 57 acres, was approved in 1869 (*Argus*, 4 November 1869:1; *Illustrated Australian News for Home Readers*, 4 November 1869:1). Up until January 1875 she resided with her father on his adjoining land, Lot 28E. In 1875 when she applied to purchase 28D and 27C, she had recently married Edward Bunker and had gone to live with him on his selection on the Yarra River near Kangaroo Ground. Lots 28D and 27C were at this stage heavily timbered and contained no buildings. The Queenstown constable who examined the holding for the Lands Department believed that Sarah's father, was working the land. Sarah obtained freehold under Section 31 in 1876, under the name Sarah Bunker (PROV, VPRS 627/P0, 19301). This land was transferred to Thomas Murphy in 1877(CT: V969 F636).

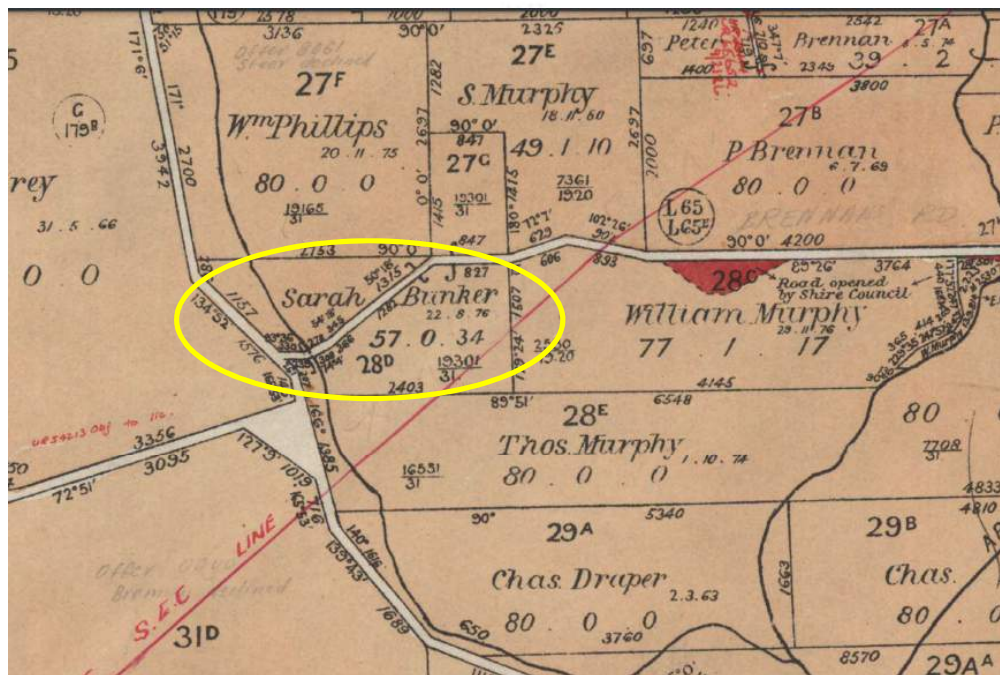


Figure 1: Country Lands in the Parish of Linton adjoining the Yan Yean Reservoir', 1857. Lot 28 D is indicated with a circle. Source: PROV, VPRS16171/1/6, Linton-2(Psh) LOImpL3000-2.

When Thomas Murphy died in 1886, the block made up of the north part of Lot 28D and Lot 27G was unimproved apart from some fencing (*Argus*, 30 April 1886:1, PROV, VPRS 28/P2, 32/171). Ownership of this 30-acre block was transferred from the estate of Thomas Murphy to David Murphy in 1889 (CT: V969 F636; CT:V2194F714). David returned to Arthurs Creek c1889 and married Christina Mann, a daughter of the neighbouring Mann family, in 1890. The Park View homestead was probably built around this time (*EO&S&EBR*, 19 December 1890:3). David, along with Joseph and William became members of the Arthur's Creek Fruitgrowers Association and appeared as exhibitors of fruit from the early 1890(*EO&S&EBR*, 12 April 1895:2; *Mercury and Weekly Courier*, 18 March 1897:3).

The Murphy family was deeply embedded in local community life. Joseph Murphy was an active member of the Mechanics' Institute and Free Library committee for nearly fifty years, including the last fifteen years as president. He was also a regular member and attendant of the Methodist Church (*Hurstbridge Advertiser*, 24 April 1936:5). In 1903 David was a committee member of the Arthur's Creek branch of the National Citizens' Reform League (*EO&BER*, 9 October 1903:2). He was elected to the Arthur's Creek School Committee in 1911 (*EO&BER*, 14 April 1911:2).

Joseph Murphy's son Joseph Gordon Murphy acquired part of his property, the southern part of Lot 28D and Lots 28C and 28F, in 1935 (CT: V1590 F957). He sold this land out of the family in 1938 (CT: V5974 F765). Joseph Murphy died at 'Park View' in 1936 at the age of 73, leaving a widow, two sons and two daughters (*Advertiser* 24 April 1936:5).

David Murphy continued to reside at Park View (*Argus*, 7 April 1937: 1; September 1938:5; *Advertiser* 16 June 1939:4). When he died in 1942 the 30-acre part Lot 28D and Lot 27C



contained “an old weatherboard dwelling house and outbuildings consisting of a barn, a shed, a cowshed and dairy and a stable - all very old ...” (PROV, VPRS28/P3, 335/441). For the next few years David’s daughter ~~she~~ lived at Park View (*Argus*, 1 February 1944:2). William Edward Murphy acquired the land from the executors of David Murphy’s will in 1951 (CT:V2194 F714).

Description & Integrity

Park View consists of a weatherboard farmhouse comprising a central wing with a double hipped roof and a perpendicular projecting gable roofed wing at either end. A skillion roofed verandah runs across the front of the central wing between the end two wings. The central wing of the residence with the verandah across the front has a central front door and a timber framed double hung window either side. The front elevations of each gable wing has twin timber framed double hung windows.

To the rear of the residence is a large shed with a gable roof. The roof and walls are clad in corrugated iron. This may have been the stables or barn. There are other outbuildings on the site that may date from an early period.



Figure 2: Aerial view of Park View. Source: Nearmap, 2022

Comparative Analysis

Within the Shire of Nillumbik, the following examples are comparable to the subject site:

Thornholme Residence, 180 Doctors Gully Rd, Doreen (HO192) is significant as a Victorian (c1870) and Edwardian-era farm complex associated with the pioneering Creighton family, who have been in the district since the mid-nineteenth century (TEH 2016:68). The complex comprises a variety of weatherboard buildings including a house (extended), stables, cottage and woolshed, with a variety of later outbuildings.

Thornholme and Park View are comparable as examples of nineteenth-century farming properties that are associated with significant pioneering families. The complex at Thornholme retains several



original structures and elements, providing evidence of the variety of structures required for farming. Similarly, the outbuildings within Park View may also be indicative of early family activities within the site.



Figure 3: Timber stable complex at Thornholme. Source: Shire of Whittlesea Heritage Study, 1991.

Cleir Hills at 1394 Heidelberg-Kinglake Road St Andrews (HO63) is a late Victorian farming site that comprises a drop-slab barn, a weatherboard house, mature pencil pine tree and indigenous plants. The site is historically significant as it is associated with the pioneering orchardist and nurseryman William Gray of Allwood (HO61). It serves as a reminder of the importance of farming to Nillumbik's past and is a rare surviving example of a timber slab farm building in a Metropolitan context. The barn is historically and technically significant as an excellent demonstration of the kinds of building that would have been erected by the Shire's early settlers. The place is a comparable example to Park View as a farm associated with late nineteenth century orchardist and farming activities within the Shire of Nillumbik. Its surviving building fabric is likewise indicative of the late nineteenth-century development of orchard industry of the Shire.



Figure 4: Drop-slab barn at Cleir Hills in 1992. Source: Bick, *Shire of Eltham Heritage Study*, 1992.

Allwood Residence (HO61) at 901 Heidelberg-Kinglake Road Hurstbridge, constructed in c1894, is historically and aesthetically significant to the Shire of Nillumbik. The c1894 house is historically significant as it was built for William Gray (a prominent local figure, politician and orchardist) on the site that formed part of the homestead of pioneer Henry Hurst, after whom Hurstbridge was named. The house is historically and aesthetically significant because it is one of the oldest buildings in the area and an example of a standard late 19th century/early 1900s timber home as well as a reminder of the nature of early settlement in the area and the start of Hurstbridge's development (Criteria B, D & E).

The c1900 front garden is historically significant because it is associated with both William Gray and Henry Hurst (Criterion H). It is historically and aesthetically significant because the site operated as a commercial nursery and illustrates fashions typical of the late 19th century (Criterion E). The front garden is aesthetically significant. It includes an ornamental garden arch placed on the axis of the front door and a less formal area to the front of the site, featuring scattered and mixed planting, including two Cabbage Tree Palms and two Thread Palms. The Cabbage Tree Palms are aesthetically significant as the largest such specimens in the Shire (Criterion B). The rear garden is more utilitarian and features informal planting of Peppercorn trees

As such, Allwood Residence is historically comparable to Park View in terms of its date and association with the late nineteenth century orchardists. Further to this, Allwood Residence retains a higher degree of aesthetic significance as a more elaborate farm with an ornamented garden setting.



Figure 5: Allwood Residence with the mature trees. Source: Bick, Shire of Eltham Heritage Study, 1992.

Weatherboard farmhouse and outbuildings at 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO89) were constructed in c1905. The site is historically significant because it was associated with the MacMillan family of orchardists over a long period of time and has strong links with Eltham's fruit growing industry. The farmhouse is historically and aesthetically significant as one of a small number of pre 1920s weatherboard dwellings in the rural areas of the former Shire of Eltham, and one of the most substantial (Criteria A, B & E). Similar to Park View, the farmhouse and outbuildings are associated with the early orchardists of the Nillumbik Shire, and serve as the surviving example of the Shire's orchard industry in the early twentieth century.

The comparative analysis indicates that Park View is historically significant as a representative example of the new wave of development in the late 19th and early 20th centuries within the Shire of Nillumbik. Although it was purchased and established by a member of the pioneering Murphy family, it was one of the later orchard properties to be established after the initial settlement of the area in the 1860s and 1870s. Park View is aesthetically significant for its surviving Edwardian timber farmhouse and associated large and small outbuilding demonstrating the workings of the farm and orchard. Park View is comparable to several similar heritage places within the Shire of Nillumbik. As such, it is of historic and aesthetic significance at a local level.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Park View is historically significant as a good example of the new wave of development in Arthur's Creek in the late 19th and early 20th centuries. Although it was purchased and established by a member of the pioneering Murphy family, it was one of the later orchard properties to be established after the initial settlement of the area in the 1860s and 1870s. It is important for its association with the orcharding industry, demonstrating the period of renewal in fruit growing in the area in the early 20th century. A topographic map from the 1930s shows that David and Joseph Murphy's combined orchards were among the largest in the area. Park View is historically



significant for its associations with Arthurs Creek family the Murphys and as a farm property in the district. (Criteria A)

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

Park View is significant as a representative of an orcharding and farm complex, demonstrated by its surviving Edwardian timber farmhouse and associated outbuildings demonstrating the workings of the farm and orchard. Features of note on the farmhouse include the form with central wing and perpendicular gable wings at each end, verandah between the two end wings, weatherboard cladding and timber framed double hung windows. The outbuildings, if they are early, may contribute to the representative significance of the place.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

Park View located at 25 Brennans Road East, Arthurs Creek. The original form, materials and detailing of the farmhouse are significant. The outbuildings and the setting contribute to the historical understanding of the place as an orchard complex.

Early building and stables contribute to the historical understanding of the place but are not significant.

How is it significant?

Park View located at 25 Brennans Road East, Arthurs Creek is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

Park View is historically significant as an important example of the new wave of development in Arthur's Creek in the late 19th and early 20th centuries. Although it was purchased and established by a member of the pioneering Murphy family, it was one of the later orchard properties to be established after the initial settlement of the area in the 1860s and 1870s. It is important for its association with the orcharding industry, demonstrating the period of renewal in fruit growing in the area in the early 20th century. A topographic map from the 1930s shows that David and Joseph Murphy's combined orchards were among the largest in the area. Park View is historically significant for its associations with Arthurs Creek family the Murphys and as a farm property in the district. The early outbuildings contribute to the historical understanding of the place as an orcharding complex. (Criterion A)

Park View is aesthetically significant for its surviving Edwardian timber farmhouse and associated large and small outbuilding demonstrating the workings of the farm and orchard. Features of note on the farmhouse include the form with central wing and perpendicular gable wings at each end, verandah between the two end wings, weatherboard cladding and timber framed double hung windows. (Criterion D)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from</i>	No



<i>notice and review?</i>	
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Samantha Westbrooke Pty Ltd, Dr Peter Mills and Trethowan Architecture

Proposed Extent

To the property boundaries.





References

Advertiser (Hurstbridge), as cited.

Argus, as cited.

Australasian, as cited.

Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate (E&WSA& DCVA), as cited.

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Hunter-Payne, G. 2009, *Arthurs Creek*, <https://www.emelbourne.net.au/biogs/EM00093b.htm>, accessed online 23 March 2022.

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PROV, VA2620 Registrar of Probates, Supreme Court, VPRS 28/P3 Probate and Administrative Files, File 335/441 probate of David Murphy.

PROV, VA538 Department of Crown Lands and Survey, VPRS627 Land Selection Files, Section 31 land Act 1869, File 19301 Sarah Murphy. On Lot 28 D Parish of Linton.

Reporter (Box Hill), as cited.





Title: Arthurs Creek Cemetery, 1165 Arthurs Creek Road, Arthurs Creek

Identified by: Dr Peter Mills and Samantha Westbrooke

Prepared and updated by: Trethowan Architecture

Address: 1165 Arthurs Creek Road, Arthurs Creek

Name: Arthurs Creek Cemetery	Survey Date: 2016, 2022
Place Type: Cemetery	Architect: Unknown
Grading: Individually Significant	Builder: Unknown
Extent of Overlay: To title boundaries	Construction Date: 1847 onwards



Historical Context

The first squatters arrived in the Arthurs Creek area in 1837. The Reid's run 'Hazel Glen', where the original stone and mud house survives, lay on the southwest. The Bears' 'New Leicester' lay on the northwest, the Macfarlane's 'Ard Chattan' lay between Running Creek and Arthurs Creek, and the Smiths 'Glen Ard' lay to the west of Running Creek (Hicks 1988:6). Most of the land west of the Plenty River was sold by the mid-1840s. The land to the east, including the Arthurs Creek area, which was forested and hilly with poor sedimentary soils, was considered 'cattle country' and remained under grazing leases for longer (Hicks 1988:13).

The more open undulating country between the Yan Yean Reservoir and Arthurs Creek/Deep Creek was bought at Crown Land sales in the mid-1860s (PROV, VPRS 16171/P1/6, Linton-2).



Under the 1860 Land Act, the remaining grazing leases were revoked. The eastern margin of the Parish of Linton, including the Arthurs Creek locality, was surveyed in 1856 but remained unsold. Lots 16, 17 and 24 of this survey were the first to be selected in c1861 by C. Vaughan, M. McLaughlin and W. Watson (Department of Crown Lands and Survey, 1856). The remainder of the Arthurs Creek area became the Upper Plenty Farmers' Common (later Whittlesea Common) in 1861. An area to the east of Arthurs Creek was proclaimed as the Arthurs Creek Common in 1871 (Vic Gov Gazette, 26 March 1861, No.48:632; PROV, VPRS 0242/P0, file C90869). Most of the European settlers in the area were orchardists and dairy farmers, the most famous of which were the Ryders and Drapers (PROV, VPRS 16171/P1/6, Linton-2). The homesteads of the 1860s such as those of the Ryders and Murphys were typically slab huts (PROV, VPRS 627/ P1, Unit 235, File No 19301). Butter, eggs and poultry were often the first source of income.

A village began to appear in the early 1870s, with the Primitive Methodist church established in 1873, the school opened in 1876 and the Mechanics' Institute in 1878. The Arthur's Creek Fruitgrowers' Association formed in 1890 and held meetings and competitive exhibitions of fruit at the Mechanics' Institute (Argus, 14 May 1890:6). Daily mail services started in 1889. By 1899 George Murphy had built a post office and store (E&WSA& DCVA, 26 April 1918 :3; Payne 1975:191). The settlement would expand little after this point. In the late 1880s there were 1500 acres under fruit within a three-mile radius of Arthur's Creek. The extension of the railway to Yan Yean in 1889 made transport to market easier and quicker (Argus, 21 October 1889:9).

Poor prices during the Depression compounded the decline, and by the late 1930s all but the largest and most progressive orchards were unprofitable. Orchards were cleared and the land turned over to sheep. Markets for lamb and wool were variable and while the larger farms survived on sheep, the smaller holdings reverted to dairying and pigs. By the 1970s beef cattle were becoming more profitable. Orchardng continued at Glen Ard, which by 1975 was reputedly the largest orchard in southern Victoria (Five Pear Trees, Apted's Glen Ard Orchard, 120997). The township had about 350 residents at the 1996 census (Hunter-Payne, 2008).

History

The cemetery was gazetted in 1867 however the land on which it sits was previously part of the property, Hazel Glen owned by the Reid family. A private cemetery was established when Agnes Reid died in 1847 and was buried on a hill on the property that provided views of the ranges. The cemetery was later to be gazetted on this hilltop location.



Description & Integrity



Arthurs Creek Cemetery is a rectangular cemetery accessed by a tree lined road off Arthurs Creek Road. The layout of the cemetery plots is such that the plots sit on the rise, overlooking rolling hills of farmland and towards the Arthurs Creek township to the east. There are plantings around the boundary of the cemetery reserve with Cypresses to the west boundary and natives to the south and east boundary. There is tall hedge type planting to the north boundary.



Arthurs Creek Road entry gates



Oaks at the Arthurs Creek Road end



There are double iron gates with four red brick pillars and glazed brown brick capping at the Arthurs Creek Road entry to the Cemetery Road and another set of iron gates with red brick pillars at the entry onto the cemetery reserve.



Sugar Gums to central section of avenue
Source: Sam Westbrooke 2016



Cypress Avenue
Source: Sam Westbrooke 2016

The avenue of trees along the Cemetery Road consists of Cypress trees directly below the reserve gate, which were planted in 1959. There are Sugar Gums on the mid-section of the approach road, planted in 1963, with Oaks on the first straight from the Arthurs Creek Road entry, also planted in 1963.



Cemetery Reserve Entry Gates
Source: Sam Westbrooke 2016



View from entry along west boundary
Source: Sam Westbrooke 2016

The cemetery is divided into denominations with a mixture of early and later headstones in these sections. There are a number of elaborate early headstones with some cast iron fences around some of the plots. There are six bays of plots with an east west path running between each bay and a path at the north and south boundaries linking the east west paths.

A new non-denominational section (formerly the 'independent denominational section') was created in 1978, with concrete beams to carry headstones added in 1982. This forms the fourth bay in the cemetery layout. Ground niches were created for interment of ashes in 1980.



Toward the end of the twentieth century the non-denominational section became the 'lawn section' and further concrete beams for headstones were installed.

The red-brick store was erected on the rear (west) boundary in 1970. It has a gable roof. A similar brick building with a gable roof was erected, also on the west boundary as a toilet block in 1976.



Northern boundary
Source: Sam Westbrooke 2016



Chapel to the south east corner
Source: Sam Westbrooke 2016



Early headstones
Source: Sam Westbrooke 2016



View towards east
Source: Sam Westbrooke 2016

On Australia Day 1994 a plaque was unveiled to commemorate 150 years of the Reid family's occupation of Hazel Glen. The plaque was mounted on a cairn and housed in a gazebo at the cemetery.

The second bay of the cemetery consists of a bush garden with Australian plantings and boulders, which contain plaques. A bluestone niche wall sits at the east end of this garden and is used for reception of cremated ashes. This section was added to the cemetery in 1997.

The red brick Pioneers Memorial Chapel, which was completed in 2004, is located to the north east corner of the site with glazing to the east elevation allowing views over the hills and farmland to the east. The chapel is red brick with a tapered gable roof following the essentially diamond shaped footprint of the building. The taper on the west (entry) side



forms a canopy over the entry, which is glazed. The north and south bays have brick walls with the central, taller chapel with glazing to the east and west elevations.



Non-denominational Lawn area
Source: Sam Westbrooke 2016



Native garden Section of cemetery
Source: Sam Westbrooke 2016

The Arthur's Creek cemetery remains in use today. Prominent families represented include Bassetts, Christian, Draper, Murphy, Reid, Sutherland and Smith.

Comparative Analysis

Other cemeteries currently on the Heritage Overlay include the following:

- Hurst Family Cemetery, at Hurstbridge Pre-School, 4-8 Greys Harps Road, Hurstbridge - HO57
- Queenstown Cemetery, 70 Smiths Gully Road, Smiths Gully - HO163
- Ellis Gateway at Nillumbik Cemetery, 35 Main Street, Diamond Creek - HO226



Hurst Family Cemetery. Image source: Victorian Heritage Directory.



Queenstown Cemetery. Image source: Victorian Heritage Database



Gateway to the Nillumbik Cemetery. Source: Nillumbik Cemetery Trust.

The Hurst family cemetery includes tombstones and remains, mature exotic planting. Significant trees include an Atlas Cedar tree, Canary Island Pine tree, Peppercorn tree and Stone Pine tree. The cemetery is historically significant because it is associated with the Hurst family, who were amongst the first settlers at Hurstbridge and because it is a rare example (in Melbourne) of a private burial ground established by a district's early settlers.

The Queenstown Cemetery is a c1866 cemetery and the mature planting within the cemetery and the surrounding site is historically, aesthetically and socially significant to the Shire of Nillumbik. The cemetery is historically significant as a rare example (in Melbourne) of a private burial ground established by a district's early settlers - many of the early burials in the cemetery are those of diggers who worked on the nearby Caledonia (St Andrews) goldfields. A study of the graves and associated records tells the story of the difficulties faced by early miners and settlers in the area, and in particular the high child mortality rate (Criterion A). The cemetery is also historically significant as the resting place of several prominent local citizens, including Charlotte Ness and Kathleen Donaldson (Criterion H).

The Nillumbik Cemetery (established c.1860s) is significant for its association with the early history and a record of the pioneering families of the district. It includes significant plantings including boundary cypress rows and various structures, with ornamental gateway.

The Arthurs Creek Cemetery is comparable to these in terms of age, dating to the mid nineteenth century, and associated with Victorian era colonists in the area. It contains comparable trees and structures. While its gates are less ornamental than the Nillumbik Cemetery, its historical significance is comparable, and its spectacular landscape setting on the hill is distinctive and uniquely associated with the first private burial at the site.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Arthurs Creek Cemetery is historically significant for demonstration of the early settlement of the Arthurs Creek area as well as providing documentary history of the families living in the district from its beginnings until the present day.



CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

Arthurs Creek Cemetery is aesthetically significant as a representative example of a rural cemetery established in the mid 1800s. It provides examples of late Victorian headstones and cast-iron cemetery surrounds as well as demonstrating the early denominational layout of a cemetery. The bush garden section for cremated ashes is of aesthetic interest and links to the history of native landscaping in the Shire. The two sets of entry gates, pine boundary planting, entry avenue with Cypress, Sugar Gums and Oaks and picturesque hillside setting contribute to the aesthetic significance of the place.

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).

Arthurs Creek Cemetery is of social significance as an important commemorative site valued by the Arthurs Creek district community

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

The Arthurs Creek Cemetery contains graves of prominent families who have had a long association with the district, including the Bassett, Christian, Draper, Murphy, Reid, Sutherland and Smith families.



Statement of Significance

What is Significant?

Arthurs Creek Cemetery at 1165 Arthurs Creek Road, Arthurs Creek. The cemetery landscaping, grave sites, chapel, matching Arthurs Creek Road and cemetery reserve gates and entry tree avenue containing Cypress planted in 1959 and Sugar Gums and Oaks planted in 1963 and the pines to the boundaries and cemetery setting contribute to the significance of the place.

How is it significant?

Arthurs Creek Cemetery is of local historic, aesthetic, social and associative significance to the Shire of Nillumbik.

Why is it significant?

Arthurs Creek Cemetery is historically significant for demonstration of the early settlement of the Arthurs Creek area as well as providing documentary history of the families living in the district from its beginnings until the present day. The cemetery was gazetted in 1867 however the land on which it sits was previously part of the property, Hazel Glen owned by the Reid family. A private cemetery was established when Agnes Reid died in 1847 and was buried on a hill on the property that provided views of the ranges. The cemetery was later to be gazetted on this hilltop location. The cemetery not only demonstrates an early cemetery layout and features, but also the changing practices and operation of cemeteries illustrated by the initial establishment as a private burial site with early denominational layout, accommodation of multi-faiths and cremations, on site chapel, non-denominational section and bush garden landscape. (Criterion A)

Arthurs Creek Cemetery is aesthetically significant as an example of a rural cemetery established in the mid 1800s. It provides examples of late Victorian headstones and cast-iron cemetery surrounds as well as demonstrating the early denominational layout of a cemetery. The bush garden section for cremated ashes is of aesthetic interest and links to the history of native landscaping in the Shire. The two sets of entry gates, pine boundary planting, entry avenue with Cypress, Sugar Gums and Oaks and picturesque hillside setting contribute to the aesthetic significance of the place. (Criterion E)

Arthurs Creek Cemetery is of social significance as an important commemorative site valued by the Arthurs Creek district community (Criterion G).

The Arthurs Creek Cemetery contains graves of prominent families who have had a long association with the district, including the Bassett, Christian, Draper, Murphy, Reid, Sutherland and Smith families. (Criterion H)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

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



Tree Controls <i>Is a permit required to remove a tree?</i>	Yes – sugar gums, cypresses, oaks, avenue of trees.
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	Yes - Road and Cemetery Reserve Gates
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Samantha Westbrooke

Proposed Extent

The proposed extent includes the original cemetery reserve area and the Cemetery Road avenue entry and gates.



References

Argus, as cited.

Australasian, as cited.

Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate (E&WSA& DCVA), as cited.

Evelyn Observer and Bourke East Record (EOBER), as cited.

Hermes Records for 'Five Pear Trees, Apted's Glen Ard Orchard', Shire of Nillumbik, accessed March 2022, as cited.

Hicks, P1988, *Plenty Valley Historical Survey*, Ministry for Planning and Environment, Melbourne.

Hunter-Payne, G. 2009, *Arthurs Creek*, <https://www.emelbourne.net.au/biogs/EM00093b.htm>, accessed online 23 March 2022.



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Payne, J.W. 1975. *The Plenty: A Centenary History of the Whittlesea Shire*. Kilmore: Lowden. Victoria. Department of Crown Lands and Survey 1856, Country lands, in the Parish of Linton, East of the Parish of Toorourong, adjoining the Yan Yean Reservoir. Dept. of Lands and Survey, Melbourne

Victorian Government Gazette, as cited.



Title: Sherwood, 110 Deep Creek Road, Arthurs Creek

Identified by: Samantha Westbrooke Pty Ltd in association with Dr Peter Mills

Prepared by: Trethowan Architecture.

Address: 110 Deep Creek Road, Arthurs Creek

Name: Sherwood	Survey Date: 2015 and 2022
Place Type: Individual	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To property boundary	Construction Date: c1865



Sherwood, view from Deep Creek Road,
Source: Samantha Westbrooke, dated May 2015

Historical Context

The first squatters arrived in the Arthurs Creek area in 1837. The Reid's run 'Hazel Glen', where the original stone and mud house survives, lay on the southwest. The Bears' 'New Leicester' lay on the northwest, the Macfarlane's 'Ard Chattan' lay between Running Creek and Arthurs Creek, and the Smiths 'Glen Ard' lay to the west of Running Creek (Hicks 1988:6). Most of the land west of the Plenty River was sold by the mid-1840s. The land to the east, including the Arthurs Creek area, which was forested and hilly with poor sedimentary soils, was considered 'cattle country' and remained under grazing leases for longer (Hicks 1988:13).

The more open undulating country between the Yan Yean Reservoir and Arthurs Creek/Deep Creek was bought at Crown Land sales in the mid-1860s (PROV, VPRS 16171/P1/6, Linton-2). Under the 1860 Land Act, the remaining grazing leases were revoked. The eastern margin of the Parish of Linton, including the Arthurs Creek locality, was surveyed in 1856 but remained unsold. Lots 16, 17 and 24 of this survey were the first



to be selected in c1861 by C. Vaughan, M. McLaughlin and W. Watson (Department of Crown Lands and Survey, 1856). The remainder of the Arthurs Creek area became the Upper Plenty Farmers' Common (later Whittlesea Common) in 1861. An area to the east of Arthurs Creek was proclaimed as the Arthurs Creek Common in 1871 (Vic Gov Gazette, 26 March 1861, No.48:632; PROV, VPRS 0242/P0, file C90869). Most of the European settlers in the area were orchardists and dairy farmers, the most famous of which were the Ryders and Drapers (PROV, VPRS 16171/P1/6, Linton-2). The homesteads of the 1860s such as those of the Ryders and Murphys were typically slab huts (PROV, VPRS 627/ P1, Unit 235, File No 19301). Butter, eggs and poultry were often the first source of income.

A village began to appear in the early 1870s, with the Primitive Methodist church established in 1873, the school opened in 1876 and the Mechanics' Institute in 1878. The Arthur's Creek Fruitgrowers' Association formed in 1890 and held meetings and competitive exhibitions of fruit at the Mechanics' Institute (Argus, 14 May 1890:6). Daily mail services started in 1889. By 1899 George Murphy had built a post office and store (E&WSA& DCVA, 26 April 1918 :3; Payne 1975:191). The settlement would expand little after this point. In the late 1880s there were 1500 acres under fruit within a three-mile radius of Arthur's Creek. The extension of the railway to Yan Yean in 1889 made transport to market easier and quicker (Argus, 21 October 1889:9).

Poor prices during the Depression compounded the decline, and by the late 1930s all but the largest and most progressive orchards were unprofitable. Orchards were cleared and the land turned over to sheep. Markets for lamb and wool were variable and while the larger farms survived on sheep, the smaller holdings reverted to dairying and pigs. By the 1970s beef cattle were becoming more profitable. Orcharding continued at Glen Ard, which by 1975 was reputedly the largest orchard in southern Victoria (Five Pear Trees, Apted's Glen Ard Orchard, 120997). The township had about 350 residents at the 1996 census (Hunter-Payne, 2008).

History

The subject site (Lot 27F, Parish of Linton) was taken up by William Phillips in 1869 under an occupation license granted under Section 42 of the 1865 *Land Act*. It is likely that the Phillips built the house around this time. Freehold was later obtained in November 1875 under Section 31 of the 1869 *Land Act* (Linton Parish Plan Pt.2; CT: V852 F255).

James Bradford, who had married the Phillips' daughter Mary, bought Lot 27F from Mary's parents in April 1882 (CT: V1348 F443). From 1886 the Bradfords leased part of their Lot 27F to C J Stewart and Angus McDonald (CT: V1348 F443).

John Edward Steer, Ernest Steer and Anna Maria Steer purchased Lot 27F from Bradford in 1888, and the lease to Stewart and McDonald was still active at this time (CT V2021 F166). John Edward Steer later took single ownership of Lot 27F in 1903. A 1917 article implies that the house in which Steer lived had been built during the period of occupation by the Phillips (*EOBER* 30 March 1917:3). Steers' only daughter Winifred was married in 1920, and an account of this occasion was the earliest use of the name Sherwood found in local newspapers (*E&WSA&DCVA* 19 November 1920:3).

John Edward Steer died in 1922 and was survived by his wife Clementina (*E&WSA&DCVA* 24 February 1922:3). Steer's probate indicates the family had a six-roomed brick house on the subject site at that time, with a value of £960 (Probate papers for John Steer, VPRS 28, Consignment P3, Unit 1222).

Clementina Steer died in 1931, at which point the property went to her son Edward Allison Steer (CT: V2021 F846). At her death the property still included an "old six- roomed brick house". There were 15 acres of orchard, 8 of crops, with the rest grass and lightly timbered



(Probate Papers for Clementina Steer 1932, VPRS 28, Consignment P3, Unit 2286, Item 246/471).

Edward Steer took over the property, with his wife Ilma joining him in 1935 shortly after their marriage (*Advertiser* (Hurstbridge) 5 July 1935:5). Edward and Ilma Steer had a son at the property in 1938 (*Argus* 5 November 1938:6). The family did not remain at the site for long, selling it in 1942. The property later changed hands multiple times between 1942 and 1966 (CT: V2021 F846; V2929 F709).

Description & Integrity



Aerial view of Sherwood 2015 Source: Nillumbik Shire Council

Sherwood, 110 Deep Creek Road, is located on the 80-acre Lot 27F, Parish of Linton. This Lot is bordered on the west by the Arthurs Creek Road, and Deep Creek flows from north to south on the western side of the property.

Sherwood contains a Victorian brick farmhouse with an M-shaped double hip roof and later skillion additions to the south and east elevations. The original six roomed homestead would be contained under the double hip roof. The verandah on the west side has cast iron verandah posts. Surviving original windows are timber framed and double hung and there is a central brick chimney. There appear to be large mature cedars on the site, possibly early plantings, including a row along the boundary.

Comparative Analysis

Farmhouses have been present in the Shire of Nillumbik since the 1840s, when rudimentary dwellings were erected by settlers as the land was opened up for agricultural use. The earliest farmhouses were usually modest constructions that made use of readily available materials, evident in examples such as the 1843 sections of Hazel Glen Homestead (HO234).



As more settlers arrived in the district, and became more prosperous, later examples began to display popular stylistic details such as veranda fretwork and detailed chimneys. Despite this, many farmhouses continued to be built as simple vernacular forms that prioritised function.

Comparable examples of farms currently on the Nillumbik Shire Heritage Overlay include:

- Nillumbik Farm, 50 Challenger Street, Diamond Creek (HO24)
- Tregowan Farm Complex, 310 Doctors Gully Road, Doreen (HO193)
- Pigeon Bank, 450 Kangaroo Ground-Warrandyte Road, Kangaroo Ground (HO102)



Nillumbik Farm, 50 Challenger Street, Diamond Creek (HO24)



Tregowan Farm Complex, 310 Doctors Gully Road, Doreen (HO193)



Pigeon Bank, 450 Kangaroo Ground-Warrandyte Road, Kangaroo Ground (HO102)

Nillumbik Farm is a c1850s farmhouse that is significant as a rare surviving example of a house from that era in the Shire. The house is contained under a large, hipped roof with surrounding veranda. The house is also historically significant for its association with important early settlers in Victoria.

The Tregowan Farm Complex is a collection of farm buildings, with the earliest sections dating to the 1860s. The buildings demonstrate vernacular forms demonstrating their use as both a home and the centre of a working orchard. The site is historically significant to the Shire of Nillumbik for its early role in orcharding in the area, and as an excellent example of remote building techniques in the 1860s in Victoria.

Pigeon Bank is a timber farmhouse commenced in the 1860s, with sections added to meet changing needs in following years. The house features various parallel gable roofed sections that demonstrate this development and highlight the vernacular approach to farmhouse building in the Shire. Pigeon Bank is historically significant for its associations with prominent settlers in the Shire, and aesthetically significant for its remnant exotic gardens.



Although each of these examples is distinct from the subject site in terms of overall form, they each demonstrate a similar vernacular approach to farmhouse construction in the earliest decades of settlement in the Shire. Each building demonstrates a primary response to function, with stylistic elements being a secondary consideration. The sites also demonstrate the often piecemeal development patterns of early farmhouses in the area. Overall, the subject site compares well as an early example of a vernacular farmhouse in the Shire of Nillumbik.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Sherwood is historically significant as an example of a farming property settled in the district in the 1860s, as a result of the 1865 Land Act. The uptake of land during this period brought many families to the district and brought about the establishment of the Arthurs Creek township. The property's association with early prominent citizens of Arthurs Creek, including the Phillips and Steer families, is of historical interest for the township. Sherwood is also historically significant for its associations with the history of orcharding in the area, which peaked in the 1890s and underwent a renewal in the early 20th century. The cool store and other early outbuildings contribute to the historical understanding of the place as an orcharding property in the Shire.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

Sherwood is representative of the type of modest farmhouses that were being erected during the 1860s in the Shire of Nillumbik. The house demonstrates the vernacular nature of rural properties built in that era, evidenced by its modest size, double parallel hipped roof form, and skillion additions. The verandah and timber framed double hung windows are more generally characteristic of housing in the Victorian era. The house's siting on a rise overlooking farmland contributes to the setting of the place.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is significant?

Sherwood at 110 Deep Creek Road, Arthurs Creek, is significant.

Significant elements of the place include the house's:

- Original form with M-shape roof
- Original materiality
- Original detailing, including veranda posts and windows
- Orientation and siting, and driveway

Early buildings contribute to the historical understanding of the place as an orchard but are not significant.

How is it significant?

Sherwood at 110 Deep Creek Road, Arthurs Creek, is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

Sherwood at 110 Deep Creek Road, Arthurs Creek, is historically significant as an example of a farming property settled in the district in the 1860s, as a result of the 1865 Land Act. The uptake of land in this period of settlement brought about the establishment of the Arthurs Creek township. The property is also historically significant for its associations with the history of orcharding in the area, which peaked in the 1890s and underwent a renewal in the early 20th century. The property's association with early prominent citizens of Arthurs Creek, including the Phillips and Steer families, is of historical interest for the township. The cool store and other early outbuildings contribute to the historical understanding and setting of the place in their demonstration of the appearance and operation of an orchard property. (Criterion A)

Sherwood at 110 Deep Creek Road, Arthurs Creek, is significant as a representative example of a surviving circa 1860s brick farmhouse in the Shire of Nillumbik. The house demonstrates the vernacular nature of farmhouses built in the Shire during that era, evident in its modest size, double parallel hipped roof form, and skillion additions. The verandah and timber framed double hung windows are more generally characteristic of the era. The location of the dwelling on a rise overlooking farmland contributes to the setting of the place. (Criterion D)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes – mature Cedars
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Westbrooke & Mills

Proposed Extent



The proposed extent to the property boundary.



References

Advertiser (Hurstbridge), as cited.

Argus, as cited.

Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate (E&WSA&DCVA), as cited.

Evelyn Observer & Bourke East Record (EOBER), as cited.

Hicks, Paul. 1988. *Plenty Valley Historical Survey*. Melbourne: Ministry for Planning and Environment.

Land Victoria, Certificates of Title (CT), as cited.

Linton Parish Plan

Murphy, James T. 1971. *Early settlers of Arthurs Creek, Victoria*. Arthurs Creek, Vic.: The Author.

Payne, J.W. 1975. *The Plenty: A Centenary History of the Whittlesea Shire*. Kilmore: Lowden.

Probate Papers for Clementina Steer 1932, VPRS 28, Consignment P3, Unit 2286, Item 246/471

Probate papers for John Steer, VPRS 28, Consignment P3, Unit 1222



Title: McPherson's 'Yarra Glen' Station/Estate

Identified by: Samantha Westbrooke Pty Ltd, Dr Peter Mills and Trethowan Architecture

Prepared by: Trethowan Architecture

Address: 75 Wendy Way, Christmas Hills

Name: McPherson's 'Yarra Glen' Station/Estate	Survey Date: N/A
Place Type: Individual place	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To property boundaries	Construction Date: c1870s



Image Source: Nearmap February 2022.

Historical Context

The first squatters arrived in the area, which would become known as Christmas Hills in the late 1830s. The Ryries established their station near where Chateau Yering now stands. John Gardiner and David Fletcher set up downstream of the Ryries at Moorool Bark station (Woiwod 2010:35-36). The pattern of squatting north of the Yarra from c1840 is more difficult to establish, with historians of the squatting era giving conflicting details. Billis and Kenyon have James Watson in occupation of the Stringybark run located in the country between the Yarra, Watsons Creek and the Nillumbik station, in 1840. Watson had numerous runs elsewhere in Port Phillip and local historian Mick Woiwod concludes that Watson never actually lived on the Stringybark run (Woiwod 2010:36-7, 40-41).

Joseph Stevenson had established a run on the Diamond Creek by 1841. From 1842-45 he also occupied the 9,600-acre run to the north of the Watsons Creek and Yering Stations, which became the Christmas Hill station. Stevenson, like James McPherson who would arrive in the Christmas Hills area ten years later, was a working-class Scottish migrant, a carpenter, in contrast to first wave of squatters generally in the colony, and many of the



other contemporary squatters in the district such as Ryrie and Watson (Woiwod 2010:42-43, 52).

The squatting runs in this area close to Melbourne were much smaller than the more typical runs to the west of the Port Phillip district which frequently exceeded 100,000 acres. Woiwod suggests that typically cattle were grazed here because the runs were much closer to the Melbourne markets. Leaseholders of runs located in the settled districts of Port Phillip were not permitted to grow commercial crops (Woiwod 2010:38, 51-52). Notable pastoral runs in the 1840s and 50s included those of Hugh Glass (Spreadborough & Anderson 1983:265) and of Hugh Glass and James Murray (Woiwod 2010:61). The extent of their respective runs remains uncertain. Woiwod was unable to find documentation of an exact location of the Glass/Murray station buildings on the Watsons Creek run. Murray was known to have occupied land north of the Yarra and east of Watsons Creek, and the bridge over Watsons Creek is named Murrays Bridge on old maps. Woiwod concluded that because most of the run was unsuitable for pastoralism, Murray's station buildings were likely to have been in the position of the later station buildings of the McPhersons (Woiwod 2010:36).

In 1958 there was a severance poll and part of Christmas Hills which had been in the Shire of Eltham was taken over by the Shire of Healesville. The new boundary followed Watsons Creek. This was effectively reversed in the 1994 local government amalgamations when the boundary was moved to the Yarra River and the subject site became part of the new Shire of Nillumbik.

History

McPherson's Station – 'Yarra Glen'

The next occupiers of the Watsons Creek run were the McPherson family in the early 1850s. James and Janet (McKenzie) McPherson arrived in Sydney in 1838. The couple were from Kingussie, Scotland. Prior to coming to Watsons Creek, the McPhersons spent six months in Sydney then to Port Phillip where James was soon employed in his trade as a shoemaker (Watson 2006:1-2). They moved to Campbellfield in 1840/41 (Watson 2006:6), then to Morang on the Plenty River where they rented a farm (Watson 2006:7 & 10).

In 1855 James McPherson applied for the grant of a Pre-emptive Right block of 640 acres. The letter was addressed to the Commissioner of Crown Land, c/o Hugh Glass. Glass may have retained some connection to the lease or may have been acting as an agent for McPherson (Woiwod 2010:75). The grant was made in 1857 (PROV, VPRS16171/P01/8, Sutton (Psh) LOLmps3513). An c1857 plan drawn for the pre-emptive right grant shows three buildings by the river, including one labelled "dwelling house". In 1858 James was cultivating only 5 acres of the 640 acres (RB 1858).

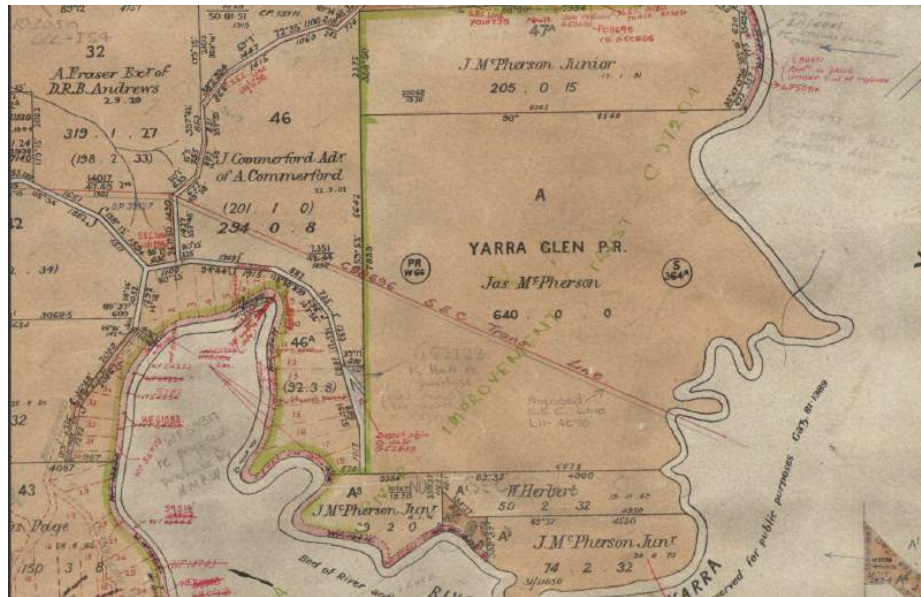


Figure 1: James McPherson's Yarra Glen Run. Source: PROV, VPRS16171/P01/8, Sutton (Psh) LOLmps3513)

The McPhersons continued to make use of grazing leases on Crown land. In 1859 he was rated for 8320 acres of Crown-owned grazing land, indicating he was probably leasing much of the remainder of the original Watsons Creek/Yarra Glen run (Woiwod 2010:77; RB 1859). In 1864 James McPherson advertised 200 dairy cattle for sale at his station Yarra Glen (*Argus*, 26 July 1864:3). He made a will in 1866 in which his son William was to get the 591 acres Lot 13 in the Parish of Tarrawarra in 1867. While William did not officially become the owner until 1881, he and his new wife soon moved to the property, which they named 'Huntinglen' (Watson 2006:21; PROV, VPRS 7591/P2, 15/418).

In the will younger son James was to get the 640-acre Pre-emptive Right lot when he was 21, along with "the building and other erections thereon". James senior's wife Janet was to retain a life interest in the property (VPRS 7591/P2, 15/418). Perhaps because he felt secure in this position, from c1869 James McPherson junior set about his own selections around the original Pre-emptive Right block. In 1869 he applied for a Section 42 occupation license for Lot A2 Parish of Sutton, 74 acres south of William Herbert's 42nd section block, to which he gained freehold in 1873. This land was river flats which flooded in winter. He also selected the 39-acre Lot A3 just to the west under Sections 19 and 20 of the Land Act, and for which he gained freehold in 1876. He cleared, drained and sowed this land to grass (*Age* 12 May 1869:1; PROV, VPRS5357/P0, 11850/106; PROV, VPRS16171/P01/8, Sutton (Psh) LOLmps3513).

In 1869 James McPherson (presumably senior) advertised for sale his entire dairy herd, with the auction at his homestead at Yarra Glen Station, "in consequence of [his] giving up the run" (*Australasian* 21 August 1869:3). The reasons for, and the outcome of this sale are not known. In 1873 James Junior selected the heavily timbered 205-acre Lot 47A adjoining the northern boundary of his father's Pre-emptive Right. Here he cleared and ringbarked, built a dam and planted a small area of orchard. The Lands Department file notes that at this time he was living on the adjoining block with his father. Times must have been tough, as he applied to mortgage the lease in 1878. He would not gain freehold until 1891 (PROV, VPRS625/P0, file 32069; PROV, VPRS16171/P01/8, Sutton (Psh) LOLmps3513).



Tansley and Watson both suggest the existing slab house was built in the early 1870s, though neither detail how they came to this conclusion (Tansley 1978:113, Watson 2006:25). Rate books from 1858 to the late 1870s give no indication of the date of construction. James junior was concurrently clearing land on the adjacent blocks he had selected (see above), and this may have provided the materials for the new residence. Perhaps the condition of the old building had simply become too poor. The new slab house was certainly there by the time James McPherson senior died, in 1876. The inventory in McPherson's probate papers lists a four-roomed wood residence with shed and stable (VPRS 7591/P2, 15/418).

James McPherson Junior

James junior married Alice Holding in 1879. Alice gave birth to a son, James William, at her father's residence in Fitzroy in 1880 (*Age* 17 September 1880:1; Watson 2006:26). Watson writes that James junior continued to farm Yarra Glen during the 1880s, but he appears to have done so with some reluctance. In 1877 he had a clearing out sale of the whole of his farming stock at Yarra Glen because he was giving up dairying (*Australasian* 3 November 1877:28). In 1889 he offered the Yarra Glen Estate, containing 845 acres, for a three-year lease. It included a comfortable homestead of four rooms (*EO&S&EBR* 20 September 1889:2). There appear to have been no takers.

The depression of the 1890s had taken hold in Victoria and James junior struggled to maintain the property (Watson 2006:34). In 1890 he advertised for cattle to graze on the Yarra Glen Estate (*EO&S&EBR* 13 June 1890:2). He advertised grazing paddocks again in 1894 (*EO&S&EBR* 16 March 1894:2). James senior's executors William Herbert and William Ross finally transferred ownership of the property to James junior in 1894. He then mortgaged the property to neighbour William Herbert to enable him to carry on with the farm. His brother William had been more successful as a farmer and he also supported James (Watson 2006:34). James junior's mother Janet McPherson died in 1889 (Watson 2006:33).

When James junior himself died in 1898, he still owned the 640 acres of Pre-emptive Right land, on which was an "old slab house containing four rooms", along with an old detached building of three rooms (presumably the original residence c1851) and an old barn, stable and cowsheds (PROV, VPRS 28/P0, 67/925). James' wife Alice remained on the property with the children until 1907. Her oldest son James William died in 1905 and her next son Andrew had little interest in becoming a farmer. The family struggled to run the large property, and Alice sold the property and moved to a much smaller farm closer to the township of Yarra Glen.

David Mitchell and the 'Henley Estate'

The McPherson land was purchased by David Mitchell, father of Dame Nellie Melba, in 1907/8. Mitchell was a builder, contractor and businessman who constructed several major buildings in the city of Melbourne. He owned a brick-works in Richmond and was a shareholder in a lime and cement manufacturing company. He owned several large pastoral properties round Victoria, including a number of properties around Yarra Glen. He worked limestone deposits at his property Cave Hill at Lilydale, and also produced ham, cheese, butter, bacon and soap there. He owned winegrowing and making properties at Yeringberg, Coldstream and St Huberts. At Yarra Glen he added land on the Yarra flats across the river and renamed the property the 'Henley' (Watson 2006:37; Campbell, 1974). The farm was frequently visited by the hunts of the Yarra Glen and Lilydale Hounds (*Australasian* 24 June 1911:23).

John Herbert Thornton

David Mitchell died in 1916. In 1920 the Henley Estate was sold by the executors of the David Mitchell estate to Mr (John) Herbert Thornton of 'Mount Myrtoon' station, Camperdown. The estate was now 1478 acres in extent with 600 acres of Yarra flats (*Age*



22 April 1920:9). When Thornton died in 1924 the inventory in his probate papers indicated that the property included a "5 roomed slab house, slab stables and outbuildings" (VPRS 28/P3,199/180). This may indicate the addition of another room, possibly the infilling of the verandah on the northern side.

When the estate was put up for sale in 1925 it was described as "a splendid dairying and fattening property, with a double frontage to the River Yarra". There was a "substantial" bridge over the river. The house on the north side of the river (the subject house) was described as the manager's cottage, indicating that the owners did not live on the farm (*Australasian* 14 February 1925:7).

Sharp and Taylor

Messrs Sharp and Taylor of City Road South Melbourne became the owners in 1925 (RB 1925). They were still there in the 1934 floods when they lost several trucks of sheep "at Henley" (*H&YGG* 8 December 1934:3).

The Hill brothers

The Hill Bros. became the new owner of the Henley Estate, now 1017 acres, in 1937. They planned to run the property as "an up-to-date dairy farm" (*Advertiser (Hurstbridge)* 16 July 1937:3). It appears that the Hills also raised and grazed horses. In 1937 the estate sold 150 horses and ponies at the Dandenong Horse sale, including "several trucks [of] fresh country horses" (*Dandenong Journal* 28 January 1937:4).

One of the brothers, Edward Colin Hill, was the owner until he died in 1974 (BDM 24302/1974). His executors Colin Edward Hill, Wendy Oliver, and Ruby Vera Elizabeth Hill became the joint owners of the land including the subject building in 1985. Wendy Oliver was living at Henley at that time (CT: V9594 F108).

The slab barn was removed in c 2010 (Nearmap 2010).



Figure 2: Aerial view of the subject site in 1971. Source: Landata.



Figure 3: Nearmap dated 24 December 2010 shows the subject site. The location of the former slab barn is indicated with an arrow. Source: Nearmap

1988 Reinvestigation by Upper Yarra Valley and Dandenong Ranges Authority

In 1988 the Upper Yarra Valley and Dandenong Ranges Authority conducted a follow up study of sites and structure of historical and archaeological significance. The condition of currently known sites was reviewed, and a number of sites not identified in the previous study were investigated.

The Yarra Glen slab homestead and stables was again judged to be of State significance and was recommended for inclusion in the State Register of Historic Buildings.

Description & Integrity

This description is limited by reliance on a few photos and plans supplied with the Planning Application and the Tansley citation of 1978.

The building is rectangular in plan. The original enclosed area is approximately 5.5m x 16m, and the verandahs were approximately 2m wide. It appears that it originally had four rooms along its length.

The house has a moderately steep hip roof with bell-cast verandah on three sides. The verandah is supported on simple square-section hardwood posts. If built in 1870, it is possible that shingles may still have been used originally. Tansley stated in 1978 that the iron on the roof had been recently replaced (Tansley 1978, p.113). If so, it has corroded quite rapidly, or second-hand iron was used. The sheets are short, which may support the latter. The narrow strips of uncorroded material at the joints also suggests reuse, with the original lapping pattern not being replicated. Gutters are recent quad section.

The verandahs have been filled in gradually over the years. The earliest 'extension' may have been at the back left where a section of the rear slab wall was moved back to form the external wall. The other infills, one on the front right and the other at the rear-right, have either weatherboard or asbestos-cement cladding.



The vertical hardwood slabs are chamfered at the ends and appear to be slotted into mortices in both the top and bottom plates. Most, if not all of the slabs appear to have come from the outside of the log. The inner face may be sawn or split. The bottom-plates or sleepers are on ground where they are visible at the sides and back of the building. It is possible they are supported on shoulders on the posts or on stumps at the front where the ground drops away. Heavy squared corner posts support the top-plates. The quality of the slab finish suggests that the builder was well versed in this form of construction.

The windows are double four-light sashes with slender frames and glazing bars. Tansley states that parts of the interior are pine board lined (Tansley 1978:114). There are two chimneys, one servicing a fireplace in the original interior, which is taller and features a smattering of dark bricks among the red, and a simple corbelling at the top. The other is in a later extension into the rear verandah, and may have serviced a copper.

The main body of the building is in good condition, especially for a slab hut of this age. The verandah foundations, posts and roofing are in poorer condition. The building is highly intact for a slab structure. The integrity of the building is moderate to high, with some obscuring of the original form over the years by the verandah infills and some new openings and rearrangement of original walls. There is some loss of original setting, including the relatively recent loss of the slab barn/stables, but new buildings are located at a distance and the original view across the river to the Yarra Flats remains unobscured.

Comparative Analysis

History of slab buildings

Miles Lewis writes that by the mid-1840s the vast majority of squatters' residences on the eastern side of Australia were of slab construction (Lewis 2000:46). Lewis also states that the majority of these squatter slab buildings were of horizontal slab construction (Lewis *Australian Building* Sec.2.4). Several of the squatting run stations in this district had slab huts in this period, including the original Haley homestead at Allwood (Marshall 1971:78).

Later slab huts in the district were largely constructed by gold diggers and smallholders and are modest, typically small buildings. A 1927 article in the *Advertiser* on the coming centenary of settlement (1835-1935) celebrations at Eltham suggested that "in those days most habitations were of crude design, slab and wattle and daub houses being predominant. Traces of these houses may be seen all over the district" (*Hurtbridge Advertiser* 25 March 1927:2). The Heidelberg Shire valuation book for its Greensborough riding in 1885, a broadly comparable area, detailed nine slab residences among the 181 residences listed. The valuation book also reveals that by this time the great majority of residences were of weatherboard on timber frame, with a few of stone and brick (RB 1885). If one extrapolated over the whole Nillumbik Shire footprint, there might have been dozens of slab residences and a similar number or more again of slab outbuildings extant in this period.

Within the Shire of Nillumbik, comparative examples include:

Drop slab barn Cleir Hills 1394 Heidelberg-Kinglake Rd, Nillumbik Shire HO63



The late 19th/early 20th century barn is of horizontal drop slab construction. It has a steep gable roof. The building is considered significant for its association with pioneering orchardist William Gray of Allwood. It is said to demonstrate the kind of buildings erected by the Shire's early settlers. It is rare as one of four known surviving slab buildings in Nillumbik Shire.

Miners Timber Slab Cottage 2 Castle Road North Warrandyte, Nillumbik Shire HO22



This "pre-1904" cottage is a very small vertical slab building with bark roof. It is in very poor condition. The building is considered technologically and historically significant as a rare surviving slab cottage with bark roof.

Timber slab farm building 365 Wattle Glen-Kangaroo Ground Rd, Nillumbik Shire HO107



The late 19th/early 20th century barn is of "drop-slab" construction with a corrugated iron clad gable roof. It is in poor condition. The barn is considered significant as a reminder of the importance of agriculture in the development of the area and as a rare example of the use of vernacular building techniques in the late 19th/early 20th century.

'Willowmist' drop slab outbuilding, 2315 Heidelberg Kinglake Rd St Andrews, Nillumbik Shire HO64



This building is a horizontal drop-slab outbuilding with integrated lean to, constructed in the late 19th/early 20th century. The building is considered significant as a good example of a vernacular technology applied to farm outbuildings.

Bells cottage off Gellibrand Place Lower Plenty, Nillumbik Shire HO59



The late nineteenth century central bay has a combination of vertical slab and wattle and daub walls with corrugated iron over an earlier bark hipped roof. Later asbestos-cement additions are located at either end. The cottage is considered significant for its association with pioneering orchardists including Frederick Flintoff and Robert Whatmaugh. It is considered technically significant as an example of a suite of vernacular building methods including vertical slab, wattle and daub and bark roof.

Summary

Among the suite of five slab buildings in the Nillumbik Shire with a heritage overlay, none are earlier than the late nineteenth century. The three outbuildings are of horizontal slab or 'drop-slab' construction. The two residences are single room structures and much smaller than the Yarra Glen slab house. They relate in one case to mining, and in the other to small-holding. They are also in poor condition. In all these respects, Yarra Glen is distinctive.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The Yarra Glen slab residence is of historical significance for its capacity to demonstrate the evolution of a small squatting run in the settled districts through the end of the squatting era and into the era of selection and grazing leases on Crown land.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

the Yarra Glen slab building is significant as a rare surviving vertical slab residence of substantial size, which appears in good condition with a high level of intactness and integrity. It is a vulnerable building type that has been saved by continuous occupation. With its 1870s date of construction, it is an early surviving building in the Shire of Nillumbik.

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

N/A

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

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

N/A



Statement of Significance

What is significant?

The slab residence and its landscaped settings.

How is it significant?

The slab residence at 75 Wendy Way is of local rarity and historical significance to the Shire of Nillumbik.

Why is it significant?

The Yarra Glen slab residence is of historical significance for its capacity to demonstrate the evolution of a small squatting run in the settled districts through the end of the squatting era and into the era of selection and grazing leases on Crown land (Criterion A).

The slab building is significant as a rare surviving vertical slab residence of substantial size, which appears in good condition with a high level of intactness and integrity. It is a vulnerable building type that has been saved by continuous occupation. With its 1870s date of construction, it is an early surviving building in the Shire of Nillumbik (Criterion B).

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Samantha Westbrooke Pty Ltd, Dr Peter Mills and Trethowan Architecture



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Administrative Files, James McPherson (Junior) item 67/925

PROV, VA 2620 Registrar of Probates, Supreme Court, VPRS 28/P2 Probate and
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Title: Former Felton House, 12 Broad Gully Road, Diamond Creek
Identified by: Dr Peter Mills and Samantha Westbrooke
Prepared and updated by: Trethowan Architecture

Address: 12 Broad Gully Road, Diamond Creek

Name: Former Felton House	Survey Date: 20/1/2022
Place Type: Residential	Architect: Unknown
Grading: Locally significant	Builder: Unknown
Extent of Overlay: Title boundaries	Construction Date: c.1870



View of property from Broad Gully Road showing limited views of facade. Source: Trethowan Architecture, January 2021.

Historical Context

Early History of Diamond Creek

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the Land Act 1869 and later under Section 65 of the Land Act 1884. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996:36).



History

Thomas Huntley

Thomas Huntley originally owned the land on which the current house sits at 12 Broad Gully Road and was responsible for construction of the current house on the site. Thomas Huntley took up a miner's right residential area within the 5½-acre Lot 13, comprising the northern half of Section 16 Parish of Nillumbik in August 1872 (PROV, VPRS5357/P0, 18378/ 47.49). This land was just outside the original Diamond Creek Township area and adjacent to Lots 1 to 12, which were offered as "town lots" for sale at a Crown land auction in March 1872. Thomas Huntley's first appearance in the rate book is in 1872, when he is rated for house and land in Diamond Creek with and NAV of £7 (RB 1872-74).

Mary Ann Ferguson and Thomas Huntley came to Victoria on the same ship in 1860. Thomas came to work on the goldfields (Ryan 1972:47). Mary Ann and Thomas married in 1864 (BDM 1275/1864). First son John was born at Greensborough in 1865, Jeanette in 1867, Eleanor in 1869, Thomas (Jun.) in 1871, Mary Ann in 1873, Alexander in 1875, Elizabeth in 1878 and Isabella in 1880 (BDM 8853/1865; 4152/1867; 2675/1869; 18826/1871; 16029/1873; 22306/1875; 22144/1878; 15035/1880).

An 1874 plan of Section 16 on the Lands Department file for Thomas's occupation license shows a fenced garden on the south side of Lot 13 (at a distance from and separate from the position of the current building), of about 1/5 acre in area, with a building (probably a dwelling) on the northern fence-line of this small enclosure (PROV VPRS 7357/P0 Unit 3790 File7/49). This existing paddock probably marked Thomas Huntley's miner's right residential right area.



1874 Plan of Section 16 Parish of Nillumbik showing a large Lot 13

The new Diamond Reef goldfield was opened up in 1863 on private land on the east side of Diamond Creek. In order to avoid purchasing land, or paying costly rent, miners took up a number of Miner's Right residential right areas on the as-yet-unsold Nillumbik township area, on the opposite bank of Diamond Creek (*Argus*, 9 May 1865:6). This concentration of residence areas is visible on an 1867 survey map of the Nillumbik Township, with around twenty small fenced areas outlined in amongst the as-yet-unsold township subdivision. Thomas' residence area was probably a continuation of this activity.

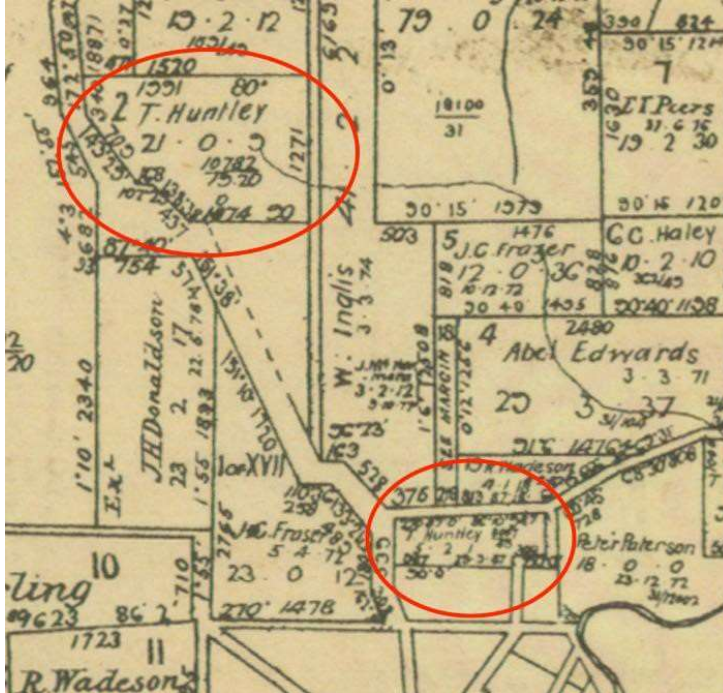
In August 1873 Thomas acquired an occupation license on auriferous land under Section 49 of the Land Act 1869 for the 5½-acre Lot 13 of Section 16 (*Argus*, 2 August 1873:1). The 1874 rate book reflects the change, with an NAV increased to £12 (RB 1872-74).

In the 1878 rate book entry the NAV has been raised to £15, and since the land area had not changed, this perhaps indicated improvements to the accommodation (RB, 1878). In June 1879 when Thomas Huntley applied for a reduction in rent for this occupation license,



there was a dwelling of four rooms and outbuildings on the land. This was probably a new house on Broad Gully Road (the current house), replacing the house in the middle of the block from the miner's-right period of occupation. A 3-acre garden was enclosed with a three-rail fence, with $1\frac{1}{4}$ acres under cultivation, $\frac{3}{4}$ of an acre of which was under fruit trees. Thomas obtained freehold to Lot 13 Section 16 in 1882 (PROV VPRS 7357/P0 Unit 3790 File 7/49).

The 1885 Greensborough Riding valuation book shows Thomas Huntley, miner, occupying Lot 13 Section 16, which was graced with a three-room weatherboard house (RB 1885).



1888 Nillumbik Parish Plan showing Huntley's ownership of land. The subject site is located on the southern land holding.

By 1891 Lot 13 had a Net Annual Value (NAV) of £22 (RB 1892). Thomas died in 1891, at the age of 72 (*Leader (Melbourne)*, 21 November 1891:43.). His probate papers reveal that the property at Lot 13 was enclosed partly with three-rail timber fence, partly with wire and partly with paling. By this time the weatherboard house contained 6 rooms, accompanied by a one-stall stable and a cart shed, all valued at £650 (PROV VPRS 28/P2 Unit 345 File 49/921).

Continuing association with the Huntly family

The 1907-8 rate book shows Mary Ann Huntley, widow, as owner occupier of house and land, Lot 13 Section 16 (RB: Oct 1907- Sept 1908; PROV VPRS 2870/P0 Unit 167). Ryan writes that Mary Ann was a nurse in the district over many years (Ryan 1972:47). Mary Ann died at Diamond Creek in 1919, at the age of 78 (*Advertiser (Hurstbridge)*, 17 April 1919:1, BDM 6396/1919).

While the 1907 rate book still had Mary Ann owning the Lot, in fact Mary Ann and the other executor of Thomas's will, John Campbell Fraser, had subdivided the block into three. The central section of $1\frac{1}{4}$ acres and house went to the first daughter, Jeanette, in 1906. The



remaining portion, made up of two blocks one on either side of the house block, was not passed on from the estate until well after Mary Ann senior had died in 1929 (CT: V1407 F303).

Youngest daughters Elizabeth and Isabella gained ownership of the central part of Lot 13 on which the house stood from Jeanette, now Campbell, in 1914 (CT: V3101 F030. RB 1910, PROV VPRS 2870/P0 Unit 170). It appears that they had taken up their mother's profession and planned to open their own hospital. From late 1914 and during 1915 Misses E. and I. Huntley, certified nurses, advertised nursing home services at the "Felton House Private Nursing Home" (*EO&BER*, 18 June 1915:2). 'Felton House' appears to have been the old family home.

The sisters may only have run the home together for a couple of years. It appears that Isabella had opened the "St Elmo Private Hospital" at Yarram by May 1917 (*FM&SGSA*, 20 September 1917:3. *GS&ASR*, 30 May 1917:2)

The 1919 rate book shows Elizabeth and Isabella as owners and occupiers, replaced as occupiers during the year by Dr Ted Cordner (RB 1919).

Bates writes that at the end of World War I Dr Ted Cordner opened Diamond Creek's second hospital in "the original homestead of the pioneer family Huntley" on Broad Gully Road just past Grassy Flat Road. In c1930 Dr Cordner built a new house and surgery in Diamond Creek (Bates 2006:103) and it is assumed no longer operated from the Broad Gully Road building. In 1925 Isabelle and Elizabeth are the owners and occupiers. The NAV is £50, indicating some improvements (RB 1925).

In 1929 the remaining executor of Thomas's estate, John Campbell Fraser, allocated the two blocks flanking the house lot to Elizabeth, now Culliford. She immediately transferred to joint ownership by herself and her sister Isabella Huntley (CT: V1407 F303).



1930 Topographical map showing a building in the same location as the current house

In 1932 the house was occupied by Elizabeth (Huntley) Culliford. The NAV was £40 (RB 1932). Elizabeth, "late of Felton House", died in 1935 and probate of her will went to Isabella, who was still in Gippsland (*Argus*, 16 August 1935:1). The St Elmo nursing home (in Yarram) was still operating in 1935, although it is not known whether Isabella was still involved by then (*Argus*, 16 August 1935:1. *Gippsland Times*, 23 May 1935 p.7). Isabella gained sole ownership of the house lot in Broad Gully Road in 1939.



Owners after the Huntly family

The land and house went out of Huntley family hands when it was sold to Ernest and Orpah Bryning in 1942 (CT V3814 F644). Patrick and Jane Murphy became the owners of the land encompassing the house in 1956. Filtgar Nominees became the owners in 1985 (CT V8171 F823). Bates writes that the Twigg family purchased the house in the 1980s and “restored it to its original splendour” (Bates 2006:103).

Description & Integrity

The site comprises a weatherboard Victorian style residence with a hipped roof. The front of the early residence faces west, rather than fronting Broad Gully Road indicating it was once on a much larger site taking advantage of views into the valley to the west. A tall picket fence and hedge surrounded the property in 2017 but these have since been removed and replaced with a high masonry and brick wall interspersed with metal rod gates. The two Victorian chimneys are landmark features in views to the top of the Diamond Creek hill. Although this main house section has had alterations, the main hipped roof is extant with two tall brick chimneys with corbelling and the central front door on the front elevation with side and highlight windows.

A gable roofed wing on the south side of the main wing running east west contains early features including roof finials, gable roof vent and scalloped boards to the gable ends. The west end of this wing appears to be original but it has been extended to the east end. This indicates that it may have been an early outbuilding on the site (the stable and cart shed noted in 1891). This wing is now connected to the south of the house via a weatherboard clad link.

The additions to the rear (east) of the main wing do not contribute to the significance of the place.

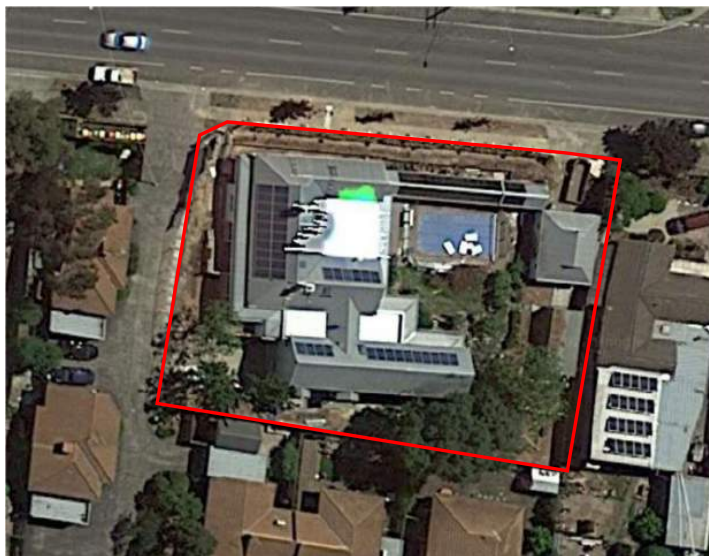
Note that some elements are described based on the views of the house before the masonry fence was erected.



The front facade of 12 Broad Gully Road viewed from access road, off Broad Gully Road. Source: Trethowan Architecture, January 2022.



View front facade of 12 Broad Gully Road through vehicle gate on access road, off Broad Gully Road.
Source: Trethowan Architecture, January 2022.



Recommended HO Extent.



Comparative Analysis

The residence at 12 Broad Gully Road was constructed in c. 1870 on land adjacent to a subdivision undertaken in 1872. It is an early surviving residence in the Diamond Creek township indicating the early expansion of the town on the boundaries of the township proclaimed in 1866. Other surviving early residences in the Diamond Creek township demonstrating the establishment of Diamond Creek and included in the Heritage Overlay are as follows:

- HO187 Windermere, former Leach House, 24 Collins Street, Victorian and Edwardian residence.



- HO188 25 Collins Street, Victorian weatherboard house.



- HO244 Wadeson House, 9 Risdale Close, Italianate Victorian residence.



These are all surviving examples from the early development of Diamond Creek and as a collection create a picture of the makeup of the gold mining town. The property at 12 Broad Gully Road is distinctive for its retention of original detailing such as the two Victorian style corbelled chimneys and front door. It is also distinguished for its landmark qualities at the ridge of the Diamond Creek hill and for its retention of an early outbuilding with original detailing including the scalloped weatherboards to the gable end.



The property at 12 Broad Gully Road is also distinguished by its use (albeit short) as the Felton House Private Nursing Home in the residence at least during 1914 and 1915 but maybe for a longer period. In addition it is documented that Dr Ted Cordner opened Diamond Creek's second hospital in "the original homestead of the pioneer family Huntley" on Broad Gully Road just past Grassy Flat Road after c1919 and possibly up to the end of the 1920s when he built a new home and surgery in the town.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

Criterion A:

Importance to the course, or pattern, of Victoria's cultural history.

The residence at 12 Broad Gully Road, Diamond Creek is significant as an early residence in the township of Diamond Creek demonstrating its establishment as a result of the gold rush in the area. It is one of a small number of houses of a similar quality which represent this theme. It has important associations with the Huntly family who moved to the area as a result of the gold rush and Thomas Huntly junior who was a prominent miner. This site is a good example of the wider phenomenon in the Nillumbik area of how gold miners and those of low income more generally made use of the provisions in the Mines and Land Acts for cheap rent of small-holdings on Crown Land.

This site demonstrates a slow but constant improvement over years and through generations.

The property is also of historical significance for its use (albeit short) as the Felton House Private Nursing Home run by sisters Isabella and Elizabeth Huntly during 1914 and 1915 but maybe for a longer period. In addition it is documented that Dr Ted Cordner opened Diamond Creek's second hospital in "the original homestead of the pioneer family Huntley" on Broad Gully Road just past Grassy Flat Road after c1919 and possibly up to the end of the 1920s when he built a new home and surgery in the town.

Criterion B:

Possession of uncommon, rare or endangered aspects of Victoria's cultural history.

Criterion C:

Potential to yield information that will contribute to an understanding of Victoria's cultural history.

Criterion D:

Importance in demonstrating the principal characteristics of a class of cultural places and objects.

Criterion E:

Importance in exhibiting particular aesthetic characteristics.

The residence and former outbuilding retain original features demonstrating the Victorian period of residential architecture. Features of note on the residence include the front door with sidelights and highlight windows, the tall brick chimneys with corbelling, the hipped roof form with timber corbelling under the eaves and the scalloped weatherboards and timber finial on the west gable end of the former outbuilding.



Criterion F:

Importance in demonstrating a high degree of creative or technical achievement at a particular period.

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.

Criterion H:

Special association with the life or works of a person, or group of persons, of importance in Shire of Nillumbik's history.

Statement of Significance

What is significant?

The property located at 12 Broad Gully Road, Diamond Creek. The original form, materials and features of the Victorian residence and the connected former outbuilding contributes to the significance of the place.

How is it significant?

12 Broad Gully Road, Diamond Creek is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The property at 12 Broad Gully Road, Diamond Creek is of local historical significance as it contains one of a small number of surviving examples of Victorian residences and outbuildings demonstrating the establishment of Diamond Creek as a result of the gold rush in the area. Thomas Huntly junior was an active gold miner in the area from the 1890s. This site is a good example of the wider phenomenon in the Nillumbik area of how gold miners and those of low income more generally made use of the provisions in the Mines and Land Acts for cheap rent of small-holdings on Crown Land and gradually improved their properties over years and through generations. (Criterion A)

The property is also of historical significance for its use as the Felton House Private Nursing Home during 1914 and 1915 by the Huntly sisters Isabella and Elizabeth, and by its use by Dr Ted Cordner as Diamond Creek's second hospital around 1920 and possibly up to the end of the 1920s when Dr Cordner built a new home and surgery in the town. (Criterion A)

The property at 12 Broad Gully Road, Diamond Creek is aesthetically significant for the residence and former outbuilding dating from c. 1870s. Although altered, the buildings retain important original features demonstrating the Victorian period of residential architecture. Features of note on the residence include the front door with sidelights and highlight windows, the tall brick chimneys with corbelling, the hipped roof form with timber corbelling under the eaves and the scalloped weatherboards and timber finial on the west gable end of the former outbuilding. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.



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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

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Nillumbik Parish Plan

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Title: House and Palm, 34 Clyde Street Diamond Creek
Identified by: Samantha Westbrooke with Dr Peter Mills
Prepared and Updated by: Trethowan Architecture

Address: 34 Clyde Street, Diamond Creek

Name: N/A	Survey Date: 20/1/2022
Place Type: House	Architect: Unknown
Grading: Locally significant	Builder: Unknown
Extent of Overlay: Title Boundaries	Construction Date: 1907-1910



House and Palm at 34 Clyde Street, viewed from driveway at southeast. Source: Trethowan Architecture, January 2022

Historical Context

Early History of Diamond Creek

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the *Land*



Act 1869 and later under Section 65 of the *Land Act 1884*. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996:36).

History

34 Clyde Street

Section 16 Parish of Nillumbik

Section 16 Parish of Nillumbik sits just outside the gazetted Diamond Creek Township boundary. Most of the smaller lots in the Township had sold from 1867-1870. The Crown land sale of Lots 1-12 Section 16 took place in March 1872. The upset price was £3 per acre, with most lots of ½ an acre in area. They were described in the advertisement as "town lots" (*Argus* 1 March 1872:3). Only two lots, 6 and 11, were sold at the auction (*Argus* 1 March 1872:3; *Argus* 13 March 1872:4; PROV, VPRS 16171/P0001/9, Nillumbik-1(Psh)LOImpN3310-1.pdf). The subject site, Lot 4, was sold to Thomas Warner Steedman of Melbourne in June 1875 (PROV, VPRS 16171/P0001/9, Nillumbik-1(Psh)LOImpN3310-1.pdf; CT V814 F701).

Steedman does not appear in the rate books for 1876, 78, 80 and 83, however there were no other owners before William Farmer, storekeeper of Nillumbik, purchased it in 1885 (RB 1876; 1878; 1880; 1883; CT: V814F701; CT: V1687F247). In 1885 Farmer was rated for a store, and for land without a house and with a Net Annual Value (NAV) of £5 (RB 1885). Farmer died in 1893 (Will and probate papers William Farmer, File 52/913, VPRS 28/P2 Unit 368).

When Farmer died in 1893 he still owned Lot 4 Section 16, which was also still vacant and valued at £20 (Will and probate papers William Farmer, File 52/913, VPRS 28/P2 Unit 368. Township of Diamond Creek Plan). Lot 4 Section 16 then went first to Maria Catherine Farmer, who died in 1893, then to her sister Harriet Anne Boston in 1897. It was purchased by Henry Smith Elliot of Greensborough, butcher, in 1898. The lot was still vacant in 1901 (RB 1901-2).

Development of Lot 4 - Augustus Flower Edmonds

Augustus Flower (Gus) Edmonds, miner of Diamond Creek, purchased the subject site Lot 4 (now 34 Clyde Street) in 1905 (CT: V1687 F247). He was part of the large Diamond Creek family of Thomas Frederick Laurence Edmonds and Frances (Gast), and in 1916 he was caretaker and librarian of the Free Library and Literary Institute (*EO&BER* 30 June 1916:3). Augustus was born in Diamond Creek in 1878 and married Edith Collins in 1904 (BDM 15162/1878 & 565/1904). In 1907 A.F. Edmonds owned Lot 5 with a house (NAV of £10), and the subject site Lot 4 with no house and with a NAV of £2. Edmonds built a house on Lot 4 between 1907 and 1910, which was soon rented out (RB 1907-08) In the 1910-11 rate book A.F. Edmonds was renting a house on Lot 4 to Mr Garrett, a miner, and the NAV of the property was up to £15. The house was accommodating 4 people (RB 1910-11). This and subsequent rate books, which are ordered by Sections, show Section 16 as part of the Township of Diamond Creek rather than the Parish of Nillumbik.

Lot 4 was purchased by Bruce Heddle, fruit packer of Diamond Creek, in 1928. Heddle was Augustus Edmonds' half-brother. His father was William Heddle and mother Frances (Gast). He retained ownership of the property until he died in 1974 (CT: V1687 F247. *Advertiser Hurstbridge* 11 August 1939:7. BDM 8656/1974.). The 1936-37 rate book shows Heddle on Lot 4 with a house and an NAV of £18, the small rise indicating the building was unchanged.



Description & Integrity

The site contains a substantially intact c.1907 Edwardian weatherboard residence with main gable roof and a projecting gable wing to the front with a skillion roofed verandah. There is a skillion wing to the rear that also appears to be early. The verandah has timber posts with corner brackets and a timber balustrade across the front and sides. The original timber framed double hung windows to the front and sides appear to be intact. The front door is also intact.



Facade detail. Source: Trethowan Architecture, January 2022



Facade detail, showing south-facing gable end at left. Source: Trethowan Architecture, January 2022



Detail of south facing gable and west wall. Source: Trethowan Architecture, January 2022



The house's presentation to the street, from southwest. Source: Trethowan Architecture, January 2022



Comparative Analysis

Other surviving early residences in the Diamond Creek township demonstrating the establishment of Diamond Creek as a result of the gold rush and its appearance around c1900 are as follows:

- HO186 Kyah, Bourke House, 1/15 Collins Street, Edwardian House



- HO187 Windermere, former Leach House, 24 Collins Street, Victorian and Edwardian residence.



- HO188 25 Collins Street, Victorian weatherboard house.





- HO203 Peers House, 15 Galatea Street, Edwardian House



- HO217 Edwin Peters, later Henry Ryan house, 5 Hyde Street, Edwardian residence



- HO244 Wadeson House, 9 Risdale Close, Italianate Victorian residence.



These are all surviving examples from the early development of Diamond Creek and as a collection create a picture of the makeup of the gold mining town. This site demonstrates a typical humble home and is substantially intact demonstrating the appearance of Diamond Creek at the turn of the 20th century.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The residence is important as an early residence in the Diamond Creek township. This site demonstrates a typical humble home and is substantially intact demonstrating the appearance of Diamond Creek at the turn of the century and during its heyday. The residence is one of a small collection of Victorian and Edwardian houses surviving in the Diamond Creek township to demonstrate its early establishment.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The residence is of aesthetic significance for demonstrating typical characteristics of a humble Edwardian dwelling and retaining original features and detailing including the gable roofed form with rear skillion and projecting gable roofed room to the front skillion roofed verandah, timber framed double hung windows, weatherboard cladding and original front door.

The mature palm tree at the front of the property contributes to the setting of the place and provides a landmark to the early residence.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is significant?

The property at 34 Clyde Street, Diamond Creek. The original form, materials and detailing of the residence and its rear additions and the palm tree contribute to the significance of the place.

How is it significant?

The property at 34 Clyde Street, Diamond Creek is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The residence at 34 Clyde Street, Diamond Creek is historically significant as an early residence in the township of Diamond Creek demonstrating its establishment as a result of the gold rush in the area. The residence is one of a small collection of Victorian and Edwardian houses surviving in the Diamond Creek township to demonstrate its appearance around the early 20th century when Diamond Creek was at its peak. (Criterion A)

The residence at 34 Clyde Street is of aesthetic significance for demonstrating typical characteristics of a humble Edwardian dwelling and retaining original features and detailing. Original features still extant include the building form with main central gable roof with rear skillion and projecting gable roofed room to the front and skillion roofed front verandah, timber framed double hung windows, weatherboard cladding and original front door. The mature palm tree at the front of the property contributes to the setting of the place and provides a landmark to the early residence. (Criterion E)

Grading and Recommendations

Recommended HO Extent



Proposed Extent for 34 Clyde Street, Diamond Creek



Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes - Palm
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

References

Advertiser Hurstbridge, as cited.

Argus, as cited.

Births Deaths and Marriages (BDM) Victoria, as cited.

Evelyn Observer and Bourke East Record (EO&BER), as cited.

Graeme Butler & Associates 1996, 'Nillumbik Shire Heritage Study Stage 1, Review, Heritage Survey and Environmental History', prepared for Shire of Nillumbik.

Heidelberg Greensborough Municipal Rate Books (RB), as cited.

Land Victoria, Certificates of Title (CT), as cited.

PROV, VA4554 Department of Sustainability and Environment, VPRS 16171 Regional Land Office Parish and Township Plans Digitised Reference Set, Nillumbik- 1 Parish Plan, Imperial measure N3310-1.

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Title: House, 38 Collins Street Diamond Creek

Identified By: Samantha Westbrooke and Dr Peter Mills

Updated and Prepared by: Trethowan Architecture

Address: 38 Collins Street, Diamond Creek

Name: N/A	Survey Date: 20/1/2022
Place Type: House	Architect: Unknown
Grading: Locally significant	Builder: Unknown
Extent of Overlay: Title Boundaries	Construction Date: c. 1892 with Edwardian additions



38 Collins Street, Diamond Creek - street view. Source: Trethowan Architecture, January 2022.

Historical Context

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land located to the east of the creek, which was purchased by Dr John Blakemore Phipps in 1854. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the late 1860s and early 1870s. These included a post office, a Methodist church and school and three hotels (Barnard, 2008). In 1870, a national school was established (Edwards, 1979:118).

By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the Land Act 1869 and later under Section 65 of the Land Act 1884. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996:36).



From 1885 onwards, the rural landscape of the area also inspired many artists to work in Diamond Creek and its surrounds, and the scenery of the area was captured in the works of the Heidelberg School painters (Edwards, 1979:143).

In 1912, the Eltham Railway Line was extended to Hurstbridge through Diamond Creek, bringing tourists to this area. Despite this, Diamond Creek remained a rural township concentrating on the orchard industry throughout the first half of the twentieth century, without much new industries to offer alternative employment opportunities. As such, the area entered a period of population decline (Edwards, 1979:177). This began to change in the 1960s and 70s, as, affordable land on subdivided orchards and accessibility to railway networks attracted young families to build their homes in the area, prompting further population growth in Diamond Creek (Barnard, 2008).

Diamond Creek has a population of 11,733 on the 2016 census (Australian Bureau of Statistics, 2022).

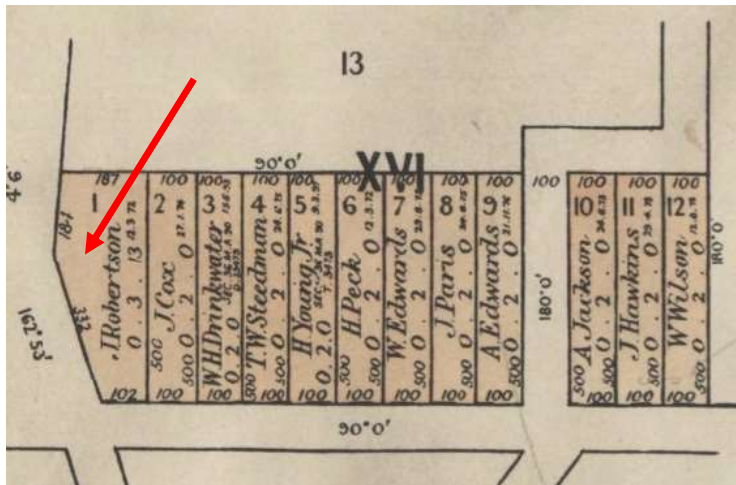
Early History of Diamond Creek

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the *Land Act 1869* and later under Section 65 of the *Land Act 1884*. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996:36).

History

38 Collins Street

The property at 38 Collins Street was originally part of Lot 1 of Section 16 sold 1872 to J. Robertson (Nillumbik Parish Plan, 1872). John Hawkins of Carlton purchased the block from Robertson the same year (CT: V576 F005).



Approximate location of subject site within Lot 1 (indicated with red arrow). Source: Nillumbik Parish Plan 1872.

In 1888 Lot 1 sold to Louisa and Emanuel Williams (builder) of Northcote. The Williams were resident in Northcote in 1890. They became insolvent because of the crash in 1894 (CT: V2100 F906; *Argus* 20 August 1890:1; 14 April 1894:9).

In 1892 Lot 1 was sold to William Morgan Edwards Labourer of Diamond Creek. Edwards sold a 33ft by 66ft block at the north west corner of the block (now 42 Collins Street) to the Loyal Diamond Creek Lodge in 1906 (CT: V2100 F906).

When Edwards, described as a miner, died in 1912, there was a 5-roomed weatherboard house on Lot 1 (separate to the Loyal Diamond Creek Lodge block). When valued along with Lot 2 to the east, which Edwards also owned, the property was worth £460 (William Morgan Edwards will and probate papers File No.125/749, VPRS28/P3 Unit 304).

The house at 38 Collins Street has a scale and humble style in keeping with construction by - or for - a miner in the late nineteenth century, with a single fronted gable roof cottage with two-stage skillion at the rear and small front verandah. Another room was added to the south, making up five rooms. The gable-roofed section at the rear (to the east) may have been added later.

Probate was granted to Frances Edwards in 1912, and she gained ownership in 1936. Frances died in 1938 and Anton William Brinkkötter of Research, poultry farmer, purchased in 1939. Thomas Robert Rae of Collins St storekeeper purchased in 1953. He subdivided in 1954 (CT: V2100 F906, V6066 F031). Lot 3, the re-subdivided part of old Lot 1 now containing No.38 and No.40 Collins St was sold in 1956 (CT: V 8208 F573).



1920 Topographical Map. Source

Description & Integrity

The property contains a c.1892 single fronted weatherboard miner's cottage. The front wing has a gable roof with Edwardian additions and alterations. There is a single off-centre door and timber framed double hung triple window to the front elevation, and a skillion-roofed verandah across the front. The gable end bargeboards are scalloped.

To the rear of the front gable roofed wing is a skillion wing in two sections with a stepper slope skillion directly behind the gable roof and a shallower pitch to the second skillion. To the centre of the gable wing at the front is a brick corbelled chimney now capped with metal. To the rear of this again and to one side (further south) is another gable roofed wing with the gable running north south, the same as the front gable. The roofs are clad in corrugated iron painted green. Rather than being square to the front of the block the front cottage has a slightly angled alignment.



38 Collins Street, Diamond Creek - view from driveway showing off-centre front door, triple window, gables, skillion, and scalloping. Source: Trethowan Architecture, January 2022.



Comparative Analysis

Other surviving Victorian and Edwardian residences in the Diamond Creek township demonstrating the establishment of Diamond Creek as a result of the gold rush, are as follows:

- HO186 Kyah, Bourke House, 1/15 Collins Street, Edwardian House



- HO188 25 Collins Street, Victorian weatherboard house.





- HO203 Peers House, 15 Galatea Street, Edwardian House



- HO217 Edwin Peters, later Henry Ryan house, 5 Hyde Street, Edwardian residence



- HO244 Wadeson House, 9 Risdale Close, Italianate Victorian residence.



These are all surviving examples from the early development of Diamond Creek and as a collection create a picture of the makeup of the gold mining town at its peak at the turn of the century. This site demonstrates a typical humble home but includes unusual features such as the scalloped gable end bargeboards, angled alignment of the front house and a second early residence on the site now incorporated into the one house.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The residence at 38 Collins Street, Diamond Creek is significant as an early residence in the township of Diamond Creek demonstrating its establishment as a result of the gold rush in the area. It demonstrates the typical humble dwelling constructed by a labourer/miner in the 1890s but also incorporates unusual features such as the scalloped gable end bargeboards, angled alignment of the front house and a second early residence on the site now incorporated into the one house. This may be the second weatherboard residence referred to in the 1907-08 rate book with William Edwards (owner of the land) in the front residence and baker Charles Malcolm in the rear residence. The Edwardian features of the house demonstrate the successful additions and alterations made by a miner to update the property during their tenure.

The angled alignment of the house to Collins Street demonstrates the earlier setting of the miner's cottage, before the formal roadway was constructed, and is a feature common to early miners' cottages.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The residence is a substantially intact Victorian style residence demonstrating the typical form and features of a humble c.1890s labourer/miners' cottage. Features of note on the residence include the openings on the front elevation and their placement, the brick corbelled chimney, the typical form of a gable roof wing with skillion wing to the rear and skillion verandah to the front and the gable end scalloped bargeboards are an interesting decorative feature. The building is also significant for the incorporation at the rear of what may be an additional c.1900 gable roofed residence on the site. The Edwardian period alterations made by William Edwards include the single off-centre door and timber framed double hung triple window to the front elevation.

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 the Shire of Nillumbik's history (associative significance).

Statement of Significance

What is significant?

The c.1892 cottage with Edwardian additions at 38 Collins Street, Diamond Creek is significant.

How is it significant?

38 Collins Street, Diamond Creek is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

The residence at 38 Collins Street, Diamond Creek is historically significant as an early residence in the township of Diamond Creek demonstrating its establishment as a result of the gold rush in the area. It demonstrates the typical humble dwelling constructed by a labourer/miner in the 1890s but also incorporates unusual features such as the scalloped gable end bargeboards, angled alignment of the front house and a second early residence on the site now incorporated into the one house. The residence is one of a small collection of Victorian and Edwardian houses surviving in the Diamond Creek township, to demonstrate its establishment and appearance at its peak at the turn of the 19th century. (Criterion A)

The residence at 38 Collins Street is aesthetically significant as a substantially intact Victorian style residence demonstrating the typical form and features of a humble c.1890s labourers/miners' cottage. Features of note on the residence include the openings on the front elevation and their placement, the brick corbelled chimney, the typical form of a gable roof wing with skillion wing to the rear and skillion verandah to the front and the gable end scalloped bargeboards are an interesting decorative feature. The building is also significant for the incorporation at the rear of what may be an additional c.1900 gable roofed residence on the site. (Criterion D)



Recommended Extent & Schedule

Recommended HO Extent



Proposed Extent for 38 Collins Street, Diamond Creek

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No



References

Argus, as cited.

Graeme Butler & Associates 1996, 'Nillumbik Shire Heritage Study Stage 1, Review, Heritage Survey and Environmental History', prepared for Shire of Nillumbik.

Land Victoria, Certificates of Title (CT), as cited.



Title: Former Loyal Diamond Creek Lodge of the Manchester Unity Independent Order of Oddfellows (MUIOOF)

Identified By Peter Mills and Samantha Westbrooke
Updated and Prepared by: Trethowan Architecture

Address: 42 Collins Street Diamond Creek

Name: Former Loyal Diamond Creek Lodge of the Manchester Unity Independent Order of Oddfellows (MUIOOF)	Survey Date: 20/1/2022
Place Type: House	Architect: Unknown
Grading: Locally significant	Builder: Unknown
Extent of Overlay: Title boundaries	Construction Date: c.1906



The subject site in context, viewed from Collins Street slip lane. Source: Trethowan Architecture, 2022.

Historical Context

Early History of Diamond Creek

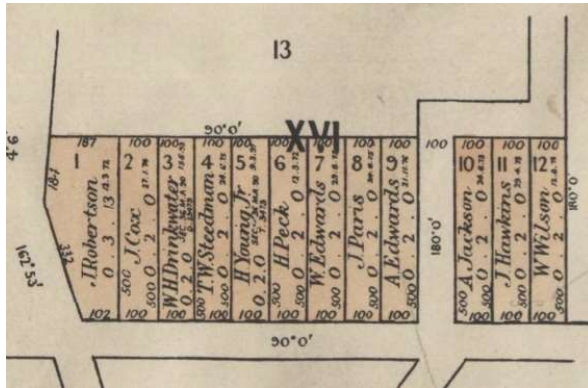
Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the *Land Act 1869* and later under Section 65 of the *Land Act 1884*. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996, p.36).



History

42 Collins Street

The property at 38 Collins Street was originally part of Lot 1 of Section 16 sold in 1872 to J. Robertson (Nillumbik Parish Plan 1872). John Hawkins of Carlton purchased the block from Robertson the same year.



1872 Nillumbik Parish Plan

In 1888 Lot 1 sold to Louisa and Emanuel Williams of Northcote. In 1892 it was sold to William Morgan Edwards, labourer of Diamond Creek. He sold a 33ft by 66ft block at northwest corner to the Loyal Diamond Creek Lodge of the Manchester Unity Independent Order of Oddfellows (MUIOOF) in July 1906 (CT: V2100 F906). This land is now 42 Collins Street.

The Lodge was represented on the title by Richard Wadeson, Andrew Burgess Herbert and Patrick John Sheahan, all orchardists of Diamond Creek (CT: V3137 F365). The 1907-8 rate book shows the Diamond Creek Lodge having built a hall on part Lot 1 Section 16 (RB).

Friendly societies, of which the MUIOOF was an example, were fraternal organisations, which assisted members and their families to meet the financial and social impacts of illness, unemployment and death. They developed in the industrial areas of Britain. Elizabeth Willis describes the characteristics of such societies in general:

The ethos of the movement emphasised brotherly feeling, sociability and mutual responsibility. Members were encouraged to look out for each other, visit the sick, and help each other find jobs and settle into the community. They gained experience in leadership, debating and meeting procedure. Members were expected to attend meetings regularly, both to pay their subscriptions and to foster 'brotherly love'. Fellowship was promoted by social events: games evenings, picnics, sporting competitions, dances and concerts where families of members were welcomed. (Willis 2005:292).

The MUIOOF had its origins in Salford, near Manchester, England in the late eighteenth century.

The Union Benefit Society was the first friendly society established in Melbourne, in 1839. Recently arrived English member Mr F.A. Greeves and Thomas Strode of the Port Phillip Gazette called a meeting at the newspaper to establish the lodge, and the first regular



meeting was held in December 1840 at the Yarra Yarra Steam Packet Hotel in Flinders Street (*Age* 1 September 1932). By the 1860s lodges or branches of the various friendly societies were springing up all over Melbourne. By 1891 close to a sixth of the Victorian workforce belonged to a friendly society, and by 1913 over half of the population were supported by them in some way. By the late nineteenth century, the MUOOF had an extensive network of lodges in metropolitan and country Victoria (Willis 2005:292, ANUA 2012).

The Diamond Creek Lodge of the MUOOF, Lodge No.5630, held its first meeting in 1870 with 15 foundation members (*Advertiser (Hurstbridge)*, 9 March 1934:7). By 1883 the Lodge was using the Mechanics' Institute as a venue for events (*Mercury & Weekly Courier* 18 August 1883:3).

In 1908 officers of the Port Phillip District MUOOF visiting the Diamond Creek Lodge were served dinner at the Royal Mail Hotel, followed by a "purple lecture" by past and present officers of the district in the "lodge room". A social was then held in the Literary Institute hall (*EO&BER* 3 April 1908:2). A 'purple lecture' was a quarterly lecture at which 'purple degrees' were given to 'Past Grands'. Fortnightly meetings often featured guest lectures and were followed by card games (*EO&BER* 17 May 1912:3; 5 May 1916:2). In 1916 there were 122 members in the Lodge, whose meetings involved lectures and euchre matches. Another local lodge was the Loyal Caledonia Lodge in Panton Hill (*HN&G&DCC*, 26 February 1916:2). A "juvenile" lodge was started in 1916. The small scale of the "lodge room" is evidenced by the use of the Literary Hall instead of the Lodge for an event in 1916, as the "local Lodge Hall [was] not nearly big enough". On this occasion an honour board was presented to the Lodge for placement in the lodge-room (*EO&BER* 8 September 1916:3).

The land title shows that in 1928 ownership was transferred to Andrew Burgess Herbert and Patrick John Sheahan, and then immediately after to Charles Walter Burgess Wilson, Ernest Clunes Rowles and George Thomas Herbert, orchardists of Diamond Creek and also trustees of Loyal Diamond Creek Lodge. Presumably this was the next generation of members (CT: V3137 F365). In 1932 the credit balance was £1000, with £210 of receipts and expenses of £300, and 90 members on the roll. The Lodge contributed £300 towards the new Manchester Unity building in the city, which was opened in 1932 (*Advertiser (Hurstbridge)* 16 December 1932:2, *Age* 1 September 1932:7). By 1934 the Diamond Creek lodge had initiated 487 members, and there were 100 current members on the books (*Advertiser (Hurstbridge)* 9 March 1934:7).

In 1949 the Lodge's occupation of the site finished when the block was sold to Edith Louise Hooghly Smith. Edith's husband was Alfred Smith. She died in Diamond Creek in 1954 and Alfred John Wilmot Smith, linesman of Diamond Creek, became the proprietor (CT: V3137 F365). At her death, the building was described as "a two roomed house and kitchen on Collins Street" (Edith Louisa Hooghly Smith will and probate papers File 471/053, VPRS 28/P4 Unit 650). Also in 1954 the land behind the former Lodge lot, extending back to the east boundary of the original Lot 1 Sec. 16, as well as a small strip below, was sold to Alfred Smith as part of the subdivision of the remainder of Lot 1 Section 16 (CT: V6066 F031). The combined larger lot, now 42 Collins St, was sold the same year to Margaret Helen and Phillip Henry Matheson of Diamond Creek. In 1963 it was sold to Ruth Rose and Patricia Eileen Jack, and in 1973 to Richard Eric Fagan (CT V8102 F135).

Description & Integrity

The property contains a small weatherboard clad building with two intersection gable wings forming a T-shaped building. It is assumed that each wing contains a room with the front wing being the larger of the two. The roof, which is clad in corrugated metal sheet has deep



eaves. The gable ends have decorative bargeboards and timber finials and a rectangular louvred vent in the ends. Given the size of the building it is more than likely that this was the purpose built meeting room and hall described in the history. The front gable end contains a narrow timber framed double hung window and the north end gable also contains a timber framed double hung window. There is a later skillion roofed addition at the rear which is clad in weatherboards. There are double picket gates at the front of the property and the rear of the site is heavily treed.

Comparative Analysis

As a purpose built Manchester Unity Independent Order of Oddfellows Lodge, this is a distinctive historical building, in the Shire of Nillumbik with no other surviving examples known to exist.

In a broader sense historically, the former lodge can be compared to other meeting places and halls in the Shire of Nillumbik, such as those of the Freemasons lodges, Mechanics institutes or similar voluntary associations. It can also be compared aesthetically to other Edwardian era weatherboard public buildings such as halls and churches in the Shire that often adopted a small scale rectangular form with gables and period timber detailing.

Examples of meeting halls of voluntary associations and meeting halls on the HO include:

- HO248 Plenty Hall, Plenty Heritage Park 2-6 Memorial Drive Plenty. Constructed 1930-31, additions 2010.



Image source: Context May 2021.

- HO60 Hurstbridge Uniting Church & Hall 1006 Heidelberg-Kinglake Rd, Hurstbridge





- St Andrews Hall, 79 Burns Street St Andrews. Edwardian Hall considered in Nillumbik Heritage Review Stage A.



Image source: Hermes Orion. Hermes number 63464

- Mechanics Institute, 906 Arthurs Creek Road Arthurs Creek. Being considered for HO in Nillumbik Heritage Review Stage B.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The building has historical association with the MUIOOF, which had its origins in Manchester, England. The MUIOOF was established in Melbourne in 1840 when Augustus Greeves, a member of the MUIOOF in England, migrated to Australia. The ethos of the movement emphasised brotherly feeling, sociability and mutual responsibility. Members were encouraged to look out for each other, visit the sick, and help each other find jobs and settle into the community. By the late nineteenth century, MUIOOF had an extensive network of lodges in metropolitan and country Victoria. The Diamond Creek Lodge of the MUIOOF held its first meeting in 1870 with 15 foundation members. The Lodge used the Diamond Creek Mechanics' Institute for events before the building at 42 Collins Street was constructed.



The small block on which the building sits was purchased in 1906 by Richard Wadeson, Andrew Burgess Herbert and Patrick John Sheahan, all orchardists of Diamond Creek, for the purpose of establishing a meeting room for the Loyal Diamond Creek Lodge Manchester Unity Independent Order of Oddfellows. From at least 1908, the building on the site was used for meetings and lectures and operated as such until 1949.

It is of historical significance as an example of a mutual or 'friendly society' hall, in this case of the Manchester Unity Independent Order of Oddfellows (MUIOOF).

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

The former Loyal Diamond Creek Lodge Manchester Unity Independent Order of Oddfellows is of significance as a rare building type with no other examples of the MUIOOF Lodge known to exist in the Nillumbik Shire.

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The former Loyal Diamond Creek Lodge is a substantially intact picturesque weatherboard building retaining its original form of two intersecting gable wings and retaining original fine timberwork details such as the timber framed double hung windows, gable end louvred vents and the decorative gable end bargeboards with finials. The building is an unusual building type and this is demonstrated by its form and small scale.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The former Loyal Diamond Creek Lodge located at 42 Diamond Creek Road, Diamond Creek. The original form, materials and detailing of the meeting room and hall building contribute to the significance of the place.

How is it significant?

The former Loyal Diamond Creek Lodge located at 42 Diamond Creek Road, Diamond Creek is of local historic, rarity and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The former Loyal Diamond Creek Lodge is of historical significance as an example of a Manchester Unity Independent Order of Oddfellows meeting place. The Manchester Unity Independent Order of Oddfellows (MUIOOF), had its origins in Manchester, England. It was established in Melbourne in 1840 when Augustus Greeves, a member of the MUIOOF in England, migrated to Australia. By the late nineteenth century, MUIOOF had an extensive network of lodges in metropolitan and country Victoria. The Diamond Creek Lodge held its first meeting in 1870 with 15 foundation members. The small block on which the building sits, was purchased in 1906 by Richard Wadeson, Andrew Burgess Herbert and Patrick John Sheahan, all orchardists of Diamond Creek, for the purpose of establishing a meeting room for the Loyal Diamond Creek Lodge Manchester Unity Independent Order of Oddfellows. At least from 1908, the building on the site was used for meetings and lectures and operated as such until 1949. (Criterion A)

The building is the only surviving Manchester Unity Independent Order of Oddfellows known to exist in the Nillumbik Shire. (Criterion B)

The former Loyal Diamond Creek Lodge is of aesthetic significance as the former Loyal Diamond Creek Lodge is a substantially intact picturesque Edwardian weatherboard building retaining its original form of two intersecting gable wings and original fine timberwork details such as the timber framed double hung windows, gable end louvred vents and the decorative gable end bargeboards with finials. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

Recommended HO Extent



Proposed Extent for 42 Collins Street, Diamond Creek

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

References

Advertiser (Hurstbridge), as cited.

Age, as cited.

Australian National University Archives (ANUA) 2012 *Manchester Unity Independent Order of Oddfellows*

Evelyn Observer and Bourke East Record (EO&BER), as cited.

Graeme Butler & Associates 1996 'Nillumbik Shire Heritage Study Stage 1, Review, Heritage Survey and Environmental History', prepared for Nillumbik Shire Council.

Heidelberg News and Greensborough and Diamond Creek Chronicle (HN&G&DCC) as cited.

Land Victoria, Certificates of Title (CT), as cited.



Mercury and Weekly Courier, as cited.

Nillumbik Parish Plan 1872

Shire of Heidelberg Greensborough Riding Rate Books (RB), as cited.

Edith Louisa Hooghly Smith, Will and Probate Papers, File 471/053, VPRS 28/P4 Unit 650

School of Historical & Philosophical Studies, The University of Melbourne 2008, eMelbourne - the city past and present, *Friendly Societies* by Elizabeth Willis, <https://www.emelbourne.net.au/biogs/EM00614b.htm>, accessed online 9 February 2017 and 1 February 2022

Elizabeth Willis, 'Friendly Societies', entry in *eMelbourne the city past and present*, School of Historical & Philosophical Studies, the University of Melbourne, 2008, <http://www.emelbourne.net.au/biogs/EM00614b.htm> accessed 9 February 2017 and 1 February 2022

Willis, Elizabeth, 'Friendly Societies' in Brown-May and Swain (eds.) 2005 *The Encyclopedia of Melbourne*, Cambridge University Press, New York



Title: Ghirrawheen Farmhouse and Orchard, 349-361 Diamond Creek Road

Identified by: Samantha Westbrooke Pty Ltd, Dr Peter Mills and Trethowan Architecture

Prepared by: Trethowan Architecture

Address: 349-361 Diamond Creek Road, Diamond Creek

Name: Ghirrawheen Farmhouse, Outbuildings and Orchard	Survey Date: 20/1/2022
Place Type: Individual Place	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To extent shown	Construction Date: 1925-28



Historical Context

Early History of Diamond Creek

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek.



The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to

miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the Land Act 1869 and later under Section 65 of the Land Act 1884. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996, p.36).

History

349-361 Diamond Creek Road

The subject property was originally part of Lot 7 Section 22, Parish of Nillumbik. H.M. Bell obtained freehold for 80 acres Lot 7 Section 22 Parish of Nillumbik in 1872. Bell had taken up the land under an occupation license on auriferous land under Section 42 of the Amending Land Act 1865 and purchased under Section 13 of the same Act (Nillumbik Parish).

James Cole obtained title to western half of Lot 7, (west of the easement for Larch Crescent) in 1888. This was an irregular polygonal block of 34 acres. Cole sold the land to William Harwood Finlay, gardener of Diamond Creek, in 1895 (CT: V2094 F772). In 1902, part of Lot 7 was purchased by Anne Finlay (nee Leach), widow of William's brother, Robert Mitchell Finlay (d 1885) (CT: V2094 F772). In 1906, her son Robert Mitchell Finlay (junior), fruit grower of Diamond Creek, obtained the land (CT: V2094 F772).

Finlay orchardists

The subject site formed part of Finlay's 33-acre orchard throughout Finlay's ownership. The first mention of a building occurred in 1922, when the rate book records that Finlay had built a "fruit house", possibly referring to a packing shed (RB 1922). By 1928 the property had a house and the rate was increased to £75.122 from £42.120 of the previous year (RB 1925, 1926, 1927 and 1928). This implies the house was built between 1925 and 1928. The 1930 map shows extensive orchards to the east of the house (Great Britain War Office, 1920).

Robert Finlay was part of a new generation of orchardists open to new techniques and fruit varieties, which was replacing the old guard of the district established in the nineteenth century. He had already become the secretary of Diamond Creek Horticultural Society by 1907, suggesting he was already established as a fruit grower (*Leader*, 5 January 1907: 3). In 1911 a demonstration of "subsoiling by the use of explosives" was given at his orchard.¹¹⁴ By 1913 he was the president of the Society, and a toast at a Society luncheon proposed that "the success of the Society was in great measure due to his exertions (*Age*, 11 September 1913: 12; *EOBER*, 28 March 1913: 3). In 1913 he was carrying out extensive drainage work on his young orchard. "The plantation is reported to be making great headway" (*Australasian*, 30 August 1913: 11). In 1914 he won first prize at the Diamond Creek Show for Beurre Bosc pears from his "young orchard" (*Australasian*, 28 March, 1914: 10). In 1917 he exhibited pears from his "young orchard" at the Diamond Creek Show (*Australasian*, 17 March 1917: 9).

Robert Mitchell Finlay was an active and respected figure in the fruit-growing community, and held positions in the Fruit-Grower's' Cool Stores Association of Victoria store



(*Hurstbridge Advertiser*, 5 September 1924:2) and the Diamond Creek Co-operative Cool Store (*Weekly Times*, 23 February 1929: 28). Upon his death in 1949, his probate papers described the Diamond Creek property as "31 acres of neglected orchard country with a six-roomed weatherboard house". The fruit trees were described as "old" (PROV, VPRS 28/P3,424/708). When the property, known by this time as 'Girrahween', was put up for sale in April 1950, it was described as a "Gentleman's out-of-town home". The residence was of weatherboard, "well built" with 5 large rooms and a wide return verandah. Outbuildings included a double garage, laundry, packing sheds and stables (*Age*, 22 April 1950: 23). Following the sale of the property, there was a clearing sale of furniture and farm implements at 'Girrahween' in May 1950 (*Argus*, 23 May 1950: 11).

Charles James Fox Peckover of 'Ghirrawheen' [sic] Diamond Creek, radio announcer, became the owner in 1950. The block was subdivided into 5 lots in 1953. The subject house was on the westernmost 7.5-acres Lot 1 of this subdivision (CT: V2094 F772).

Description & Integrity

The farm house is located on the south west corner of a large vegetated site. The house is a large 1920s weatherboard bungalow with a large main hipped roof with a gable to the front end facing the road. The roof is clad in corrugated galvanised iron painted red. There is a wide front verandah, which returns on one side.

Outbuildings directly to the rear of the residence were destroyed in a fire and other sheds appear further back on the site. These may date from the 1920s and 30s when the property was in use as a successful orchard.

When 'Girrahween' was put up for sale in April 1950, it was described as a "Gentleman's out- of-town home". The residence was of weatherboard, "well built" with 5 large rooms and a wide return verandah. Outbuildings included a double garage, laundry, packing sheds and stables.

Comparative Analysis

Other orchard properties in Diamond Creek:

Larch Hill Farm, 2 Hillmartin Lane (recommended for the Heritage Overlay) is historically significant for the grand 1920s bungalow residence constructed as a comfortable retirement home and a large orchard site. The property also has associations with the orcharding industry in the area. The property is significant as a rare intact example of a grand country residence constructed in the inter-war period. Such grand houses of the period, constructed for wealthy owners, are rare in the Nillumbik Shire.

HO166 Trenowin House, 83 Lambert Street, Diamond Creek is an orchard site established by the first wave of orchardists in the Nillumbik Shire. The house is historically and aesthetically significant as a good and early representation of an orchard house within the Shire, as it is situated within a well preserved farm setting and serves as a reminder of the importance of agriculture to the early growth of the Shire. It is the only other orchard of this scale or recognition in Diamond Creek



Figure 1: Image dated c2022 showing the front elevation of Trenowen House. Source: realestate.com.au

Other successful orchard properties in the Shire from the second wave of orchardists and included in the Heritage Overlay are as follows:

HO29 Californian Bungalow, 830 Cottlesbridge-Strathewen Road, Arthurs Creek. The Apted family have operated their orchard at Arthurs Creek for over a century. The orchard was, in 1916, the largest in southern Victoria and is a reminder of the importance of orcharding in the former Shire of Eltham. The Californian bungalow is historically significant as a rare surviving example of its type in the Shire.

The property at 349-361 Diamond Creek Road is distinguished from the above examples by the scale of the farmhouse and the retention of a number of outbuildings. The site is also associated with a prominent orchardist in the Shire, Robert Mitchell Finlay who obtained a high level of success and participated in promoting and bettering the fruit industry in the area. The significance lies in Finlay as representing the second generation, more modern, fruit growers of the district. The house dating 1926-28 was built during Finlay's ascendancy in this field.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The property is of historical significance for its demonstration of the successful orchard farming carried out in the area. This property demonstrates the second generation of orchard farmers in the area and the size of the house demonstrates the success of Robert Mitchell Finlay as an orchardist. The house dating 1926-28 was built during Finlay's ascendancy as a successful orchardist.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The farmhouse on the property is of aesthetic significance as a large 1920s bungalow with its expansive and dominant main hipped roof and wide return verandah.

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 the Shire of Nillumbik's history (associative significance).

Statement of Significance

What is significant?

Ghirrawheen at 349 – 361 Diamond Creek Road, Diamond Creek. The original form, materials and detailing and setting of the farmhouse, contributes to the significance of the place.

How is it significant?

Ghirrawheen at 349 – 361 Diamond Creek Road, Diamond Creek is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

Ghirrawheen is of historical significance for its demonstration of the second generation of orchard farmers in the area and the size of the house demonstrates the success of Robert Mitchell Finlay as an orchardist during the 1920s and 1930s. The property is important for its associations with successful Diamond Creek orchardist Robert Mitchell Finlay (Criterion A)

The farmhouse on the property is of aesthetic significance as a large 1920s bungalow with its expansive and dominant main hipped roof and wide return verandah. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

Recommended HO Extent



Proposed Extent (indicated with red) for 349-361 Diamond Creek Road, Diamond Creek

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes (remnant orchard)
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place	No



<i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	
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Identified By

Samantha Westbrooke Pty Ltd, Dr Peter Mills and Trethowan Architecture

References

Birth Death Marriages (BDM), as cited.

Certificate of Title, as cited.

The Age, as cited.

The Argus, as cited.

The Australasian as cited.

Evelyn Observer and Bourke East Record (EOBER), as cited.

Graeme Butler & Associates. 1996. Nillumbik Shire Heritage Study Stage 1, Review, Heritage Survey and Environmental History. Greensborough: Shire of Nillumbik.

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Land Victoria, Certificates of Title (CT), as cited.

Leader, as cited.

PROV, VA 2620 Registrar of Probates, Supreme Court, VPRS 28 Probate and Administration Files, file 424/708 Robert M Finlay, Grant of probate

Shire of Heidelberg Greensborough Riding Rate Books (later Heidelberg Riding Rate Books), as cited.

Weekly Times, as cited.



Title: Diamond Creek War Memorial

Identified by: Peter Mills and Samantha Westbrooke

Updated and Prepared by: Trethowan Architecture

Address: Reserve Circuit and 28 Main Hurstbridge Road Diamond Creek

Name: Diamond Creek War Memorial	Survey Date: January 2022
Place Type: Memorial	Architect: Unknown
Grading: Locally Significant	Builder: Unknown
Extent of Overlay: To extent shown	Construction Date: 1921, additions 1970



The War Memorial in context, Reserve Circuit. Source: Trethowan Architecture, January 2022.

Historical Context

Early History of Diamond Creek

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps' land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community



buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the *Land Act 1869* and later under Section 65 of the *Land Act 1884*. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996, p.36).

History

Diamond Creek War Memorial

In November 1919 the Diamond Creek 'Girls Blue Triangle Club', which was formed in the town during the war, began to collect funds to erect a monument at Diamond Creek as a memorial to local men who had lost their lives during the war (*E&WSA&DCVA* 7 November 1919:2, *Advertiser (Hurstbridge)* 13 March 1925:3). The term 'Blue Triangle Club' developed during the war to describe activities of the Young Women's Christian Association, initially directed towards providing women war workers with hostels, canteens and "healthy recreation". After the war efforts were directed towards providing for country women working in the city. In 1921 the 'Blue Triangle Girls Club' had 420 members fundraising in Victoria for various causes (*Argus* 14 October 1921:8).

The memorial committee in Diamond Creek consisted of Miss Faith Smith, the secretary, Messrs J. Lorimer, W. Cook and B. Rose, Mesdames Fineran and Sinclair, and Misses Corwin, Dora Wadeson and Lily Rose (*E&WSA&DCVA*, 24 June 1921:3). The site chosen was opposite the Public Hall, on the west side of the intersection of Collins Street with Main Street.

The unveiling ceremony was held on 19 June 1921. Ceremonies began with the large crowd singing the national anthem and a series of speeches by local notables. The Governor, Lord Stradbroke, accompanied by Lieutenant Commander Haggard D.S.C., unveiled the cenotaph, which was draped with bunting, the Union Jack, and "our own beloved six-star banner". A minute's silence followed, medals were presented to local returned men and the ceremony concluded with the playing of the last post and another rendition of the national anthem (*E&WSA&DCVA*, 24 June 1921:3, *Argus* 20 June 1921:8).

The names of the fallen inscribed on the monument were E. Mills, J. Mills, D. Scott, W. Starling, S. Wadeson, R. Whicker, C. Williams, B. Allen, N. Coventry, G. Fineran, J. Gosstray, W. Hill and R. Laurie. The column was topped with an urn and was made of English red granite and Harcourt grey granite, at a cost of £200 (*E&WSA&DCVA* 24 June 1921:3). The German heavy machine gun mounted at the base of the column had been captured by the 24th Battalion A.I.F. in the attack on Lamotte Farm, south of Beaurevoir, France, on the 3rd of October 1918 (*E&WSA&DCVA* 24 June 1921:2).

The memorial became an established part of Anzac Day celebrations. In 1926 a commemoration at the Diamond Creek school involved songs and recitations, the reading of the honour roll and a minute's silence, followed by a march to the public memorial and placing of wreaths (*Advertiser (Hurstbridge)* 30 April 1926:3, 3 May 1929:3).

In the lead-up to Anzac Day 1932 it was thought that the monument had taken on a "very neglected appearance", and the local branch of the Returned Soldiers Association requested assistance of the Heidelberg Council, resulting in the supply of paint by the council. It appears the memorial was surrounded by a post and rail fence, as several loads of rubbish were removed from inside its perimeter by local returned soldiers, before the fence was painted. The ground was dug, flowers planted and a small lawn laid down (*Advertiser (Hurstbridge)* 15 April 1932:1). Before Anzac Day 1940 the Heidelberg Council stepped in to clean up the memorial, which was "badly in need of attention". Water was laid on to help in future maintenance (*EWSA*, 19 April 1940:2).



The memorial was transferred to the grounds of the Diamond Creek Kindergarten in the 1970s (Edwards 1979:46). In 1996 the memorial was relocated to Main Street next to the Diamond Creek Community Centre and re-dedicated to cover the loss of lives in conflicts since the Great War (*Advertiser (Hurstbridge)* 16 January 1931:1, Monument Australia 2022b).

Description & Integrity

The Diamond Creek War Memorial consists of an English red granite column on a red granite plinth with a square Harcourt grey granite base. The column is surmounted with an urn. There are rectangular red granite panels either side of the column, which have been added at a later date. The left hand panel is dedicated to those who fought in World War Two and the right hand side panel is dedicated to those who fought in Korea and in the Vietnam War.

The following inscriptions are included on the memorial.

Front Inscription

For God King and Country

1914 - 1919

IN MEMORY OF THE DIAMOND CREEK MEN WHO FELL IN THE GREAT WAR.

"Lest We Forget"

Rectangular section of column

Names of the fallen soldiers from World War One are inscribed on the rectangular section of the column, on the left and right faces.

Plaque 1:

THIS MEMORIAL WAS REDEDICATED ON THE 6TH OCTOBER 1996 IN CONJUNCTION WITH THE ROTARY CLUB OF DIAMOND CREEK AND THE RETURNED AND SERVICES LEAGUE OF VICTORIA INC.

Plaque 2:

THIS PLAQUE IS TO COMMEMORATE THE LOSS OF LIVES IN ALL CONFLICTS SINCE

THE GREAT WAR OF 1914 - 1918.

REST IN PEACE

Lower Right Side Panel Inscription

Korea Vietnam

Those who served in peace keeping forces

Those who served our country in peace time

Des. F. Vincent

R.A.A.F. WWII

Founder Diamond Creek R.S.L.

Lower Left Side Panel Inscription

World War II

2nd A.I.F. R.A.N. M.N. R.A.A.F

A.A.M.W.S A.W.A.S. W.R.A.N.

W.A.A.A.F. W.L.A.

VX 136506 B . Wadeson

2nd A.I.F. WWII



Placement of Memorial in relation to local open space. Source: Trethowan Architecture, January 2022.

Comparative Analysis

There are two other war memorial monuments located in the Shire:

- HO126 Eltham War Memorial – an obelisk erected in 1919 which has been relocated twice since its original unveiling (now located at 903-907 Main Road, Eltham). The monument contains the names of the 27 local men who died in the First World War and following the Second World War the names of the eleven local men who died in that war were added.



Image Source: Google Street View 2022



- Christmas Hills War Memorial, Eltham & Yarra Glen Roads, Memorial Park, Christmas Hills. Rendered concrete obelisk unveiled December 1921.



Image Source: Monument Australia 2022a

The Diamond Creek War Memorial is unusual for its form and its use of red granite, and it has particular social value to the Diamond Creek area.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The Diamond Creek War Memorial is historically significant for its role in civic commemoration in the township of Diamond Creek. The Diamond Creek War Memorial was unveiled on the west side of the intersection of Collins and Main Street, opposite the Diamond Creek Hall on 19 June, 1921. The memorial was transferred to the grounds of the Diamond Creek kindergarten in the 1970s and again relocated to Main Street next to Diamond Creek Community Centre. At this time it was rededicated and panels included commemorating the loss of lives in conflicts since World War One. The Memorial is historically significant for demonstrating the type of monumental memorialisation that occurred in townships following the end of the First World War.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The Diamond Creek War Memorial is aesthetically significant as an intact representative example of a First World War Memorial.



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

The memorial is more unusual being constructed substantially of red granite and with a column rather than obelisk form, which was more common for the period.

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).

The Diamond Creek War Memorial is of social significance as a community focus for the commemoration of war in the Diamond Creek district since it was unveiled in 1921. The Memorial has special associations with the local RSL group.

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

Statement of Significance

What is Significant?

The Diamond Creek War Memorial located near the junction of Reserve Circuit and Main Road Diamond Creek (28 Main Road Diamond Creek), comprising red granite column surmounted with an urn, on a red granite plinth, with square Harcourt grey granite base and red granite panels to left and right of the base. Inscriptions and plaques on the column, plinth, base and panels.

How is it significant?

The Diamond Creek War Memorial is of historical, representative, aesthetic and social significance to the Shire of Nillumbik.

Why is it significant?

The Diamond Creek War Memorial is historically significant for its role in civic commemoration in the township of Diamond Creek. The Diamond Creek War Memorial was unveiled on the west side of the intersection of Collins and Main Street, opposite the Diamond Creek Hall on 19 June, 1921. The memorial was transferred to the grounds of the Diamond Creek kindergarten in the 1970s and again relocated to Main Street next to Diamond Creek Community Centre. At this time it was rededicated and panels included commemorating the loss of lives in conflicts since World War One. The Memorial is historically significant for demonstrating the type of monumental memorialisation that occurred in townships following the end of the First World War. (Criterion A)

The Diamond Creek War Memorial is aesthetically significant for its red granite construction and with a column rather than obelisk form, which was more common for the period. (Criterion E)

The Diamond Creek War Memorial is an intact representative example of a First World War Memorial. (Criteria D)



The Diamond Creek War Memorial is of social significance as a community focus for the commemoration of war in the Diamond Creek district since it was unveiled in 1921. The Memorial has special associations with the local RSL group. (Criterion G)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

Recommended HO Extent



Proposed Extent for Diamond Creek War Memorial

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No



Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No
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Argus, as cited.



Title: Windmill House, 25 Nicole Crescent, Diamond Creek
Identified by: Mills and Westbrooke, Trethowan
Prepared by: Trethowan Architecture

Address: 25 Nicole Crescent, Diamond Creek

Name: Windmill House	Survey Date: N/A
Place Type: Residential	Architect: Robin Greenwood
Grading: Individually Significant	Builder: Bill Bruinsma
Extent of Overlay: To title boundaries	Construction Date: 1973





Historical Context

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land located to the east of the creek, which was purchased by Dr John Blakemore Phipps in 1854. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the late 1860s and early 1870s. These included a post office, a Methodist church and school and three hotels (Barnard, 2008). In 1870, a national school was established (Edwards, 1979:118).

By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the Land Act 1869 and later under Section 65 of the Land Act 1884. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996:36). From 1885 onwards, the rural landscape of the area also inspired many artists to work in Diamond Creek and its surrounds, and the scenery of the area was captured in the works of the Heidelberg School painters (Edwards, 1979:143).

In 1912, the Eltham Railway Line was extended to Hurstbridge through Diamond Creek, bringing tourists to this area. Despite this, Diamond Creek remained a rural township concentrating on the orchard industry throughout the first half of the twentieth century, without much new industries to offer alternative employment opportunities. As such, the area entered a period of population decline (Edwards, 1979:177). This began to change in the 1960s and 70s, as, affordable land on subdivided orchards and accessibility to railway networks attracted young families to build their homes in the area, prompting further population growth in Diamond Creek (Barnard, 2008).

History

Construction of the Windmill house started in 1973. Peter van Wunnik, who was Dutch, and his Australian wife Kathleen conceived the idea after staying in a windmill in Holland. Noting that the house may not be practical, Kathleen van Wunnik agreed to the building due to her husband's sentimental reasons (*Canberra Times* 19 June 1974:14). The van Wunniks later stated that the house was designed by architect Robin Greenwood and erected by builder Bill Bruinsma. The house took nearly four years to complete (*Leader – Diamond Valley News*, 27 June 2007:303).

A newspaper article from 1984 noted that the house contained a family room and kitchen on the ground level, with another large lounge contained within the base of the windmill. Timber trusses created the windmill form, enclosing a gallery, master-bedroom and two bedrooms above. A linked one-storey structure accommodated a surgery for their chiropractic practice (*Age* 21 February 1984:22)



Figure 1: A 1979 image of the windmill house, showing its original open, rural setting. Source: Collins 1979.

The Windmill House initially stood in a largely open rural setting, as can be seen in the 1979 John T. Collins photograph (Figure 1). The Windmill house featured soon after its completion in a book by John Belot named *Our Glorious Home*, which was a study of a newly described architectural phenomenon “domestic featurism” (Belot 1978:25). Belot wrote that “... in a young country, many of its inhabitants pine for the visual traditions of other ages and places. ... Sometimes the pull of the old country is overwhelming ... The windmill is a frequent motif, presumably having various national origins and suggesting the cooler breezes of more temperate lands”. The three other suburban windmills Belot illustrated were large garden features (Belot 1978:vi). In a 2009 article in the Sydney Morning Herald on ‘Wild and wonderful dwellings’, architect Simon Thornton categorised buildings such as the Windmill house as “representational architecture” (Sydney Morning Herald 2009).

The Windmill house has attracted local affection. In a 2012 article on his childhood in Diamond Creek, Liam Carter mentioned as a landmark “the iconic windmill” (Carter 2012). The house has also become a go-to place for articles on unusual residences and buildings. A 2013 article in the online magazine The Stylist Splash, titled ‘Australia’s most unusual houses’, includes the Windmill house among a group of much more recent residences, describing it as a “local landmark” (Stylist Splash 2013). A 2015 article in The Age titled ‘13 weird and wonderful things you can see out your train window’ includes the windmill in Diamond Creek among “some of the city’s more unusual, even mysterious sights” (Age 2015).

Description & Integrity

The Windmill House consists of the main windmill form, a single-storey wing to the north, and a single-storey wing to the rear (east).

The windmill section, which is approximately 15 metres high, is octagonal in plan. The ground floor is clad in brick, which continues to sill height on the first floor. Above this, the



body of the windmill gradually tapers inwards and is clad in weatherboard. The windmill is capped in metal cladding. The arms of the four sails are stout tubular steel, and in place of traditional cloth webbing to encourage wind to turn the sails there is a lattice of strong steel strap (Figure 2). A balcony with horizontal timber balustrade returns around the windmill at the first floor. This is accessed by a set of French doors, or a staircase to the south of the building. Shallow dormer windows are evident on the second and third floors of the windmill.



Figure 2: A view of the main windmill section, showing how it tapers inwards towards the apex.
Source: Trethowan 2022.

The single-storey wing to the north is rectangular in form, with a low-slung, tile-clad gable roof. This building has brick to the height of the windowsills, with irregularly edged weatherboards above. Windows across this wing of the building are multi-paned. The fascia of this wing is completed in irregular shingles (Figure 3). Clogs are attached across the walls and used as flowerpots. The wing to the rear, which is not visible from the street, appears irregular in shape and has an octagonal sunroom attached.



Figure 3: The single-storey wing to the north of the main windmill section. Note the brick to sill height and irregular shingle fascia.

Comparative Analysis

The Windmill House is undoubtedly a rare building form within the Shire of Nillumbik. Although windmills have been part of farm infrastructure in the Shire, no other known examples of windmills built in the Dutch style, or for use as a residence, have been identified. Further, few other buildings within the Shire exhibit the same 'landmark' quality.

Apperly et al. outline the phenomenon of 'Late Twentieth-Century Immigrants' Nostalgic' architecture in *A Pictorial Guide to Identifying Australian Architecture*. The broadly defined style, which was multi-faceted by its very nature, explores how many migrant families either consciously or subconsciously chose to express new-found prosperity with references to their heritage. In many examples, families chose to express this through applying motifs to otherwise standard suburban homes, however others took a more literal approach to the replication of vernacular forms from their home countries (Apperly et al. 1994:270-271).

Perhaps as a side-effect of the Post-Modern turn, judgement of expressions such as the Windmill house transitioned from dismissal as mere kitsch to acceptance as a valid vernacular expression. The Windmill house was included in the 2008 'Survey of Post-War Built Heritage in Victoria' by Heritage Alliance (prepared for Heritage Victoria) where it was described as being of aesthetic significance. Heritage Alliance noted the following of the site:

"This extraordinary house, featured in John Belot's study of Australian 'Domestic Featurism' has been described as the only residential windmill in Australia. Although now edged by subsequent residential development, it remains as a prominent and much-loved local landmark." (Heritage Alliance 2008:190)

There are other examples of replica Dutch windmills in Australia, although they remain a rare building form. A similar windmill was constructed c1980s at 533-539 Leakes Rd, Bonnie Brook, Victoria, however this example has been used exclusively as a reception centre. A stone example was constructed by a Dutch-born family between 1991 and 1997 in Amelup, Western Australia. While similar in form, this building has the distinction of being



an operational mill. The subject site is distinguished from these as an early example of the style, and for its exclusive use as a residence.

Although located outside the municipality, another example of 'domestic featurism' included in the same study was the Stamoulis House in Templestowe. Built in the form of a castle in 1978 for the late Spiros Stamoulis, a prominent Greek-born property developer and philanthropist, this house also featured in the John Belot book. The 2008 study described it as "an outstanding example of the kitsch mansions erected in this part of Melbourne in the 1970s by wealth émigré businessmen", and like the Windmill House, it has become a well-known landmark. The reference to the originator as émigré implies that this was a nostalgic vision deriving from the country or continent of origin.

No other residential buildings in the form of Windmills exist in the Shire, and examples of buildings exhibiting characteristics of the Immigrants' Nostalgic style seem to be absent from the Heritage Overlay. Based on this, subject site is instead most comparable to the following buildings, as examples of unusual sites with 'landmark' qualities in Nillumbik:



Montsalvat, 7-15 Hillcrest Avenue, Eltham (HO82; VHR H0716)



War Memorial Tower, 385 Eltham-Yarra Glen Road, Kangaroo Ground (HO49)

Montsalvat is a complex of buildings started in 1934-1935 by Justus Jorgensen, for use as an artists' colony. Many of the buildings were designed by Jorgensen in Gothic and/or vernacular styles using mud brick and recycled materials, which had a profound influence on the development of the 'Eltham Style'. The site is open to the public, and commonly hosts celebrations such as weddings. The site is perhaps one of the most notable landmarks of the Shire.

The War Memorial Tower, constructed c1925-26 out of local stone, is historically and architecturally significant due to its design by Stephenson and Meldrum, based upon a



sketch by artist Harold Herbert. The site also has ties to prominent local figures. Although significant as a war memorial, the building's significant presence and siting has made it a landmark within the municipality.

Although fundamentally different in form and function to the above examples, the subject site compares favourably as an instantly recognisable building and local landmark within the Shire.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).
NA

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

The house is of historical significance as a rare example of a nostalgic style of construction commissioned by immigrant Victorians. Peter van Wunnik, who was Dutch by birth, conceived the idea as a tribute to his Dutch heritage and after him and his wife Kathleen stayed in a windmill while visiting Holland. The house, which featured in John Belot's study of Australian 'Domestic Featurism', has been described as the only residential windmill in Australia.

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).
NA

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

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

Although now edged by subsequent residential development, the Windmill House remains as a prominent and much-loved local landmark because of its scale and form as a Dutch styled windmill. The physical prominence and unusual nature of the building form has made the Windmill House a well-regarded local landmark. The building is considered a rare example of 'Domestic Featurism' and was featured in a book on the topic not long after its construction. The house is highly intact to its 1970s construction, retaining key details such as the windmill sails, distinctive shape, dormer windows, shingled fascia boards, irregular edged weatherboards, and decorative features such as clogs fixed to the walls as flower pots. The house is an extreme example of a nostalgic style that derives from the first owner's home country, including idiosyncratic decorative details such as the clog flowerpots. The building is intact from its 1970s construction.

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

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).
NA

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).
NA



Statement of Significance

What is Significant?

The Windmill House located at 25 Nicole Crescent, Diamond Creek, is significant.

Elements that contribute to the significance of the place include:

- The original form of the windmill with steel sails, projecting dormer-style windows and wrap around balcony
- The original form of the adjacent wings
- The original materials, including weatherboards (with sections of regular and irregular edging) and brick
- key detailing including the shingled fascia boards

Outbuildings on the site are not of significance.

How is it significant?

The Windmill House is of local aesthetic significance to the Shire of Nillumbik. The house is also significant for its rarity within the Shire.

Why is it significant?

The Windmill House is historically significant as a highly unusual example of a nostalgic style of house design, commissioned by a migrant family as a tribute to their homeland. Construction of the house started 1973, after Dutch-born owner Peter van Wunnik and his Australian-born wife Kathleen conceived the idea as a tribute to his heritage following a return trip to Holland. The primary building, which takes the form of a traditional Dutch windmill, is the only known example within the Shire and likely the only example built as a residence in Australia. Such literal examples of nostalgic architecture associated with immigrant identity are rare within the Shire. (Criterion B)

The Windmill House is aesthetically significant as a rare, legible and intact example of nostalgic architecture in the Shire of Nillumbik. The house, which is prominently sited in Diamond Creek, retains its dominant presence despite being hemmed in by residential development. The physical prominence and unusual nature of the building form has made the Windmill House a well-regarded local landmark. The building is considered a rare example of 'Domestic Featurism' and was featured in a book on the topic not long after its construction. The house is highly intact to its 1970s construction, retaining key details such as the windmill sails, distinctive shape, dormer windows, shingled fascia boards, irregular edged weatherboards, and decorative features such as clogs fixed to the walls as flower pots. (Criterion E)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Mills and Westbrooke, Trethowan



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Stylist Splash 2015, *Australia's most unusual houses*, <http://thestylistsplash.com.au/>, accessed online February 2022.

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Title: Villa Bereguardo, 32-36 Perversi Avenue
Identified by: Samantha Westbrook and Peter Mills, Trethowan
Prepared by: Trethowan Architecture

Address: 32-36 Perversi Avenue

Name: Villa Bereguardo	Survey Date: February 2022
Place Type: Residential	Architect: FW Thomas
Grading: Significant	Builder: FJ Jennings
Extent of Overlay: To title boundaries	Construction Date: 1924



Historical Context

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the Land



Act 1869 and later under Section 65 of the Land Act 1884. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996, p.36).

In 1912, the Eltham Railway Line was extended to Hurstbridge through Diamond Creek, bringing tourists to this area. Despite this, Diamond Creek remained a rural township throughout the first half of the twentieth century/ From the 1960s onwards, affordable land on subdivided orchards and accessibility to railway networks attracted young families to build their homes in the area, prompting the population growth in Diamond Creek (Jill Barnard, 2008).

History

Adolph Frederick Seelenmeyer acquired 158 acres of Portions 2 and 3 Parish of Nillumbik, in 1915, before subdividing the land into smaller lots for sale. Sicilia Perversi acquired 12 acres of the subdivision (Lots 11-15 and 22-23) in February 1924. Guiseppi Perversi acquired another adjoining two acres to the east (lots 16 and 17) in October 1924 (CT: V3899 F780; V4808 F539).

Guiseppe Perversi was born in Bereguardo, near Milan, in 1884, before arriving in Melbourne in 1914 and being naturalised as a citizen in 1914 (Perversi 2002:12; NAA: A1, 1914/6188). It appears that he was first employed as a wine merchant on Chapel Street in Prahran by Azzo Ongarello, before taking over Ongarello's wine license and premises by 1918 (*Vigilante* 1 September 1918:1). Sicilia (Scolari) Perversi was born in East Melbourne in 1895, and was the younger sister of Azzo Ongarello's wife (BDM 5264). Guiseppi Perversi and Sicilia Scolari were married at St Joseph's Catholic Church in Northcote in 1919. (BDM 939; *Table Talk* 6 February 1919:25; 12 May 1927:56). By 1923 Guiseppi Perversi had a wine and spirits store at 295 Hoddle St Abbotsford; Sicilia obtained the wine licence for the business the following year (*Argus* 7 November 1923:13; *Age* 23 December 1924:13).

In March 1924 FW Thomas, architect of 60 Queen St Melbourne, invited tenders for construction of a reinforced concrete bungalow in Diamond Creek (*Argus* 29 March 1924:1). By July building, noted as being constructed for Mr G Perversi, was under way. In July 1924 a newspaper reported that "Mr (F.J.) Jennings, builder, is at present erecting £1500 reinforced concrete house of 7 rooms with verandas on three sides in a commanding position at Diamond Creek". According to the architect, the house was to feature the "Dutch style", which may have been a reference to the curved balustrades (*Advertiser* (Hurstbridge) 25 July 1924:4; Figure 1).

FW Thomas does not appear to have been a prominent architect, and much of his work was based around Prahran. These works include a brick stable in 1906, additions to 'The Colosseum' (a large drapery store on Chapel Street) in 1911, and a warehouse in 1925 (*Age* 22 September 1906:4; *Prahran Telegraph* 22 December 1911:15; *Argus* 17 January 1925:5). In 1927, he designed the Prahran Meat Markets in conjunction with F.L. and K. Klingender (*Age* 5 November 1927:1). FJ Jennings was active as a builder in the district during the 1920s, advertising his services in the Hurstbridge *Advertiser* between 1924 and 1928 (*Advertiser* (Hurstbridge) 23 May 1924:3; 7 December 1928:3). In 1925 he constructed the replacement Queenstown (St Andrews) public hall (*Advertiser* (Hurstbridge) 17 April 1925:2).



Figure 1: A view of the principal facade of the Perversi house under construction c1924, taken from the southwest. Note the chimneys, curved balustrade and small gable. Source: Bates 2006:36.

It appears that the house at Diamond Creek was initially used by the Perversi family as a weekend residence. The Perversis were still residing in Collingwood up until 1929, travelling to Diamond Creek by car (*Advertiser* (Hurstbridge) 5 July 1929:2). The Perversis had evidently planted an orchard on the property by this stage, as they were fined for failing to eradicate codlin moth on their trees (*Advertiser* (Hurstbridge) 22 February 1929:4). By 1930, when their daughter Iolanda was born, they were described as residing at Diamond Creek permanently (*Argus* 9 December 1930:1).

The house performed an important role in the Perversis' involvement in the community life of Diamond Creek. A report on a fund-raiser for an organ for the Sacred Heart church hosted by the Perversis at their 'charming residence, Villa Bereguardo', reveals details of the house and garden. The verandah was converted into 'an attractive bazaar' for the occasion, with stands against the walls. A flower stall was located in a 'charming bush house' on the lawn, and a lucky dip was located in the 'large fernery.' Afternoon tea was served in the 'spacious dining room,' and music came from a piano and assorted instruments played in the lounge (*Advertiser* (Hurstbridge) 1 December 1933:2-4). In 1939 the house hosted sixty players at a euchre party in aid of the church, and in 1941 the family entertained soldiers from the Heidelberg Military Hospital on behalf of the Diamond Creek Red Cross (*Advertiser* (Hurstbridge) 26 May 1939:5; *Eltham and Whittlesea Shires Advertiser* 20 June 1941:4).

Guiseppe died in Melbourne in 1961 (BDM 14434/1961). The Perversi family sold Lots 22 and 23 in 1967, Lot 15 in 1968, Lot 14 in 1973 and Lot 11 in 1974 (CT: V4808 F539; CT: V9034 F399). Sicilia died in 1973, and bequeathed her land to the Sisters of Mercy in Rosanna (BDM 3544; PROV, VPRS7591/P4 Unit 332, Sicilia Perversi File 752/180.). The land changed ownership multiple times in the following years (CT: V9030 F772).

Description & Integrity

The subject site is a rectangular residence with a veranda to three sides, contained under a single tile-clad hipped roof. The walls of the building are rendered concrete. The veranda is supported by timber posts with brick pillar bases and is enclosed by a scalloped brick



balustrade. The timber posts have corner timber brackets, and the roof features exposed timber rafters.

The entry to the residence faces west and the principal elevation has a central door with large leadlight windows either side. There is a small, central gable in the roof facing west that is clad with painted shingles. There are two symmetrically arranged rendered chimneys with terra cotta pots at each end of the ridge line of the roof.

To the rear are two small projecting wings at each end of the return verandah, both of which are also contained under the main sweep of the roof (Figure 2. Between these two side wings is a gable roofed wing that is slightly shallower. The side wings have timber framed double hung windows and hoods with brackets over the windows.



Figure 2: A view of the house from the north, showing one of the rear wings highlighted in red.
Source: Trethowan.

There is a small out building on the northeast corner of the site. The building has a tile clad gable roof with exposed rafters, and appears to be built of rendered masonry. The gable ends are clad in painted shingles (Figure 3). Alterations have been undertaken to this building, with the installation of new glazing. This appears to be early and is possibly contemporary with the residence. There is also another gable roofed shed on the southwest side of the site, which is used as a double garage and is not original to the house.



Figure 3: A view of the small gabled outbuilding in the northeast corner of the site. Source: Trethowan.



Comparative Analysis

Interwar Bungalows

Following the financial and social upheaval and general devastation of WWI, Australian housing ideals were significantly altered. Although the aspiration of an individual house on its own block had driven earlier suburban development, the ideal was 'carried into a new dimension' in the interwar period (Cuffley 1989:14). As a mark of the renewed optimism of a society emerging from war, garden suburbs, model villages, War Service Loan and Bank houses facilitated major Australian residential growth. The new bungalow form came to dominate, deviating from the established Victorian and Federation styles, and architectural applications drew from diverse stylistic origins.

A majority of houses of the era were illustrative of the demand for low-cost housing. Schemes such as those of the State Savings Bank provided customers of lesser means readily available finance to purchase land and construct modest houses using pre-prepared designs (Cuffley 1989:17). Many used new cost-efficient materials, especially those in outer suburbs and regional areas. The bungalow was also popular amongst the wealthier classes, who expressed the form in more substantial dimensions and materials. These houses were often architect-designed and individually treated and featured comparatively elaborate design details.

Interwar development in the Shire of Nillumbik appeared to be slow, possibly due to its distance from the city and continuing agricultural setting. The conservatism often associated with sleepier rural areas may also have contributed to a slow up-take of new architecture (Cuffley 1989:22). Many houses built in the Shire during this period appear to be modest, weatherboard structures with little architectural pretence.

Although interwar dwellings are under-represented on the Heritage Overlay, the number of substantial residences built during the Interwar period in the Shire is further limited. The following places are comparable to the subject site, as a more substantial interwar home designed for a prosperous family.

- Brinkkötter House, 32 Lindon Strike Court, Research (HO114)
- Worlingworth, 10-26 Banoon Road, Eltham (HO7)
- Orchard House, 25 Cottles Bridge-Strathewen Road, Cottles Bridge (HO190).



Figure 4. Brinkkötter House, 32 Lindon Strike Court, Research (HO114).



Figure 5. Worlingworth, 10-26 Banoon Road, Eltham (HO7).



Figure 6. Orchard House, 25 Cottles Bridge-Strathewen Road, Cottles Bridge (HO190).

The Brinkkötter House at 32 Lindon Strike Court was built c1935, and is significant for its associations with the Brinkkötter family, who were well-known farmers and orchardists in the region. It is also aesthetically significant for its unusual design. An earlier significant house exists on the same site, and the presence of two adjacent farmhouses on one property is uncommon.

Worlingworth at 10-26 Banoon Road, built c1922, is historically significant for its associations with the notable anthropologist Donald Thomson, who lived there from the mid-1930s and because it is one of a few substantial homes erected in the Shire during the interwar period.

The Orchard House at 25 Cottles Bridge-Strathewen Road, is significant as one of few brick houses built prior to 1930 in the Shire. The house is considered significant due to its transitional style, which demonstrates elements of both federation and interwar bungalow styles.

Although of similar substantial construction, the subject site is set apart from the houses at 25 Cottles Bridge-Strathewen Road and 10-26 Banoon Road, which both exhibit the more recognisable characteristics of interwar bungalows with their prominent gable roofs and projecting bay windows. The subject site is most similar to the house at 32 Lindon Strike Court, as both are rectangular form houses with surrounding verandas contained completely under the sweep of one hipped roof. Both houses are also positioned to take advantage of views to valleys. Although they are similar in their form and substantial nature, the subject site demonstrates an unusual use of curved solid balustrading and concrete construction. Overall, the subject site compares favourably against these examples.

Concrete Construction

Domestic concrete construction prior the post-war period is uncommon in the Shire of Nillumbik.



Before 1900 concrete building was virtually unknown in Victoria, with only a few examples in monolithic construction (without steel reinforcement). Concrete construction progressed faster for commercial buildings where the structural benefits were greater. Some concrete houses appeared in the suburbs of Melbourne after 1900, and a group were built in Sunshine for the workers of the Mackay Sunshine Works in 1910 (VHD Place ID 45843, 'Concrete Housing Estate Precinct').

The demand for affordable construction and a shortage in housing following WWI encouraged architects to explore new building methods. In a time where timber and bricks were expensive or in scarce supply, concrete was recognised as a cheaper and readily available alternative. Adoption increased from around 1919, when six reinforced concrete houses were built in Melbourne to designs by architect and proponent of concrete construction Leslie Perrot (Perrott 1919). Various other homes were built in concrete to designs by Walter Burley Griffin at a similar time.

The mid-to late 1920s and 1930s saw a flurry of concrete house building activity in Victoria, and particularly Melbourne (Lewis 2013:4). 'Park View' in Racecourse Road Flemington was constructed in 1924, unusually using tram cables and horseshoes for reinforcement as a measure of economy (VHR Place ID 4430, 'Park View'). In the same year, another group of concrete houses was built to designs by architect GB Leith in Sunshine for workers at the Sunshine Harvester Works, with backing from the State Savings Bank (VHD Place ID 45843, 'Concrete Housing Estate Precinct'). Concrete houses were built to Leslie Perrott's designs in Northcote in 1924, Kew and Wattle Valley Rd Camberwell in c1925, and in Portsea in c1926 (*Argus* 17 May 1924:20; Roser 2002:13). Despite the 1920s peak, the technology was not widely considered a common material for houses, and it was noted that in 1927 only 82 of 7,500 building housing permits issued within a twenty-mile radius of Melbourne were of concrete (Roser 2002).



Figure 7. Rear Concrete Studio, 60 Lavender Park Road, Eltham (HO113)

The only domestic interwar concrete construction on the Heritage Overlay identified for comparison is the Rear Concrete Studio at 60 Lavender Park Road. Although likely dating from a similar period, this building is differentiated from the subject site by its use as an ancillary building to a larger masonry house, rather than being a house itself. No other examples of concrete houses built prior to the post-war period were identified in the Shire, highlighting the subject site's rarity.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.



CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The property is historically significant as a substantially intact example of a 1920s residence demonstrating the early use of reinforced concrete walls. Constructed in 1924, the property is also an example of a residence initially constructed for weekend use by a prosperous Italian family based in Melbourne. The family's presence also demonstrates pre-WW2 Italian migration in Victoria and in the Nillumbik area.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

Known surviving examples of early reinforced concrete houses such as this one are rare in the Shire of Nillumbik.

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The residence is a substantially intact 1920s architect designed concrete house that retains many of its original features including its overall original form with hipped roof, verandah around three sides and corner pavilions to the rear. The pavilion form of the house with its rear corner wings, the decorative verandah balustrade with timber fretwork and the chimneys and gables to the roof make it a particularly attractive building evocative of the 1920s period of design. The location of the house on the hill and the two palm trees at the front contribute to the aesthetic significance of the site.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The house at 32-36 Perversi Avenue, Diamond Creek, built in 1924 to designs by the architect FW Thomas for Giuseppe and Sicilia Perversi, is significant. Elements that contribute to the significance of the place include its original form, materiality and detailing, the early or original outbuilding to the northeast of the house.

Later alterations and additions including the garage, pool and associated infrastructure and other outbuildings to the rear of the dwelling are not significant.

How is it significant?

The property at 32-36 Perversi Avenue, Diamond Creek is of local historic and aesthetic significance to the Shire of Nillumbik. The property is also significant for its rarity within the Shire.

Why is it significant?

The property at 32-36 Perversi Avenue, Diamond Creek, is historically significant as a house built as a weekend residence for a prosperous Italian family based in Melbourne. Constructed in 1924, the property was initially used for leisure until 1929, when the family relocated to the site as their permanent residence. The house was named Villa Bereguardo after the town in Italy from which the Perversi family came. The presence of the Perversi family demonstrates pre-WW2 Italian migration to the Nillumbik area, and more broadly within Victoria. The house is also historically significant as an example of the increasingly popular use of concrete for residential construction in the early interwar period. (Criterion A)

The property at 32-36 Perversi Avenue, Diamond Creek is significant as a rare and substantially intact example of a 1920s residence demonstrating the early use of reinforced concrete in the Shire. Surviving examples of this type of construction from this period are rare, and were usually concentrated around the inner suburbs of Melbourne rather than rural areas, as the Shire of Nillumbik was at the time. (Criterion B)

The property at 32-36 Perversi Avenue, Diamond Creek is aesthetically significant for the substantially intact 1920s architect designed concrete house that retains many of its original features including its overall original form with hipped roof, veranda to three sides, and corner wings to the rear. The pavilion form of the house, decorative undulating veranda balustrade, timber fretwork, leadlight windows, chimneys and small gables make it a particularly good example of non-suburban bungalow design in the 1920s. The location of the house on the crest of a hill, facing the valley contribute to the aesthetic significance of the site. (Criterion E)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	Yes – front outbuilding
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Samantha Westbrook and Peter Mills, Trethowan



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Victorian Heritage Database (VHD) Place ID 45843, 'Concrete Housing Estate', Victorian Heritage Database, accessed online 22 February 2022.



Victorian Heritage Register (VHR) Place ID 4430, 'Park View', Victorian Heritage Database, accessed online 22 February 2022.



Title: Farmhouse, 75-99 Phipps Crescent, Diamond Creek

Identified by: Samantha Westbrooke and Peter Mills, Trethowan

Prepared by: Trethowan Architecture

Address: 75-99 Phipps Crescent, Diamond Creek

Name: N/A	Survey Date: N/A
Place Type: Residential, Farming	Architect: Not known
Grading: Individually significant	Builder: Not known
Extent of Overlay: To property boundary	Construction Date: 1929



Historical Context

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land located to the east of the creek, which was purchased by Dr John Blakemore Phipps in 1854. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the late 1860s and early 1870s. These included a post office, a Methodist church and school and three hotels (Barnard, 2008). In 1870, a national school was established (Edwards, 1979:118).



By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the *Land Act 1869* and later under Section 65 of the *Land Act 1884*. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996:36). From 1885 onwards, the rural landscape of the area also inspired many artists to work in Diamond Creek and its surrounds, and the scenery of the area was captured in the works of the Heidelberg School painters (Edwards, 1979:143).

In 1912, the Eltham Railway Line was extended to Hurstbridge through Diamond Creek, bringing tourists to this area. Despite this, Diamond Creek remained a rural township concentrating on the orchard industry throughout the first half of the twentieth century, without much new industries to offer alternative employment opportunities. As such, the area entered a period of population decline (Edwards, 1979:177). This began to change in the 1960s and 70s, as, affordable land on subdivided orchards and accessibility to railway networks attracted young families to build their homes in the area, prompting further population growth in Diamond Creek (Barnard, 2008).

History

Although Crown Land in Nillumbik Parish was offered for sale in 1852, there were few buyers. A government township was reserved on the west of the Diamond Creek at this time, however it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land east of the creek that Dr John Blakemore Phipps had purchased in 1854. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. The development of Phipps' land for gold mining was effectually the beginnings of Diamond Creek, which was soon bustling with gold seekers.

J. Rosier purchased Portion 1 No Section Parish of Nillumbik, 265 acres, from the Crown in 1852. Dr John Blakemore Phipps acquired Portion 1 and part of Portion 2 no section Parish of Nillumbik, purportedly with the assistance of Humphrey Peers and Cornelius Haley, who had purchased Portions 2 and 3 Parish of Nillumbik respectively in Crown land sales in 1852 (Nillumbik Parish Plans Sheets 1 and 3). Phipps arrived from England in 1854 and stayed in the area at first for 5 or 6 years. During this period he also acquired Lots 1 and 2 Section 17 Parish of Nillumbik, just to the south of Portion 1. When the gold rush in the Caledonian field started in 1864 Phipps returned to his land, where much of the mining activity was occurring, and rented land to miners to live on (Edwards 1979:49-50).

Phipps first tried to sell all of his land in the district in 1873 (*Argus* 21 June 1873:2). His later subdivision of 1897 included 60 lots of from 2 to 70 acres. The subject site was vacant (Figure 1). Phipps re-advertised the small blocks near the railway station as the 'Station Estate' in 1902, and the 'Phipps Estate' in 1905 (*Argus* 24 February 1902:16; 13 March 1905:2). Christine Lorrimer purchased the northern parts of Lots 52 and 53 of the 1897 subdivision in 1918 (CT V4143 F522). The 1921-22 rate book does not list a house on the property (RB).

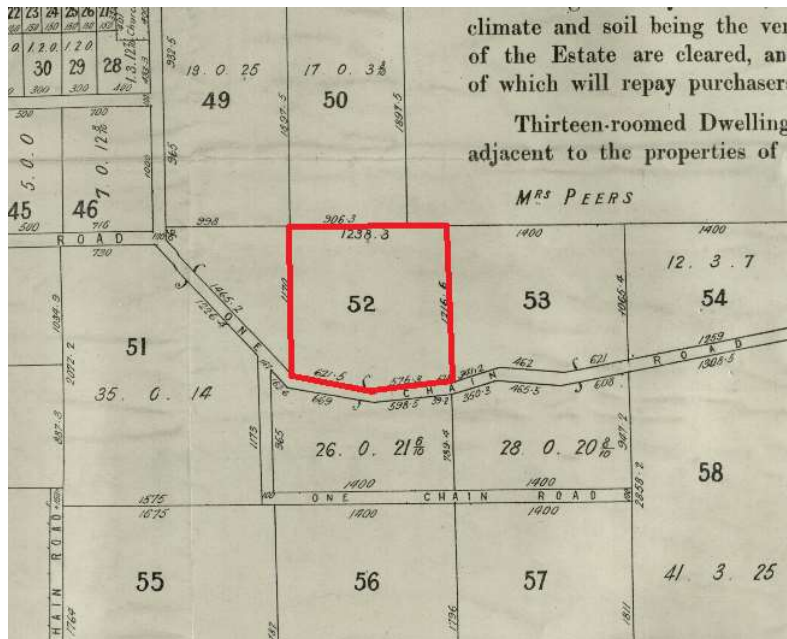


Figure 1: An excerpt of the 1897 subdivision plan. Source: John Vale & Sons 1897.

Ivy Gleeson and Henry Frederick Gleeson of North Melbourne purchased 15 acres of Lot 52 from Christine Lorrimer in July 1929 (CT V5567 F261). This is the northern part of the original 26-acre block of the sub-division, with the southern part becoming 52A. Ivy Billet and Henry Gleeson had married in 1922 (BDM Victoria Event 8613/1922). The 1926 rate book shows the Gleesons owned the land with no house, with an NAV of £12 (RB).

The Gleeson's house was built in 1929. In May of that year, the local paper recorded that construction had commenced on a seven-roomed 'up to date' house for the Gleesons in the 'eastern part' of town, following delays caused by a building strike (*Advertiser* (Hurstbridge), 17 May 1929:3). A house was marked in an appropriate position on the 1930 topographic map ('Victoria, Yan Yean' prepared by Australian Section, Imperial General Staff, Great Britain, War Office General Staff Australian Section, c1930, 1:63,360 topo series. SLV map collection). The 1931 rate book listed a house on the property with the NAV now £50 (RB).

Poultry farmers Walter and Gloria Belot purchased the property in 1959, and it appears that they used the property for that purpose. The property has changed in ownership since (CT V5567 F261).

Description & Integrity

75-99 Phipps Crescent, Diamond Creek, is a single-storey weatherboard farmhouse with hipped, corrugated metal clad roof. Rectangular in shape, the building is constructed on a northwest-southeast axis. A veranda, contained under the main sweep of the roof, returns around the northwest, northeast and southwest elevations. The roof is low-slung and has exposed rafters. A simple brick chimney with soldier brick detailing is evident on the southwest side of the roof. The house is built into the slope of the land and takes advantage of views into the valley to the northwest.



The primary façade with front entry to the house faces the southwest and is accessed by an original or early set of steps with pebble balustrade detailing. Part of the veranda on this elevation has been infilled to form a kitchen, with solid weather boards to sill height and glazing above. Some of this glazing includes original casement windows that likely came off the wall of the house since enclosed within the room (Figure 2). This alteration is likely to have been undertaken in the 1950s, as a concrete chimney is evident. An interwar brick chimney indicates the location of the original kitchen in the southern corner of the house, behind this infilled veranda (Figure 3).



Figure 2: A view of the southwest of the house. The infilled veranda is visible to the right, and original or early pebble-detailed stairs central. Source: Trethowan 2022.



Figure 3: A view of the southeast of the house. The c1950s concrete chimney to the infill veranda room is highlighted in red; the original interwar kitchen chimney in yellow. The later stone rear addition is highlighted in blue. Source: Trethowan 2022.

The remainder of the building's facades that are contained under the veranda feature original sets of French doors and boxed casement windows (Figure 4). The veranda balustrade is comprised of simple timber posts and rails and does not appear to be original. A stone addition to the southeast is contained under a skillion roof. This addition appears to date from the late interwar or post-war period.



Figure 4: Examples of the casement windows (left) and French doors (right) with timber surrounds evident across the building. Source: Trethowan 2022.



There are outbuildings to the east of the residence adjacent to the current entry drive. What appears to have been a former poultry shed is a simple rectangular building with gable roof, constructed out of asbestos sheeting with corrugated metal roof (Figure 5). This building has a concrete gangway along its northwest elevation, where door openings retain their original sliding mechanisms (the sliding doors have since been replaced with hinged versions). This building was likely constructed in the interwar period or after. Another outbuilding is completed in concrete and features an irregular arrangement of rooms. A signature on the concrete slab indicates that it was constructed in 1955. Original louvred windows are evident, however the roof has since been removed (Figure 6).



Figure 5: The building that is likely a former poultry shed. Source: Trethowan 2022.



Figure 6: A view of the concrete outbuilding (left) and the signature indicating when it was built (right). Source: Trethowan 2022.



Comparative Analysis

Farmhouses have been present in the Shire of Nillumbik since the 1840s, when rudimentary dwellings were erected by settlers as the land was opened up for agricultural use. The earliest farmhouses were usually modest constructions that made use of readily available materials, evident in examples such as the 1843 sections of Hazel Glen Homestead (HO234). As farmers in the district became more prosperous, their homes were erected according to contemporary tastes. In this way, many farmhouses came to conform to the styles, detailing and materiality of suburban houses evident across the Greater Melbourne.

Interwar development in the Shire of Nillumbik appeared to be slow, possibly due to its distance from the city and continuing agricultural setting. Dwellings from this era are currently under-represented on the Nillumbik Heritage Overlay, however the following places are comparable to the subject site due to their age and construction as farmhouses:



830 Cottles Bridge - Strathewan Road, Arthurs Creek (HO29)



Orchard House, 25 Cottles Bridge-Strathewen Road, Cottles Bridge (HO190)



Old Brinkkötter House, 32 Lindon Strike Court, Research (HO114).



Villa Bereguardo, 32-36 Perversi Avenue, Diamond Creek (Recommended as individually significant)



830 Cottles Bridge-Strathewen Road, Arthurs Creek, was built for the Apted family who have operated an orchard in Arthurs Creek for over a century. The orchard was, in 1916, the largest in southern Victoria and is a reminder of the importance of orcharding in the former Shire of Eltham. The Californian bungalow farmhouse is historically significant as a rare surviving example of its type in the Shire.

The Orchard House at 25 Cottles Bridge-Strathewen Road, is significant as one of few brick houses built prior to 1930 in the Shire. The house is considered significant due to its transitional style, which demonstrates elements of both federation and interwar bungalow styles.

The Brinkotter House at 32 Lindon Strike Court was built c1935 and is significant for its associations with the Brinkkotter family who were well-known farmers and orchardists in the region. It is also aesthetically significant for its unusual design. An earlier significant house exists on the same site, and the presence of two adjacent farmhouses on one property is uncommon.

32-36 Perversi Avenue, Diamond Creek was built in 1924 as a weekend property and orchard for a family who eventually took up permanent residence at the site. The house is notable for its simple form with return veranda, with interwar detailing. The house is rare in the shire as an example of concrete construction before the post-war period.

Although similar in age to the houses at 25 and 830 Cottles Bridge-Strathewen Road, these houses present as more conventional examples of Interwar bungalows that were being erected across Victoria at the time. Both examples demonstrate the common characteristics of Interwar bungalows, such as the large, nested gable roofs with detailed ends. The subject site is distinguished from these for its use of a more traditional homestead form with return veranda.

The subject site is similar to the houses at 32 Lindon Strike Court and 32-36 Perversi Avenue due to their age and similar form. These examples all employ a more traditional homestead form with simple rectangular plan with return veranda to three sides, with interwar style features. All are sited in a considered manner to take in views. Although not as substantially constructed or detailed as 32 Lindon Strike Court and 32-36 Perversi Avenue, which are brick and concrete respectively, the subject house demonstrates how the same form and siting was applied to more modest versions across the Shire.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The property has associations with the 1897 subdivision of the Phipps land. Phipps arrived from England in 1854 and stayed in the area at first for 5 or 6 years. During this period he also acquired Lots 1 and 2 Section 17 Parish of Nillumbik, just to the south of Portion 1. When the gold rush in the Caledonian field started in 1864 Phipps returned to his land, where much of the mining activity was occurring, and rented land to miners to live on. The site was part of the 1897 subdivision of Phipps' land. It demonstrates settlement in the area following the gold rush.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The house at 75-99 Phipps Crescent, Diamond Creek, is representative of interwar farmhouses built in the Shire. The house bears interwar detailing including the original French doors and casement windows with timber surrounds and chimneys. The building form is similar to a traditional homestead, with rectangular body and wraparound veranda contained under the sweep of a hipped roof, which aligns with other examples built in the Shire during that era.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The property at 75-99 Phipps Crescent, Diamond Creek, is significant.

Elements that contribute to the significance of the site include:

- The original rectangular form of the 1929 house with return veranda contained under a hipped roof
- The original materiality of the house, including weatherboard cladding and corrugated metal roof
- The original or early detailing of the house, including French doors and casement windows with timber surrounds, chimneys, and pebble-detailed stairs
- The siting of the house on the side of a hill, providing views over the valley

Although of historic interest, the later stone addition to the house is not significant. The outbuildings are also of historic interest as former working elements of the setting but are not in themselves significant.

How is it significant?

The property at 75-99 Phipps Crescent, Diamond Creek is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

The property at 75-99 Phipps Crescent, Diamond Creek is historically significant as a part of the 1897 subdivision that divided up Dr Blackmore Phipps' land following the gold rush. The lot on which the farmhouse stands was one of the larger lots in the sale. While advertised for sale in 1897, this lot was not purchased until 1918, indicating that uptake of the land was still slow. The subject site is also historically significant for its ability to demonstrate the continuing presence of smaller agricultural holdings that continued in the area into the post war period. (Criterion A)

The farmhouse at 75-79 Phipps Crescent is significant as a representative example of a substantially intact inter-war farmhouse. The house exhibits a careful planning and use of the site, being built into the side of a hill with views out over a valley. Key detailing to the house, including the original French doors and casement windows with timber surrounds, chimneys, and original or early pebble staircase balustrades, remain in place. The house bears a more traditional homestead form, with rectangular body and wraparound veranda contained under the sweep of a hipped roof, which aligns with other examples built in the Shire during that era. (Criterion D)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Samantha Westbrooke and Peter Mills, Trethowan



References

Advertiser (Hurstbridge), as cited.

Argus, as cited.

'Victoria, Yan Yean' prepared by Australian Section, Imperial General Staff, Great Britain, War Office General Staff Australian Section, c1930, 1:63,360 topo series. SLV map collection

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Graeme Butler & Associates 1996, 'Nillumbik Shire Heritage Study Stage 1, Review, Heritage Survey and Environmental History', prepared for the Shire of Nillumbik.

John Vale & Sons 1897, 'Diamond Creek, in areas of from 2 to 70 acres, orchards, gardens and farms, and township allotments', State Library Victoria Haughton collection, accessed online 17 February 2022.

Land Victoria, Certificates of title (CT), as cited.

Shire of Heidelberg Greensborough Riding Rate Books (later Heidelberg Riding Rate Books) (RB), as cited.



Title: Harton Hill Farm, 405 Ryans Road, Diamond Creek

Identified by: Mills & Westbrooke
Prepared by: Trethowan Architecture

Address: 405 Ryans Road, Diamond Creek

Name: Harton Hill Farm,	Survey Date: N/A
Place Type: Residential, Farming	Architect: Not known
Grading: Significant	Builder: Not known
Extent of Overlay: To title boundaries	Construction Date: c1930s





Historical Context

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the Land Act 1869 and later under Section 65 of the Land Act 1884. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996, p.36).

In 1912, the Eltham Railway Line was extended to Hurstbridge through Diamond Creek, bringing tourists to this area. Despite this, Diamond Creek remained a rural township throughout the first half of the twentieth century/ From the 1960s onwards, affordable land on subdivided orchards and accessibility to railway networks attracted young families to build their homes in the area, prompting the population growth in Diamond Creek (Jill Barnard, 2008).

History

Lot 1 and 2 Section 15 Parish of Nillumbik, 320 acres, were sold by the Crown to W.R. Belcher in 1857 (Nillumbik Parish Plan sheet 3). It appears that George D'Arley Boursiquot (later Bourcicault) had acquired Lots 1 and 2 Section 15 Parish of Nillumbik at some stage. In 1904 320 acres of "first class orchard land", being Lots 1 and 2 of Section 15, were offered for sale by the estate of G.D. Bourcicault, in lots from 6 to 16 acres. The land was subdivided into 27 lots, all of which were sold by 1907 (CT V2992 F205; Age 4 June 1904:2).

Lots 4 and 5 of this 1904 subdivision, totalling 20 acres, were purchased by Henry Coventry of Diamond Creek, carter, in 1906 (CT V2992 F205; V3141 F016). The 1907-8 rate book notes that Henry Coventry owned the land with a house that had a NAV of £15 (RB 1907-08). This indicates a house was built on the property between 1906 and 1907.

By 1916 the property was known as 'Gracedale' (*Argus* 27 January 1917:1). In the rate book of 1919-20 the house and land had a NAV of £19, indicating little had changed (RB 1919-20). By 1922/23 the NAV had risen to £30, indicating investment in either a new house or extension, and/or in the orchards (RB 1922-1923). The 1925-26 rate book shows another rise, to £37, indicating further improvements (RB 1925-26). A house is shown in the position of the current house on a 1920 topographic map, while extensive orchards are shown at the site on a 1935 topographic map (Commonwealth of Australia 1920; 1935).

In 1935 Henry Coventry's property was offered for sale. The property included a five-roomed dwelling, seven acres of orchard, six acres of cultivation and seven acres of grass and timber. Farming implements were also sold, indicating the Coventry family were leaving the district (*Advertiser* (Hurstbridge) 18 January 1935:8).

Alison Stewart Davis of Kew purchased the property in 1935 (CT V3141 F016). Alison had married Harold Carmichael Davis in 1930, who had previously been a soldier settler on a sheep property in the Glenorchy area (BDM 425/1930; Battle to Farm 2022). The Davises



made the subject site their residence and renamed it 'Harton Hills', possibly after a Western District estate of the same name.

The Davis family bred both Jersey stud cattle (a herd of about 20) and poultry (over 1000 head) on the property, and Alison Davis was a recognised dog breeder by 1939 (*Argus* 17 January 1938:10; 7 October 1939:23). The current two-storey brick home was most likely built during their occupation. In 1949, due to sale of 'Harton Hills' they held a "complete dispersal sale" of their stud Friesian and Guernsey cattle (*Argus* 9 March 1949:11). It appears they had also been leasing another 72 acres of grazing land in the Diamond Creek area owned by the railways department, indicating the extent of their agricultural pursuits (*Age* 25 June 1952:10).

Arthur Coutts, grazier of Diamond Creek, purchased the property by 1951 and renamed it 'Sunny Hills' (CT V3141 F016). In 1952 'Sunny Hills', was offered again for sale. The property was noted as including a "modern" two-storey solid-brick home of 11 rooms. There was also a three-roomed cottage, which may have been an earlier residence. Outbuildings catered for a wide variety of livestock, with fowl pens for 2000 birds, brick pigsties, a milking shed and dairy, and breeding kennels. The advertisement described the property as suiting "the discriminating buyer seeking an outer suburban home with sufficient land to create that country atmosphere", further stating that "it is rarely such a place with such delightful views, garden and ornamental trees so handily situated is offered for sale" (*Age* 29 March 1952:24).

Peter Salmon (editor) and Vivian Betty Colclough purchased the site in 1957. The State Electricity Commission compulsorily acquired easements over parts of Lot 4 in 1964, 1967 and 1969. The Country Roads Board acquired the property in 1973 (CT V3141 F016). The property appears to have returned to private use since.

Description & Integrity

The property contains a combined single and double storey brick residence constructed in the 1930s. The house has two main gable roofed wings, clad with terracotta tiles, on north-south axes. The wings are placed end to end, but slightly offset from each other; the north wing is two-storey, while the south is single-storey. A terracotta roofed veranda is evident on the western side of the house, indicating the location of the primary entryway. Further single-storey wings appear to have been added to the house on the eastern side.

There is an extensive collection of tin roofed farm buildings to the east and north of the house. A swimming pool is located to the south. There is a Monterey cypress drive that skirts Ryans Road as it approaches the house.

It is possible that the earlier house on the site built around 1907 could be located on the northeast corner of the site, however this should be confirmed by a site inspection.

Comparative Analysis

Interwar development in the Shire of Nillumbik appeared to be slow, possibly due to its distance from the city and continuing agricultural setting. A majority of houses within the shire built in the interwar era are illustrative of the demand for low-cost housing, likely due to a combination of material shortages and rural economy. Many houses built in the Shire during this period are modest, weatherboard structures with little architectural pretence.

Substantial examples of interwar housing are uncommon within the Shire and are underrepresented on the Heritage Overlay. Although substantial interwar homes were



more common in neighbouring municipalities (such as Manningham and Banyule), the Shire of Nillumbik has fewer examples. Two-storey houses of this era are even less common in the Shire, where most homes of the era were single storey, likely in order to capitalise on the abundance of land.

There are no other identified substantial two-storey farmhouses or farm properties from the mid to late 1930s currently included in the Heritage Overlay, however there are examples of other homes dating to the Interwar period, as follows:



Brinkkötter House, 32 Lindon Strike Court, Research (HO114).



Worlingworth, 10-26 Banoon Road, Eltham (HO7).



Orchard House, 25 Cottles Bridge-Strathewen Road, Cottles Bridge (HO190).



The Brinkotter House at 32 Lindon Strike Court was built c1935, and is significant for its associations with the Brinkkotter family, who were well-known farmers and orchardists in the region. It is also aesthetically significant for its unusual design. An earlier significant house exists on the same site, and the presence of two adjacent farmhouses on one property is uncommon.

Worlingworth at 10-26 Banoon Road, built c1922, is historically significant for its associations with the notable anthropologist Donald Thomson, who lived there from the mid-1930s and because it is one of a few substantial homes erected in the Shire during the interwar period.

The Orchard House at 25 Cottles Bridge-Strathewen Road, is significant as one of few brick houses built prior to 1930 in the Shire. The house is considered significant due to its transitional style, which demonstrates elements of both federation and interwar bungalow styles.

The subject site is similar to the above examples due to its age, siting, and substantial brick construction. Despite this, the subject site is set apart from the houses at 25 Cottles Bridge-Strathewen Road and 10-26 Banoon Road, which both exhibit the more recognisable characteristics of interwar bungalows with their prominent gable roofs and projecting bay windows. Although similar in age and materiality, the subject site is set apart from the Brinkotter House at 32 Lindon Strike Court, which is more alike a traditional homestead with its simple rectangular form and surrounding veranda contained underneath a single hipped roof. Should the original c1907 farmhouse be present at the subject site, it would be a similar to the Brinkotter House as an example of two farmhouses coexisting on the same site.

The subject site demonstrates an unusual use of a two-storey form within the Shire, which further elevates its significance as a substantial interwar farmhouse in the municipality. Overall, the subject site compares favourably against these examples.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The Harton Hills farm complex at 405 Ryans Road, Diamond Creek is historically significant for its illustration of farming in the Diamond Creek district since the early 1900s. The most significant occupation of the property was by Alison and Harold Davis from 1935 until 1949 when the current c1930s residence was constructed, and dog breeding was undertaken at the property as well as it being a Jersey stud. The site also has associations with orchard farming in the area, which was undertaken by the Coventry family. The outbuildings on the site contribute to the historical understanding of the operation of the farm during the 1930s and 1940s.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The 1930s farmhouse is aesthetically significant as a distinctive example of a substantial inter-war brick farmhouse. The two-storey nature of the building is unusual and makes this example stand out in the Shire. The Monterey cypress drive contributes to the setting of the place and emphasises its grandeur.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The Harton Hills farm complex at 405 Ryans Road, Diamond Creek, is significant. The original form, materials and detailing of the c1907 farmhouse, 1930s farmhouse and the Monterey cypress drive and their setting contribute to the significance of the place.

The outbuildings contribute to the historical understanding of the place as a farming property but are not significant.

How is it significant?

The Harton Hills farm complex at 405 Ryans Road, Diamond Creek is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The Harton Hills farm complex at 405 Ryans Road, Diamond Creek is historically significant for its illustration of farming in the Diamond Creek district, which remained an integral part of the economic life of the district through the Interwar period. The most significant occupation of the property was by Alison Stewart Davis and Harold Carmichael Davis from 1935 until 1949, when the current c1930s two-storey brick residence was constructed and dog breeding was undertaken at the site. It is also during this period that the Davises operated a Jersey stud at the site. The site also has historic associations with orchard farming in the area which was undertaken during the Coventry family's occupation of the site. The outbuildings on the site demonstrate the historical operation of the farm during the 1930s and 1940s. (Criterion A)

The farm complex at 405 Ryans Road, Diamond Creek is aesthetically significant as an uncommon example of a substantial Interwar brick farmhouse. The two-storey nature of the building is also distinctive in the shire, where most substantial houses were single-storey. The Monterey cypress drive contributes to the setting of the place and emphasises its grandeur. (Criterion E)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes – Monterey Cypresses
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Mills & Westbrooke



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Land Victoria, Certificates of Title (CT), as cited.

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Title: Hazel Glen Uniting Church, 1070 Yan Yean Road, Doreen

Identified by: Mills and Westbrooke

Prepared by: Trethowan Architecture

Address: 1070 Yan Yean Road, Doreen

Name: Hazel Glen Uniting Church	Survey Date: 2022
Place Type: Religious	Designer: CH Robinson
Grading: Religious	Builder: Nelson and Young
Extent of Overlay: To title boundaries	Construction Date: 1872



Historical Context

Doreen was established as an orchard district in the mid to late nineteenth century and was originally known as Linton as it was within the Parish of Linton. Several families have been associated with the district from the mid-nineteenth century: the Reids, the Bassetts, Herbert Brocks, Lobbs and Creightons are among them.

The first Linton (Hazel Glen) Wesleyan Chapel and Sunday School was built in 1863, located across Chapel Lane from the site of the existing church (Draper 2012). In 1867, Doreen's first school, a non-vested Common School, was established on the south side of Chapel Lane. The school also became the location of Doreen's first Postal Office, which operated from a room in the teacher's residence until as late as 1894 (Payne 1989:3). The school became Common School No 945 in 1868 and was purchased by the Colonial Government in 1873, turning it into a State School (Payne, 1989:7). The school was moved to the current site on the north side of Doctor's Gully Road in 1895 (Doreen Primary School,



accessed 2015). From the 1870s onwards, the crossroads of Bridge Inn Road and Yan Yean Road has been the town centre of the district. In 1895, despite the opposition of the local community, the Post Master General had renamed the area 'Doreen' (Age, 15 June, 1895:7).

Doreen was becoming a more substantial locality by 1908, with greater emphasis being placed on the corner where the stores were located and a new recreation reserve and hall diagonally opposite to the stores. In 1909 when the hall was opened the local paper announced that "a few years ago the place was scarcely known; now it blossoms out as a leading place of the Shire"(EO&BER, 19 November 1909:2).⁴¹ In 1908 arrangements were being made for a telephone connection between Yan Yean and Doreen (EO&BER, 17 April 1908:2).

During the 1920s Doreen was a frequent stopping place for excursionists and the cross roads remained the centre of social activities for the predominantly fruit growing district.

History

The first Linton (Hazel Glen) Wesleyan Chapel was built in 1863 on land acquired from Thomas Stockdale. The timber slab-walled and bark-roofed building stood on a site across Chapel Lane from the site of the existing church (Draper 2012).

The *Wesleyan Chronicle* of June 1863 reported on the 'Wesleyan Sunday-school Anniversary' celebration on 31 May 1863, indicating that the congregation had formed in May of 1862. Thomas Stockdale became the first Sunday School Superintendent, and subsequent anniversaries of the Sunday School would be based on this founding year (*Advertiser* (Hurstbridge) 24 March 1933:3).

The first church was still standing, though in poor condition, when moves were made to build a new and larger church in 1872 (*Wesleyan Chronicle* March 1872). A contemporary article in the *Age* states that Melbourne soap and candle manufacturer and Mayor of Collingwood Henry Walker gifted approximately an acre of his land across Chapel Lane (part of Lot 30D Parish of Morang) for the purposes of erecting a new church (*Age* 20 March 1873:3).

C.H. Robinson of Heidelberg prepared plans and specifications free of charge. Robinson was involved with the Wesleyan church in Heidelberg and was the Heidelberg shire auditor. No evidence has been found that he was an architect. (*Age*, 28 November 1873:3; 1 August 1878:3.) The builders were Messrs. Nelson and Young (*Age*, 20 March 1873:3).

The church was of rendered masonry construction on a bluestone plinth and footings, and it was roofed with hardwood shingles (Draper 2012). The new Linton Wesleyan Church was opened on Sunday 16 March 1873 with the Rev. C. Dubourg giving two sermons (*Age* 20 March 1873:3). Dubourg was responsible for the building of three other local Wesleyan churches during his ministry from 1871-1874 – Whittlesea, Wollert and Thomastown (Payne 1989?:28).

Slabs from the original church were used to build a stable in the new grounds, but this was destroyed by fire in 1930 and was replaced by an "iron" structure (Payne 1989?:28). The name was changed to Hazel Glen Wesleyan Church in 1886, following the change of name of the locality (Draper 2012).

The church and Sunday school played an important part in the community life of the locality, marked by regular services, weddings and funerals and a number of annual celebrations. The first "Methodist social" was held at Hazel Glen in 1927 (*Advertiser* (Hurstbridge), 12 August 1927:3). From the late 1920s harvest thanksgiving services or



harvest festivals were held at the church (*Advertiser* (Hurstbridge) 18 March 1927:3; 1 March 1929:2; 28 March 1930:2; 16 March 1934:7).

A working bee installed a "fine cyclone fence" around the church in 1939 (*Advertiser* (Hurstbridge) 7 July 1939:3). In 1940 the Yan Yean circuit of the Methodist Church, which included Whittlesea, Yan Yean, Hazel Glen, Mernda, Doreen, Yarrambat, South Morang, Wollert, Woodstock and Beveridge, was altered from an Independent Ministerial Circuit to a Home Mission Station, as a result of dwindling attendance (*Eltham and Whittlesea Shires Advertiser* 21 March 1940:2).

A 1960 plan shows a single room vestry 10x15 ft with a fireplace and chimney, and small entrance porch on the east, with no side windows. The porch at this stage was 6x6ft. Pit toilets were located at the southeast corner of the church land (Department of Health Public Building File No.11960, VPRS 7882, Consignment P1, Unit 1401). An early photo and a 1980 photo show the old small rendered masonry porch with castellated parapet and door on one side and window on the other (Payne 1989?:28; Figure 1). The centenary of the church building was held in 1972 (Payne 1989?:28). In 1977 the Hazel Glen Church, now in the Parish of Mernda, became part of the Uniting Church in Australia, when the majority of the Methodist, Presbyterian and Congregationalist congregations opted to merge.



Figure 1: A view of the north of the subject building dated to 1980, showing the original castellated front porch with west facing door. Source: Collins 1980.

In the 1990s Church Elder Jim Barr was instrumental in the replacement of the "southern extension" of the church (the vestry) to provide a building more in keeping with the main body of the church, and provide modern toilets. The scrollwork above the Communion Table was repainted by notable artist Kenneth Jack. In 1993 the porch was enlarged to around 8x12ft with a rendered castellated parapet, presumably based on the old porch. It included a northern mosaic window of stained glass by notable mural and mosaic artist David Jack (Draper 2012). At the 125th anniversary in 1997 new entrance gates were dedicated in memory of Mr Jack Bassett of 'Tregowan', Doreen, "who worked tirelessly and enthusiastically for Hazel Glen Church throughout his life" (Draper 2012).



Description & Integrity

Hazel Glen Uniting Church is a single-storey building constructed of rendered brick on a bluestone plinth. The building has a gable roof running north south. The roof, originally clad in shingles, is now clad in corrugated metal. A smaller gable section also clad in corrugated metal is located to the south. There is a low parapet moulding following the line of the roof at the gable ends of the nave. The side walls of the nave contain three evenly spaced Gothic arch windows with rendered drip moulds around the arch (Figure 2). A small plaque bearing 'Wesleyan Chapel 1872' is located on the north gable end (Figure 3). Round openings, likely originally vents, are located in the apexes of both gable ends to the original section of the church. They have since been filled in (Figure 4).



Figure 2: An example of an original side window with drip mould.



Figure 3: The date plaque. Source: Trethowan 2022.



Figure 4: A view of the former round opening to the south gable end. Source: Trethowan 2022.

There is a front porch at the north end with a castellated parapet. This replaced an original smaller porch, which also had a castellated parapet. The new porch includes a northern mosaic window of stained glass by notable mural and mosaic artist David Jack. The gable roofed nave to the rear (south) was also erected in the 1990s. It replaced an earlier nave in this location. The 1990s nave has pointed arch windows to the west and south walls and an entry door and rectangular window on the east wall.

The church sits at the southern end of the corner block with pine boundary plantings on both road elevations. There are double iron entry gates at the south west corner off Yan Yean Road (Figure 5). These were erected in 1997. In the south east corner of the site are skillion roofed corrugated iron clad toilet buildings.



Figure 5: A view of the gates fronting Yan Yean Road. Source: Trethowan 2022

Comparative Analysis

Churches were an integral part of the social life of communities within the Shire of Nillumbik and were often amongst the first buildings constructed within townships. Not only did these buildings provide places for worship, they often functioned as places to gather, celebrate and be educated.

Apart from the Doreen Store and Post Office, this is the only other surviving public building to demonstrate the township of Hazel Glen, which was later to become Doreen. It importantly represents the establishment of a community in the area in the Victorian period. There are no other sites in Doreen that can demonstrate this community establishment.

Comparable churches in Nillumbik on the Heritage Overlay are as follows:

- Presbyterian Church, 265 Eltham-Yarra Glen Road, Kangaroo Ground c1878 (HO46)
- St Andrews Anglican Church, 15 Caledonia Street, St Andrews c1868 (HO21)
- Uniting Church (originally Methodist) 810 Main Road, Eltham 1880 (HO118)



Figure 5. Presbyterian Church, 265 Eltham-Yarra Glen Road, Kangaroo Ground c1878 (HO46)



Figure 6. St Andrews Anglican Church, 15 Caledonia Street, St Andrews c1868 (HO21)



Figure 7. Uniting Church (originally Methodist) 810 Main Road, Eltham 1880 (HO118)

The Presbyterian Church at 265 Eltham-Yarra Glen Road, Kangaroo Ground, is a bichromatic brick building with slate roof thought to have been built c1878, and one of only a few well preserved buildings in the town from that era. The church is historically and socially significant because it has served the local community since construction.

The Anglican church at 15 Caledonia Street, St Andrews is a simple timber building, thought to be erected c1868. The building is significant as one of only four buildings remaining from the town's goldmining era, and potentially gave its name to the township. The church is also important for the ongoing role it has played in local community life.

The former Methodist Church at 810 Main Road, Eltham, is a bichromatic brick building with slate roof build in 1880. The building is aesthetically significant as a finely detailed example of a rural community church. The place is also significant for its ongoing community role in the region.

Like the subject site, each of these examples bear the characteristics of the Gothic Revival style, applied to a simple and modestly sized building form with gable roof. The simple designs of the subject church, and these examples, reflect their rural location and the modest needs of the local congregations at the time when they were built. The subject site is set apart from these examples by its rendered surfaces, as opposed to timber or bichromatic brick work. Further, similar to the comparable examples, the subject site has a demonstrated continual use as a church, servicing the local community as a place of worship and gathering. Overall, the subject site compares favourably against these examples.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Hazel Glen Uniting Church is historically significant as one of the only remaining early community buildings in the Hazel Glen (later Doreen) area. Constructed in 1872, the brick church replaced an earlier timber slab building that had been erected nearby in 1863. The construction of a more substantial brick church at that time indicates the surrounding farming community had grown relatively prosperous. The building also highlights the importance of religious buildings in spiritual and community life during the Victorian period. The Church is also significant for its ongoing use by the same congregation, and historical associations are celebrated through elements including memorial gates.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

Hazel Glen Uniting Church is significant as a representative example of a rural Victorian church, conforming to the simple forms and Gothic Revival style that many churches adopted in the region from the 1860s up to the interwar period. The use of bluestone and rendered brick is uncommon in the more rural townships in the Shire, where many religious buildings were timber. The original section of the church retains key original features including Gothic arch windows with drip moulds. The location of the church on a rise with a clear land around on the site and border pine plantings contributes to the significant setting of the place.

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).

Hazel Glen Uniting Church is of social significance as it has been a primary place of worship and community gathering in the district since 1872 to the present day. The building continues to be used for these purposes by the congregation.

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

Hazel Glen Uniting Church at 1070 Yan Yean Road, Doreen, is significant. The church, including its form and materials, the memorial entry gates and border pines contribute to the significance of the place.

How is it significant?

Hazel Glen Uniting Church is of local historic, representative and social significance to the Shire of Nillumbik.

Why is it significant?

Hazel Glen Uniting Church is historically significant for its ability to demonstrate the early settlement of in the parish of Linton. The Church is the only remaining public building demonstrating the settlement of Hazel Glen, which was later to become Doreen. Constructed in 1872, the brick church replaced an earlier timber slab church that had been erected nearby in 1863. The construction of a larger, more substantial masonry church in 1872 indicates that the surrounding farming community had grown relatively prosperous and large at that time, when compared to other rural localities in the Shire, many of which did not have their own church until decades later. The building also highlights the role of religious buildings in spiritual and community life during the Victorian period. The Church is also significant for its ongoing use by a religious congregation in the area. Historical associations are celebrated though elements such as the memorial gates fronting Yan Yean Road. (Criteria A)

Hazel Glen Uniting Church is significant as a representative example of a rural Victorian church. The building conforms to the simple form and Gothic Revival style that many churches adopted in the region from the 1860s up to the interwar period. The use of bluestone and rendered brick is evident elsewhere in the Nillumbik, however is more uncommon in the smaller and more rural township developments in the Shire, where most religious buildings appear to have been built in timber. The original section of the church retains key original features such as the Gothic arch windows with drip moulds. The location of the church on a rise with a clear land around on the site and border pine plantings contributes to the significant setting of the place. (Criterion D)

Hazel Glen Uniting Church is of social significance as a focus of worship and as a community gathering place in the district since 1872 to the present day. The building continues to function in its original purpose for the congregation. (Criterion G)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes – Pine trees
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	Yes – gates facing Yan Yean Road
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Mills and Westbrooke



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Wesleyan Chronicle, as cited.



Title: Post Office, General Store & Residence, 920 Yan Yean Road, Doreen

Identified by: Mills & Westbrooke

Prepared by: Trethowan Architecture

Address: 920 Yan Yean Road, Doreen

Name: Post Office and General Store & residence	Survey Date: February 2022
Place Type: Commercial	Architect: Not known.
Grading: Significant	Builder: Not known.
Extent of Overlay: To the property boundaries	Construction Date: 1908, 1932-33.



Historical Context

Doreen was established as an orchard district in the mid to late nineteenth century and was originally known as Linton as it was within the Parish of Linton. Several families have been associated with the district from the mid-nineteenth century: the Reids, the Bassetts, Herbert Brocks, Lobbs and Creightons are among them.

The first Linton (Hazel Glen) Wesleyan Chapel and Sunday School was built in 1863, located across Chapel Lane from the site of the existing church (Draper 2012). In 1867, Doreen's first school, a non-vested Common School, was established on the south side of Chapel Lane. The school also became the location of Doreen's first Postal Office, which operated from a room in the teacher's residence until as late as 1894 (Payne 1989:3). The school became Common School No 945 in 1868 and was purchased by the Colonial Government in 1873, turning it into a State School (Payne, 1989:7). The school was moved to the current site on the north side of Doctor's Gully Road in 1895 (Doreen Primary School, accessed 2015). From the 1870s onwards, the crossroads of Bridge Inn Road and Yan Yean Road has been the town centre of the district. In 1895, despite the opposition of the local community, the Post Master General had renamed the area 'Doreen' (Age, 15 June, 1895:7).



Doreen was becoming a more substantial locality by 1908, with greater emphasis being placed on the corner where the stores were located and a new recreation reserve and hall diagonally opposite to the stores. In 1909 when the hall was opened the local paper announced that "a few years ago the place was scarcely known; now it blossoms out as a leading place of the Shire"(EO&BER, 19 November 1909:2).⁴¹ In 1908 arrangements were being made for a telephone connection between Yan Yean and Doreen (EO&BER, 17 April 1908:2).

During the 1920s Doreen was a frequent stopping place for excursionists sightseeing around the Doreen/ Yan Yean area's beauty spots. The cross roads remained the centre of social activities for the predominantly fruit growing district.

History

In 1873 John Cornell purchased 10 acres, being the eastern half of Lot 4 Section A Parish of Greensborough, from Helen Cook(e). John Cornell's father William, who had obtained the adjoining 20-acre lot to the east (Lot 5) in 1871 through an occupation license, purchased the other 10 acres (the western half), which adjoined land he already owned (CT V517 F371; Greensborough Parish Plan)

Early references indicate that John Cornell may have opened a store on the south-east corner of the crossroads in the 1880s: In 1882 and 1883 the Whittlesea Shire discussed road works near "Cornell's store" (EO&S&EBR 16 December 1892:2; 18 May 1883:3). By 1897 the term 'Cornell's corner' was in use (EO&S&EBR 27 August 1897:2). In July 1901 John Cornell advertised a store of four rooms and six acres of land to let at seven shillings per week (Age 19 July 1901:3). At his death in September 1901, John Cornell was living with his sister Elizabeth and brother-in-law William Christian in Doreen (EO&BER 27 September 1901:2).

The post office was transferred from the school residence to the store in 1902. In the same year, as a result of Cornell's death, ownership of the 10-acre property with store went to Cornell's sister Elizabeth Christian (CT V587 F331). John Adams was the postmaster from 1903-5, and John Davis followed until 1908. During Davis' tenure the store was destroyed by fire and rebuilt (Payne 1989?:34). It is possible that the existing residence adjacent to the current store was built at this time as it appears to date from this period.

The next long-term storekeepers, Mr Robert William Atkinson and his wife Georgina (Patterson), appear in the record around 1909 (EO&BER 14 May 1909:2). By March 1917, when the Atkinsons announced they were retiring from the business, the store had become a stopping point for excursionists from the city. The Atkinsons were described as "an agreeable and willing authority on the most accessible routes to the sylvan beauty spots located for many miles around for pleasure seekers." The local paper reported on the widespread local expressions of regret from customers and the public at their departure, stating that "Mr and Mrs Atkinson...will be greatly missed in their public capacity at this centre, which is a convenient calling place for many." During the war they had also been active workers for the local Red Cross Society, and the store had been made available as the receiving depot for donated articles (EO&BER 16 March 1917:2).

The next few years saw another succession of short-lived proprietors of the store at the corner. In 1917 Mr Henry Gilbert Gentry, late of Clarinda Post Office, purchased the general store business "consisting of Groceries, Crockery, Ironmongery, Produce, Drapery, Haberdashery, etc." The post office, telegraph and telegram services were also conducted from the store (E&WSA&DCVA 6 April 1917:3; EO&BER 9 March 1917:3; 30 March 1917:2).



Elizabeth Christian's oldest daughter Mary and her husband Evan Owens took over the store next, as Owens was described as the postmaster and storekeeper in 1924 (Payne 1989:34; *Advertiser* (Hurstbridge) 16 May 1924:2). Telephone poles were installed between the store and 'Reid's Land' in 1924/5 (*Argus* 9 December 1924:11). The increasing number of excursionists from the city was indicated by calls in 1927 for a "fingerpost" at the post-office corner; it was also noted that "every Sunday many motorists stop to inquire the destination of each of the four roads radiating from there" (*Advertiser* (Hurstbridge), 7 October 1927:2).

In 1931 Elizabeth Christian subdivided the 10-acre lot she had inherited from John Cornell. Evan Owens purchased a quarter-acre portion on the corner, including the store and house (CT V5756 F049; V5756 F050). Owen's ownership of the freehold coincides with the rebuilding of the current post office store in 1932/3. The adjacent storeroom was likely part of this new building. During construction of the new brick store, a wall collapsed and crashed onto the road (*Age* 23 December 1932:10; *Advertiser* (Hurstbridge), 6 January 1933:4).

In 1934 Mary Owens died at the age of 37 (*Advertiser* (Hurstbridge) 5 January 1934:1). In the same year Evan Owens became a councillor for the Morang riding of the Whittlesea Shire (*Advertiser* (Hurstbridge) 14 September 1934:6; 5 October 1934:3). He also secured the contract for carting mail between Mernda and the Doreen post office (*Advertiser* (Hurstbridge) 29 June 1934:4).

When the Doreen Bush Fire Brigade was formed in 1942, Mr Owens was the first president, and equipment was stored at the Post Office store (*E&WSA* 16 January 1942:2; 6 February 1942:4). By 1941 a Mrs Mitchell was running the post office (*E&WSA* 31 October 1941:1). Between 1945 and 1991, the property changed ownership numerous times (CT V5756 F050; CT V7594 F166).

Description & Integrity

The Doreen General Store and Post Office consists of a corner brick shop building, a brick storeroom constructed in 1932-33 to the south, and a weatherboard residence attached on the east side. The residence dates from the early 20th century (c1908). The site is located on the south east of the intersection of Yan Yean Road and Doctors Gully Road.

The shop and residence are contained under one large, low-slung Dutch-gabled roof that runs on an east-west plane. The shop projects further north from the façade of the house to meet the corner of the intersection (Figure 1). This front projection is contained under a hipped roof. The roof form indicates that part of the store actually dates to the earlier period, and the front corner section and brick walls form the part of the building erected in 1932-33.

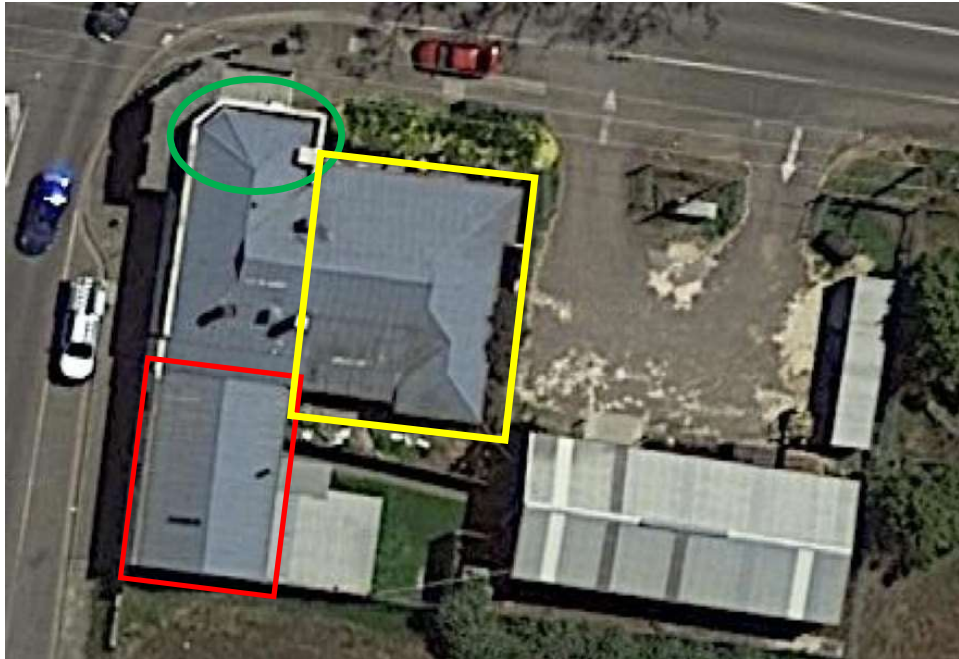


Figure 1: An aerial view of the site. The front projecting section of the corner store is highlighted in green; residence in yellow; and storeroom in red. Source: Google Maps.

The shop has a splayed corner and the entry door is located on this splay. Above the door is a small window (**Error! Reference source not found.**). On each road elevation is a large shop window of the same size. The shop building has simple brick parapet with projecting brick courses on both elevations; original lettering is evident on this parapet as well. The verandah and posts appear to be postwar additions.

The brick wall continues further south for the store building, however the parapet is lower along this section. The storeroom is contained under a gable roof that runs north-south. The storeroom has a single door on Yan Yean Road closest to the corner store, with two windows to the south.

The timber residence with weatherboard cladding has a frontage to Doctors Gully Road.. The roof has deep eaves around the residence, with exposed rafters. There is a small, central recessed veranda on the front façade, with a later bay window to the side. A simple chimney is also evident (Figure 2).



Figure 2: Views of the residence and connection to adjacent store. Source: Trethowan Architecture 2023.

Comparative Analysis

Post offices were integral to rural communities, as the primary method of communication for many. In rural settings such as the small towns in the Shire of Nillumbik, post offices were often combined with another integral commercial function, such as a general store. It was common for a residence to be attached for the postmaster and storekeeper.

This site is a rare surviving building on the central crossroads of Doreen, and demonstrates the early social, commercial and civic centre of the Doreen township. At its height, the intersection was home to was a blacksmith to the east of the general store and residence, another store across the road that closed around c.1910 and a public hall and recreation reserve on the diagonally opposite corner.

The subject site is an important surviving example of a Post Office and General Store located in what was the social centre of the town. Other examples within Nillumbik of early commercial buildings with a Post Office function that are in the Heritage Overlay are as follows:

- Kangaroo Ground General Store & Post Office, 280 Eltham-Yarra Glen Road, Kangaroo Ground (HO48)
- Hurstbridge Post Office-Evelyn Observer Office, 794 Heidelberg-Kinglake Road, Hurstbridge (HO68)
- Old Store and Post Office, 910 Arthurs Creek Road, Arthurs Creek (HO179)



Figure 4. Kangaroo Ground General Store & Post Office, 280 Eltham-Yarra Glen Road, Kangaroo Ground (HO48)



Figure 5. Hurstbridge Post Office-Evelyn Observer Office, 794 Heidelberg-Kinglake Road, Hurstbridge (HO68)



Figure 6. Old Store and Post Office, 910 Arthurs Creek Road, Arthurs Creek (HO179)

The General Store and Post Office at 280 Eltham-Yarra Glen Road is historically significant as a centre of community life since c1900, including its use for Council meetings which were conducted in the front room of the store. The building is also aesthetically significant as one of a group of three well preserved public buildings in the Kangaroo Ground hamlet.

The post office and former newspaper office at 794 Heidelberg-Kinglake Road is historically significant because it was constructed for the local newspaper, the Evelyn Observer. The office is historically and socially significant because it has served as a post office since 1930 and is an important component of a group of pre-1950s structures in this part of the town.

The former store and post office at 910 Arthurs Creek Road is significant as a well-preserved building and early within Arthurs Creek, and for its rare shopfront detailing. The building is considered as contributing to the significant historic landscape of the town.

Although united by their similar functions as post offices with secondary commercial functions, the subject site is distinctive among these examples for its prominent corner siting and brick construction. The subject site is similar to the Arthurs Creek example for its attached residence.

All three comparative example are constructed in timber, which is reflective of the modest town development that occurred in the Victorian and Edwardian periods. The choice to erect a prominent brick store front indicates a level of prosperity for the locality and the site's prominence in the town setting. Aesthetically, the subject site is also set apart from



the comparative examples by its restrained design with Moderne influences, evident in the parapet brick courses and lettering.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The Doreen Post Office and General Store is historically significant as an early centre of community life for the township of Doreen. The site has functioned as the Post Office since 1902, however the current shopfront dates to the 1932-33. This house is of earlier origin c.1908. The building also has associations with the tourism history of the Shire, as from the late nineteenth the General Store facilitated excursionists from the city on their way to points of interest in the district. It is one of only a few surviving premises that evidence the early township of Doreen at this key intersection, with other early buildings having been demolished.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The Doreen Post Office and General Store is significant as an example of an interwar brick corner commercial building with earlier attached residence. The prominent corner location on an important intersection demonstrates the Post Office and Store's role in the life of the town. The shopfront shows elements of the Moderne style, and retains details including the original brick walls, parapet with cornice, corner entry and shop windows. The residence retains its original roof form, weatherboard walls and front veranda. Together they provide a legible example of an early twentieth century shop attached to an earlier residence in the district.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The Doreen Post Office and General Store (1932-33) with attached residence (1908) at 920 Yan Yean Road, Doreen, is significant.

Significant elements of the place include:

- The original form of the General Store with splayed corner to address its siting on the intersection of two major roads
- The original materiality of the building, including brick walls and corrugated iron roof
- Key detailing of the General Store, including parapet wall with projecting courses, original lettering, and small window above door level
- The original form of the attached residence
- The original timber materiality of the attached residence
- Original key details of the residence, including exposed rafters, timber framed windows and chimney

Other buildings and elements on the site are not significant.

Post-war alterations are not significant.

How is it significant?

The Doreen Post Office and General Store 920 Yan Yean Road, Doreen is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

The Doreen Post Office and General Store is historically significant as an early social centre for the township of Doreen, having functioned as the Post Office since 1902. The period of ownership by the Owens during the 1930s is especially significant, as the family was the longest serving storekeepers, and the current building relates to their occupation. The Post Office and General Store also has associations with the tourism history of the Shire. From the late nineteenth the General Store facilitated excursionists from the city en route to the scenic points of interest in the district. It is one of only a few surviving premises that evidence the early township of Doreen and at this key crossroads within the Shire. (Criterion A)

The Doreen Post Office and General Store is significant as an example of an interwar brick corner commercial building with earlier attached residence. The prominent corner location on a crossroads is also evocative of the Post Office and General Store's role in the centre of social activity in the town. The General Store retains its original brick walls, parapet with cornice and lettering, corner entry and upper windows. The residence retains its original roof form, weatherboard walls and front inset veranda. (Criterion D)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.
Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Mills & Westbrooke



References

Age, as cited.

Advertiser (Hurstbridge), as cited.

Argus, as cited.

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https://webarchive.nla.gov.au/awa/20170218044436/http://www.doreenps.vic.edu.au/general_history.htm accessed 25 March 2022

Draper, 2012, *Arthurs Creek Mechanics' Institute*, Mechanics' Institute Inc, Arthurs Creek.

Eltham and Whittlesea Shires Advertiser and Diamond Creek Valley Advocate, as cited.

Evelyn Observer and Bourke East Record (EO&BER), as cited.

Evelyn Observer and South and Bourke East Record (EO&S&EBR), as cited.

Land Victoria, Certificates of Title (CT), as cited.

Mornington Standard, as cited.

Payne, J.W. 1989?, *The Quiet Hills Doreen (Vic.)*, J.W. Payne.



Title: Panton Hill Store and Post Office Precinct

Identified by: Peter Mills and Samantha Westbrooke

Updated and Prepared by: Trethowan Architecture

Address: 586 and 588 Kangaroo Ground-St Andrews Road, Panton Hill

Name: The Panton Hill Store and Post Office Precinct	Survey Date: 20/1/2022
Place Type: Store and Former Post Office and associated residences	Architect: Unknown
Grading: Locally Significant	Builder: Unknown
Extent of Overlay: Title boundaries of 586 and 588 Kangaroo Ground-St Andrews Road, Panton Hill	Construction Date: 1926 (Post Office), c.1880--1939 (General Store)



586 and 588 Kangaroo Ground-St Andrews Road, Panton Hill. Image: Westbrooke and Mills, 2017



586 and 588 Kangaroo Ground-St Andrews Road, Panton Hill. Image: Google Maps 2022



Aerial view of subject sites, with street numbers indicated. Source: NearMap October 2021

Historical Context

Panton Hill was established as a goldfield in 1859 in the area generally called the Caledonia Diggings (1855). Its northern neighbour, Queenstown, is now St Andrews. By the end of the 1860s the goldfield became less profitable and miners turned to farming. Several introduced viticulture and orchards to Panton Hill. A primary school was opened in 1865, and by 1880 there were two hotels and a Church of England. A mechanics' institute was opened in 1901. In 1903 Panton Hill was described in the Australian handbook:

PANTON HILL (co. Evelyn, shire Eltham), post township, 24 miles NE. of Melbourne. Reached by rail to Heidelberg, coach thence. Has hotel, State school (No. 1,134), and Anglican church. Mining district. Population, 130.

The railway extension from Heidelberg to Hurstbridge in 1912 provided quicker access for fruit-growers to the Melbourne markets. Electricity was turned on in 1958. For most of the twentieth century Panton Hill's population was around 300, indicating a steady rural economy. ('Panton Hill', Victorian Places, 2014)

History

Early Buildings in Kingstown (later Panton Hill)

Gold was discovered at Oram's Reef in 1859 and the resulting gold rush ushered in the beginnings of Kingstown (later Panton Hill). Emile and Jeanne Hude opened a hotel in Kingstown in c1860, which became known as 'The Frenchman's' (Marshall 1971:37; *EO&S&EBR*, 17 October 1890:3). In 1870, Jeanne Hude, described as "storekeeper of Panton Hill", acquired a certificate authorising the issuing of a publicans license (*Argus* 8 January 1870:8). This is the first indication of a store in the town (*Argus* 8 February 1871:8). A post office was opened at Panton Hill in 1875 (*Australasian (Melbourne)*, 2 October 1875:20). This may have been run by Mrs Hude from her hotel, by this time known as the 'Hotel de France' (*EO&S&EBR*, 11 December 1885:3).

By 1880 Kingstown (Panton Hill) was a basic mining settlement – it had 2 hotels, 1 store and around 20 miners' huts. There were no residences substantial enough to be described as houses (RB year to December 1880).



586 and 588 Kangaroo Ground-St Andrews Road

On 9 January 1883 the 'rural store site' of William Hopkinson was offered at a Crown land auction. The area advertised corresponds to the land that now contains the Panton Hill Store and residence at 586 Main Road as well as the adjacent former Post office at 588 Main Road. The three year minimum period before the licensee could request sale of the site by the Crown indicates that Hopkinson had taken up the land in c1880. William purchased the land, which became Lot 6 in the Panton Hill Township (Panton Hill Township Plan. CT: V1439 F698).

The Hopkinson Family

Grace Harriet and William Hopkinson had arrived in Port Phillip on the *Prince Arthur* in May 1853. Grace was born in England, William in Derbyshire, and both were 22 (Inward overseas passenger lists [1852-1923] VPRS 947, *Argus* 11 January 1912:1, *EO&BER* 12 January 1912:2). Presumably they were headed for the goldfields. William Hopkinson appears as an elector in Queenstown (St Andrews) in 1859 (*Argus* 30 June 1859:8). From this time the Hopkinsons based themselves in Smith's Gully, where they had a store.

The Hopkinsons' Smith's Gully store first appears in the Eltham Road District rate rolls in 1870, under William's name. This continues until 1880, but in that year and in 1881 his eldest daughter Annie Ellen Hopkinson, also appears in the rate roll, as storekeeper for a store in Kingstown (Panton Hill) (RB year to December 1880). Annie would marry William Hopkinson's long-term mining partner Walter Joseph Joyce in 1881 (BDM Victoria Event No.436/1881).

By 1887 Kingstown becomes known as Panton Hill. Until William's wife Grace's death in 1893 it appears the Hopkinson family ran stores in both towns (RB, years to December 1882 to 1890). William Hopkinson was quick to marry again after Grace's death, this time to Mary Susan Watkins in 1894 (BDM Victoria Event No.5056/1894). As well as running stores in Smith's Gully and Kingstown/Panton Hill, in the late 1890s and early 1900s William Hopkinson was a successful miner and prospector, having famously struck it rich at One Tree Hill (*EO&BER* 12 January 1912:2).

Mary Susan Hopkinson took over ownership of the property in Panton Hill in 1904 (CT: V1439 F698). In 1906 W. Hopkinson obtained permission from the Eltham Shire Council to build a verandah in front of the store (*H&YGG* 10 February 1906:2). Mary became the post mistress in c1907 and remained in that position until 1937 (*Advertiser (Hurstbridge)* 27 August 1937:5, 3 September 1937:5). A c1900-1910 photograph shows the store on the left with the residence on the right. The sign over the store reads 'Hopkinson Licensed to sell Tobacco, Cigars & Snuff' ('Panton Hill', photographer Albert Jones, c1900-1910, SLV photograph collection Accession no(s)H2007.130/61). The presence of the verandah indicates that the photograph was post-1906. In 1908 Mrs M. Hopkinson applied for a "special gold buyers license in sparsely populated part", for "her premises" at Panton Hill. Her application was supported by 6 locals - 4 miners, a butcher and a farmer (*EO&BER* 1 May 1908:2).



The Hopkinsons' Pantan Hill store and residence c1906-1910. Source: 'Pantan Hill', photographer Albert Jones, c1900-1910, SLV photograph collection. Accession no(s) H2007.130/61.

William Hopkinson died at his residence in Main Street Pantan Hill in 1912 after a 'long and painful illness', at the age of 82 (BDM Victoria Event No.2110/1912, *Argus* 11 January 1912:1, *EO&BER* 12 January 1912:2).

Mary Susan Hopkinson married George Adams in 1914 or 1915 (BDM Victoria Event No.1667/1915). George was for many years the roads foreman for the North Riding of the Eltham Shire, staying in that position until forced to retire because of ill health in 1937 (*Advertiser (Hurstbridge)* 6 August 1937:1). It appears that Mary Susan Hopkinson/Adams went through financial difficulties after William's death, with a series of 5 mortgages of the Pantan Hill land up to her son Stephen Arthur's purchase of the eastern corner of the block in 1926, and a further two mortgages before the remainder was sold to William Horatio Lowe in 1937 (CT: V1439 F698).

Despite the financial difficulties, records indicate that Mary and her children continued to operate the store and post office. Works were done on the road near Mrs Adams' store in 1918 (*EWSADCVA* 11 October 1918:3). A visitor in the 1920s remembered "Mrs Adams' general store and Post Office" (Graeme Butler & Associates 1996:41). In 1926 she sold the western corner of the property, where the store and residence now stand, to her son Stephen Arthur Hopkinson (born in 1906) (BDM Victoria Event No.21496/1906, CT: V1439 F698).

Mary (Hopkinson) Adams continued to reside on the larger part of the block. It appears that she built a new house and post office on this land after selling the corner lot to her son, which is the building that still remains on the street front to the left of the store (588 Kangaroo Ground-St Andrews Road). She is described only as a post mistress in this period, not a storekeeper as well (*Advertiser (Hurstbridge)* 11 November 1932:1). The 1935-6 rate book indicates she owned part of Lot 6 with post office and dwelling (RB 1935-6). She remained the postmistress until she and her husband George moved to Whittlesea in 1937, and ex-orchardist Albert Barber took over as post master (*Advertiser (Hurstbridge)* 14 March 1924:3, 27 August 1937:5, 18 March 1938:3, *EWSA* 3 July 1942:3).



Residence, Post Office and Commonwealth Savings Bank c1955. This was Mary (Hopkinson) Adams' residence and post office, built c1926 and occupied by her until 1937, then by Albert Barber. Note Rural Fire Brigade sign on small block between Post Office/Bank and the store wall just visible on the right. **Source:** Eltham District Historical Society Inc. Object 00041 Post Office Panton Hill.

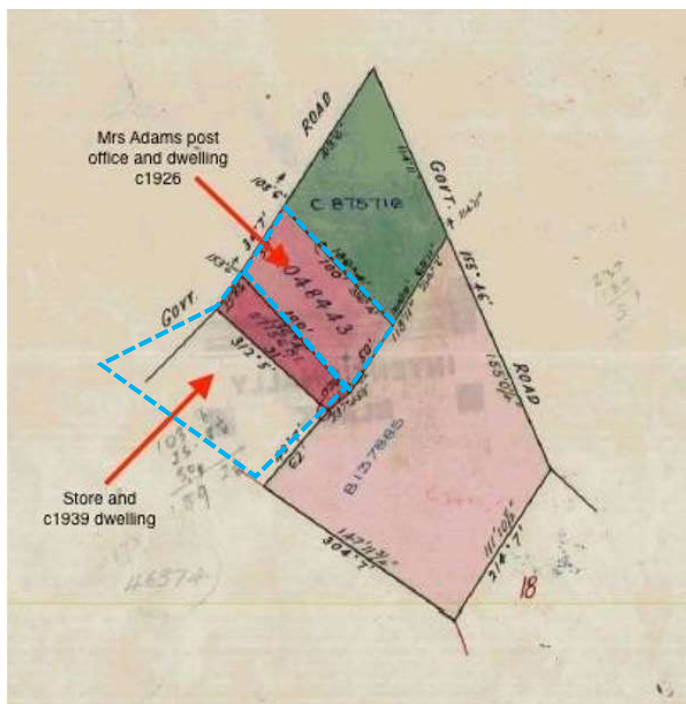
After the Hopkinsons

Mr William H. Lowe acquired the old store and house on the smaller part of Lot 6 from Stephen Arthur Hopkinson in March 1936 (CT: V5146 F021, RB 1935-6). Lowe also purchased the remainder of the original lot, Mary (Hopkinson) Adams' land, a year later in 1937 (CT: Vol.1439 Fol.698). From this time Post Master Albert Barber may have rented the post office and dwelling until he himself purchased it in 1946 (CT: V5146 F021).

The increasing importance of the car in the district is reflected in innovations by Mr Lowe. A petrol bowser was installed in June 1936 (*Advertiser (Hurstbridge)* 19 June 1936:3). By November Mr Lowe had organised for a mechanic from his supplier, the 'Alba' petroleum Company, to attend on Tuesdays and give free car "overhauls" (*Advertiser (Hurstbridge)* 20 November 1936:2). Cut lunches, especially for school children, were provided at the store for sixpence (*Advertiser (Hurstbridge)* 20 March 1936:5).

In 1939 Mr G.T. Innes of Murrumbena took over management of the store from Lowe, apparently under lease, as there is no transfer of title at this time. The Innes family stayed with Mr & Mrs A.R. McLaughlin until their new residence was built alongside the store (*Advertiser (Hurstbridge)* 4 August 1939:3, CT: V5146 F021). The c1880 house was probably dilapidated and small by this time, Mr Innes advertised asking for the patronage of residents from Panton Hill and the surrounding district (*Advertiser (Hurstbridge)* 4 August 1939:5).

Lowe subdivided the larger part of the original lot, which he had acquired in 1937, selling off the first lot facing the Main Road, containing Mrs Adams' post office/dwelling, to post master Albert Barber in 1946. A photo c1955 shows that the building housed a Commonwealth Savings Bank branch and Post Office (EDHS Object 00041 Post Office Panton Hill). The narrow block between the store and residence and the Savings Bank/Post Office was sold in 1955 (CT: V6133 F411.). From the above photo it appears that it may have been occupied for a time by the Panton Hill Rural Fire Brigade.



Lowe's subdivision c1946. Dashed blue line indicates current lot boundaries.
Source: Certificate of Title Vol.6133 Fol.411.

Bertha Lindsay and Russell Edwin Clinton, storekeepers of Main Road Pantom Hill, obtained title to the lot with the store and residence in 1955 (CT: V5146 F021). They also purchased the narrow lot which had been subdivided by Lowe.

Dorothy Joan and Raymond Francis Adams, storekeepers of Main Road Pantom Hill, acquired ownership of the Clintons' two lots in 1968, and the Melbourne and Metropolitan Board of Works (MMBW) acquired those lots in 1969 (CT: V5146 F021). Joel Resources acquired the combined land in 1992, and Alastair Donald and Barbara Maureen McInnes became the owners in 2004 (CT: V10033 F509).

Description & Integrity

Store and Former Residence at 586 Kangaroo Ground-St Andrews Road

The former store and residence consists of linked weatherboard buildings with pitched, corrugated metal clad roofs. The former store building is made up of two gable wings of different widths with the gable ends fronting the street. The gable section of these wings does not extend far before there is a skillion roof extending across the width of both of the gables to the rear. It is possible that one of the gable wings is a remaining section of the early gable roofed store. The gable wings have a skillion verandah spanning across the front of the store. This is not an early verandah but is similar to the original verandah. The end gable wing contains an almost square timber framed window with four panes. A single entry door sits almost centrally between the two gable wings and the central gable wing contains a rectangular shopfront window lower to the ground than the earlier described window.

The adjacent former residence on the west side sits slightly forward of the store and is set down lower than the store. The residence has a main tall hipped roof with what would have



been a projecting gable wing on the north side. The roof form indicates that the original verandah, which would have extended across the front but ended at the front gable wing has been filled in and a second verandah spanning the front of the entire residence has been installed. The gable end of the front wing has half timbering and a twin timber framed double hung window with wide framing and four panes in the upper sashes. The only other feature of the front elevation is a single entry door, which is a later alteration after the verandah was filled in. The roof form of the residence is unusual, with a hipped roof running parallel to the front intersecting with the gable wing. There is then a hipped wing behind this that is narrower than the front hipped roof wing. This may indicate that the earlier residence was incorporated into the c.1939 residence.

Former Post Office and Residence at 588 Kangaroo Ground-St Andrews Road

The former Post Office and Residence is also a weatherboard building with pitched roof forms clad in corrugated metal. While the form of the building with a projecting gable wing to the front and a wider hipped roof wing to the rear has been retained, the original cement sheet cladding with timber strapping has been replaced with weatherboards. The porch and entry to what would have been the residence is set back from the street and is at the front of the hipped roof wing. The window to the front of the gable wing has been altered but many other features remain such as the front door set back on the rear hip roofed wing.

There is a capped picket fence to the front of the property but this is not original fabric.

Current Images of the Site

The following photographs were taken by Samantha Westbrooke Thursday 2nd March 2017.



Store and Residence at 586 Kangaroo Ground-St Andrews Road



Front of store from Kangaroo Ground-St Andrews Road



Front of store from Kangaroo Ground-St Andrews Road



Driveway between the Store and former Post Office



Front of the former Post Office

Comparative Analysis

The general store and former Post Office are two of six key early buildings that form the social, community and civic core of Panton Hill and demonstrate its scale and appearance in its heyday. The other four buildings are:

- HO96 St Matthews Church and Church Hall at 575 Kangaroo Ground-St Andrews Road.
- HO97 Panton Hill Primary School No.1134, 595 Kangaroo Ground – St Andrews Road The 1889 schoolhouse and the 1882 portable classroom.
- HO98 Former Panton Hill State School, 1889 Teacher's Residence.

The buildings are also important and rare surviving examples of a rural General Store and Post Office in the Shire. These General Stores and Post Offices illustrate the key early and formerly rural towns in the Shire and their social centres. Other towns within Nillumbik that retain their early General Store and/or Post Office buildings and are in the Heritage Overlay



are as follows:

- HO48 Kangaroo Ground General Store & Post Office, 280 Eltham-Yarra Glen Road, Kangaroo Ground c1900s General Store and Post Office.
- HO68 Hurstbridge Post Office - Evelyn Observer Office, 794 Heidelberg-Kinglake Road, Hurstbridge, The 1918 *Evelyn Observer* office and the 1930s additions (when it was converted to a post office).
- HO179 Old Store and Post Office, 910 Arthurs Creek Road, Arthurs Creek, 1880s.



HO48 Kangaroo Ground General Store & Post Office, 280 Eltham-Yarra Glen Road, Kangaroo Ground c1900s General Store and Post Office.



HO68 Hurstbridge Post Office - Evelyn Observer Office, 794 Heidelberg-Kinglake Road, Hurstbridge



HO179 Old Store and Post Office, 910 Arthurs Creek Road, Arthurs Creek.

The two properties at Panton Hill compare favourably in terms of their historical use and significance to their respective locality. Like the comparative examples, the subject properties within the proposed precinct have been added to over time and demonstrate the historical evolution of the town over an extended period, particularly from the early twentieth century. While both properties are Significant historically, their unique development and location together side by side on Panton Hill means they are intelligible grouped together as a small Precinct.

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: *Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).*

The General Store is historically significant because it has a long association with Panton Hill



and has been an important centre of community life for more than 120 years and the Post Office has been an important community building for more than 80 years. The General Store and former Post Office and their associated residences are historically significant as two of six key early buildings that form the core of Pantom Hill (the former school, teacher's residence, the Anglican church and church hall being the others). The site is important for its associations with the Hopkinson family who were involved in goldmining in the area and were important pioneer settlers in the district. The first record of the Hopkinson's General Store at Pantom Hill was in 1881 and the family occupied the site up until 1936. The Post Office and residence was constructed for Mary Adams (formerly Hopkinson) in 1926.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

The General Store and former Post Office are rare surviving examples of such buildings in the Shire.

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The grouping of church, hall, school, store and post office that occurs within the centre of Pantom Hill is typical of the pattern of development in country towns throughout Victoria. The Precinct, comprising general store and former Post Office and their associated residences is representatively significant as a grouping of essential services at the heart of a rural community in the early twentieth century. The overall layout and forms, roof forms, materials and openings to the complex of buildings are evocative of the appearance of Pantom Hill around this time.

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).

The General Store is of social significance as an important centre of community life in the district for more than 120 years and the Post Office has been an important community building for more than 80 years.

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The Panton Hill Store and Post Office Precinct is significant. It comprises the Panton Hill Store and residence at 586 Kangaroo Ground-St Andrews Road and the former Post Office and residence at 588 Kangaroo Ground - St Andrews Road, Panton Hill. The form, original features and materials of the buildings and the layout of the two properties that developed side by side, and its location at the centre of Panton Hill, contribute to the significance of the place.

Alterations and additions after 1939 are not significant.

How is it significant?

The Panton Hill Store Post Office Precinct is of local historic,, aesthetic and social significance to the Shire of Nillumbik.

Why is it significant?

The General Store and former Post Office are historically significant for their long association with Panton Hill including its establishment in the 1880s and its development up to the present day. The site has been an important centre of community activity for more than 120 years. The site is important for its associations with the Hopkinson family who were involved in goldmining in the area and were important pioneer settlers in the district. The first record of the Hopkinson's General Store at Panton Hill was in 1881 and the family occupied the site up until 1936. The Post Office and residence was constructed for Mary Adams (formerly Hopkinson) in 1926 (Criteria A).

The general store and former Post Office and their associated residences are historically and aesthetically significant as two of six key early buildings that form the core of Panton Hill (the former school, teacher's residence, the Anglican church and church hall being the others). The grouping of church, memorial cross, school, store and post office, that occurs within the centre of Panton Hill, is typical of the pattern of development in country towns throughout Victoria and demonstrates the early appearance of the township. The overall layout and forms, roof forms, materials and openings to the complex of buildings are evocative of the appearance of Panton Hill around the 1930s. (Criterion D).

The Panton Hill General Store and former Post Office are socially significant to the Shire of Nillumbik as the social centre of Panton Hill since its early development in the 1890s until the present day. The buildings are a landmark in the town due to their central location and the General Store is a central point of information and supplies for residents and visitors to the area. (Criterion G)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.



Proposed Extent of HO.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No



References

- Advertiser (Hurstbridge)*, as cited.
- Age, as cited.
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- Australasian (Melbourne), as cited.
- Colac Herald, as cited.
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- Portland Guardian*, as cited.
- Public Records Office of Victoria, as cited.
- Registry of Births Deaths and Marriages Victoria*, as cited.
- Shire of Eltham Municipal Rate Books (RB), as cited.
- State Library of Victoria collection, as cited.
- Victorian Places 2014, 'Panton Hill', www.victorianplaces.com.au/abbotsford, accessed on 12/04/2022



Title: House, Farm, 145 River Avenue, Plenty

Identified by: Mills & Westbrooke

Prepared by: Trethowan Architecture

Address: 145 River Avenue, Plenty

Name: Former farmhouse	Survey Date: 2016 & 2023
Place Type: Residence, outbuildings	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To extent shown	Construction Date: 1920s



View of 145 River Avenue, Plenty. Source: Peter Mills, 2016.

Historical Context

Plenty is a semi-rural district north of Greensborough, located 20 km northeast of Melbourne. The name Plenty is drawn from the nearby Plenty River, which had been proclaimed by Joseph Tice Gellibrand in 1835. Gellibrand chose the name to reflect the promising countryside of the area (Victorian Places).

In 1840, Crown land sales of the area began with blocks ranging from around 300 to 800 acres. Alexander McKillop was the first to purchase a block; Crown Portion 5 Parish of Morang constituting 820 acres. The Crown continued to auction the other blocks in 1853; Patrick Mornane obtaining Portion 3 Section 4, and L.C Luscombe purchasing 308 acres Portion 2 Section 4 (Westbrook 2016).

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



This initial, ad hoc settlement pattern varies to other settlements in the Nillumbik Shire and relates to selection and the take-up of occupation licences in and around the auriferous areas. 'Glenaulin' on Portion 2 Section 12 of the Parish of Yan Yean further north, was subdivided into 108 2-acre lots and 72 1-acre lots advertised in early 1854. The selling of the lots, however, was unsuccessful (Westbrook 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 (Westbrook 2016).

Those who owned large blocks of land towards the north in Yan Yean Parish attempted ambitious early subdivisions 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, 'Egglesstone Estate' c1885 (Westbrooke 2016).

The 1870s marked a more traditional pattern of subdivision in the area where larger blocks were divided into two or three lots. This pattern lasted up until 1900 with only few significant homesteads erected during this time.

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, is seen to have inspired this trend in 1905 having bought the northern lot of the northern half of the Crown Portion 5 and subdividing it into 9 lots from 10 to 28 acres. The first plot was purchased in 1906 and 8 had been sold by 1914, and the last selling in 1927 (CT: V3098 F446). The southern edge of the subdivision included a private road, Clarkes Road, now Worn's 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 Road provided a central dividing line for the subdivision. 14 had sold by 1916 (CT: V2020 F836).

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

Plenty's new landscape was celebrated in an article in the Advertiser 1925, declaring it '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.' It is also notable that the area is described to be 'thrown open for selection' in 1913, which is likely referring to the recent surge in subdivisions, that a school had been built, that 'fine dwellings (were) built here and there' and the Plenty Social Club and Progress Association had formed (Hurstbridge Advertiser, 31 July 1925:4).

Plenty's town centre was established in the 1920s when the first group of facilities was established such as the school, Methodist church and store (Westbrook 2016). In 1928-29 the Heidelberg Shire resumed 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 (Hurstbridge Advertiser, 9 May 1930:4). Tenders were called in May 1931 and the hall was opened in July 1931 (Hurstbridge Advertiser, 9 May 1930:4; 23 May 1930:1).

After World War II, additional community facilities were built. The Plenty reserve became a War Memorial Park with memorial gates, toilets, a playground and trees planted by schoolchildren on Arbour Day. (Pearce and Plenty Historical Society 2009). A fire station shed was erected on the corner of Howell Road (Westbrook 2016).

History

The first title record for this land shows it was purchased in 1891 by John Butler, who then subdivided the land (CT:V2326 F062). The subject land was purchased in 1912 by Arthur Outhwaite, who immediately subdivided it into 52 lots (CT:V3589 F730).

The resulting 'Plenty River Estate' was advertised as "splendid fruit growing land, also very suitable for poultry, flowers, bees or pig rearing" ('Plenty River Estate' c1912). Less than a third of the lots had been sold by 1920, and little if any house or road building had occurred at this stage (Cth Dept. of Defence 1920).

Edward William Gladman, labourer of Tanck's Corner (now Yarrambat), purchased 11 acres in 1921. A 1928 newspaper article explains that the Gladmans had built their own residence by that time and they were lauded as "indefatigable workers for the welfare of the district" (Advertiser (Hurstbridge) 27 July 1928:2). The house is visible on a 1930 topographic map, which also shows orchards in the vicinity, but not on this property (Australian Section, Imperial General Staff c1930). This dates the house between 1921 and 1928.

While the land settled, and house constructed during the period of the Closer Settlement program, no evidence has been found that indicates this property was part of the scheme.

Edward Ernest Cunningham, toolmaker of Northcote, purchased the land in October 1928 (CT:V4501 F118). Cunningham married in 1930 (BDM, Victoria). It appears he initially engaged in poultry farming (Advertiser (Hurstbridge) 17 May 1929). Mr and Mrs Cunningham appeared regularly at the Plenty ball during the 1930s (Advertiser, (Hurstbridge), 21 July 1933 p4; 10 November 1939, p2).

The Cunninghams subdivided the land into two lots in 1969. The subject site was the northern portion, Lot 1 (CT:V4501 F118). Edward Cunningham died in 1983 (BDM, Victoria) and in 1984 the land passed to Edward Arthur and Carmel Louise Cunningham who were living on Lot 2 (CT:V8779 F118). The property was most recently sold in 2010 (realestate.com).



Description & Integrity

The site contains a substantially intact 1920s predominantly weatherboard bungalow with an all-encompassing hipped roof and a projecting gable wing to the front with a skillion verandah. The verandah has detailing typical of a 1920s bungalow with a brick balustrade and pillars. There has been a skillion porch addition to the east side. The original timber-framed windows to the front and sides appear to be intact. There are two sheds to the rear of the house which have gable roofs clad in corrugated galvanised iron. The house is set well back from the road.

There is an original entry and verandah to the side of the house that has been infilled in the post-war period.

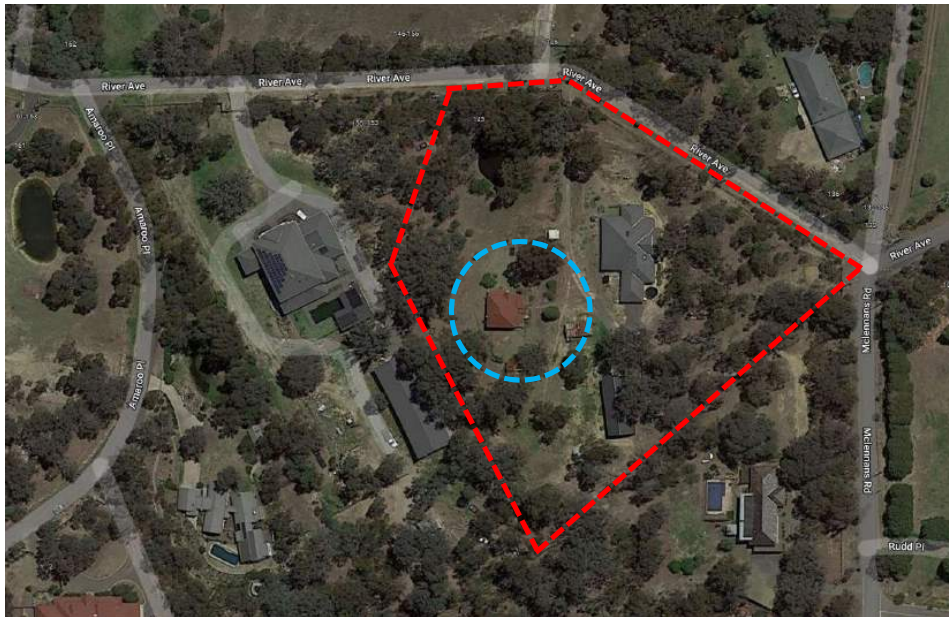


Figure 1: Aerial view of 145 River Avenue, the site boundaries are indicated in red and the relevant house indicated in blue. Source: Google Maps.



Figure 2: View of 145 River Avenue, Plenty. Source: Peter Mills, 2016.

Comparative Analysis

145 River Avenue, Plenty compares with other inter-war farming properties in Nillumbik already included on the Heritage Overlay. The inter-war period of development was identified in the *Shire of Nillumbik Heritage Gap Study Framework*, June 2009 as being an under-represented development period in the Heritage Overlay. Interwar development was slow, likely related to the distance from central Melbourne and the continuing agricultural setting – hampered by failures of the Closer Settlement scheme. Nevertheless, prosperous farming families were able to construct residences conforming to contemporary stylistic trends seen in suburban Melbourne.

Many farming properties of this period were involved in mixed farming, often combining orcharding with raising poultry for meat and eggs. It is not clear if this practice occurred at 145 River Avenue, although the Cunninghams were, at least, involved in poultry raising. The 1930 topographic map does not show orchards at this property, although they were in the vicinity.

14-26 Browns Lane, Plenty (c1924) is covered by Overlay HO270. It is a representative example of an interwar bungalow, originally part of a mixed farming property including orcharding and poultry. Both properties are representative of agricultural development in the interwar period. . 145 River Avenue represents well the dominant use of weatherboard in the construction of rural properties in the period and stands out for its incorporation of a more suburban styled brick porch with decorative balustrade and piers. Stylistically, 14-26 Browns Lane include earlier features and details, reminiscent of Edwardian-era design. Whereas 145 River Avenue demonstrates the newer ideas and development of the Californian bungalow idiom.



Figure 3: Façade of house at 14-26 Browns Lane, Plenty. Note the weatherboard construction. Source: Citation for 14-26 Browns Lane, plenty prepared by Context 2021.

860 Cottles Bridge-Strathewan Road, Arthurs Creek (HO28) is an orcharding property that incorporates a c1913 weatherboard house as well as a 1920s/1930s house. The later house demonstrates the transition to the bungalow style incorporating nested front gables, shingles to the gable ends, low roof pitch and timber detailing. The house at 145 River Avenue is similarly demonstrative of the transition to newer bungalow style, but stands out due to its unusual incorporation of a brick porch detail



Figure 4: View of the 1920s/1930s weatherboard bungalow at 80 Cottles Bridge-Strathewan Road. Source: Shire of Eltham Heritage Study, 1992.

40 Greysharps Road, Hurstbridge (HO261) was constructed c1923 and is significant for its associations with the orchard industry, and as a substantially intact weatherboard interwar bungalow is also comparable to 145 River Avenue. While similar in scale and historical associations, the subject property is distinguished by its incorporation of the brick porch and a more suburban California Bungalow style.



Figure 5: House at 40 Greys Harps Road, Hurstbridge, image dated 2012. Source: Place citation 40 Greys Harps Road, Hurstbridge.

Worlingworth, at 10-26 Banoon Road, Eltham (HO7) dates from c1922 and is historically and aesthetically significant. Worlingworth is an example of a substantial brick dwelling and farm. The property is associated with notable anthropologist Donald Thompson, and illustrates Eltham's development to a desirable residential suburb. 145 River Avenue compares favourably as an interwar bungalow styled residence, with both properties retaining their setting and evidence of farming practices.



Figure 6: Worlingworth, at 10-26 Banoon Road, Eltham. Source: Shire of Eltham Heritage Study, 1992.

The property at 145 River Avenue compares favourably as a remarkably intact example of an inter-war bungalow comprising weatherboard and brick porch. The site retains two large vernacular outbuildings. The property is associated with the Gladmans, who made a large contribution to the welfare of the district as noted when they left the area in 1928. The setting of the house, including the setback from the road and the remnant outbuildings, further demonstrates the property's farming history.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

145 River Avenue, Plenty is historically significant to the Shire of Nillumbik as an example of a 1920s residence retaining evidence of its original farm setting and use. It is an example of early development within small-holder subdivision, the Plenty Rover Estate. It is one of a few dwellings in the area from this period to incorporate brick porch into the predominantly weatherboard construction, demonstrating the stylistic transitions common in the interwar period, and is distinguished for its intactness.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

145 River Avenue, Plenty is a representative example of an interwar farm and dwelling. The house is remarkably intact and demonstrates the transition to interwar bungalow design and the use of these popular suburban styles in the rural setting.

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

N/A

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

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

N/A



Statement of Significance

What is significant?

The interwar bungalow farmhouse at 145 River Avenue, Plenty is significant to the Shire of Nillumbik. The original form, materials and detailing of the farmhouse and its rural setting contribute to the significance of the place.

The post-war infill addition to the side verandah is not significant.

Outbuildings are not significant.

How is it significant?

145 River Avenue, Plenty is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

145 River Avenue, Plenty is historically significant as an example of the early developers within a small-holder subdivision, the Plenty River Estate. The property contains a surviving intact example of an interwar farmhouse. (Criterion A)

145 River Avenue, Plenty is significant as a substantially intact interwar farmhouse, which retains its original form and main features including the all-encompassing main hipped roof, weatherboard walls, timber framed windows, front gable-roofed wing and front verandah with brick balustrade and pillars. The residence was constructed in the 1920s and demonstrates developing architectural ideas around suburban bungalows, and a transition away from Edwardian-era design. (Criterion D)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Recommended Extent



Identified By

Mills & Westbrooke



References

Advertiser (Hurstbridge), as cited.

Argus, as cited.

Australian Section, Imperial General Staff Great Britain c1930, 'Victoria, Yan Yean [cartographic material] 1:63,360 topo series' War Office, General Staff, Australian Section, State Library of Victoria (SLV) Map Collection

Births Deaths & Marriages, Victoria (BDM), as cited.

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Morang Parish Plan

Payne, J.W. 1975, *The Plenty: A centenary history of the Whittlesea Shire*, Lowden Publishing, Kilmore (Vic).

Pearce, A, and Plenty Historical Society, 2009, *Plenty War Memorial Gates - A Short History*, Plenty Historical Society, Plenty (Vic).

'Plenty River Estate' advertisement poster c1912, State Library of Victoria (SLV) Map Collection



Title: Nilgiris, 183 Yan Yean Road, Plenty

Identified by: Trethowan Architecture.

Prepared by: Trethowan Architecture.

Address: 183 Yan Yean Road, Plenty

Name: Nilgiris	Survey Date: 2016 & 2023
Place Type: Residence, outbuildings – poultry farming	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To property boundaries	Construction Date: c1926



View of Nilgiris, 183 Yan Yean Road, Plenty. Source: Peter Mills, 2016.

Historical Context

Plenty is a semi-rural district north of Greensborough, located 20 km northeast of Melbourne. The name Plenty is drawn from the nearby Plenty River, which had been proclaimed by Joseph Tice Gellibrand in 1835. Gellibrand chose the name to reflect the promising countryside of the area (Victorian Places).

In 1840, Crown land sales of the area began with blocks ranging from around 300 to 800 acres. Alexander McKillop was the first to purchase a block; Crown Portion 5 Parish of Morang constituting 820 acres. The Crown continued to auction the other blocks in 1853; Patrick Mornane obtaining Portion 3 Section 4, and L.C Luscombe purchasing 308 acres Portion 2 Section 4 (Westbrook 2016).

The settlement of the land between Plenty River and the early Yan Yean Road, (now partly Heard Avenue and partly Yan Yean Road), was gradually subdivided up until the early



twentieth century. From this time the need for smallholdings increased substantially and land was divided more frequently as a result (Westbrook 2016).

This initial, ad hoc settlement pattern varies to other settlements in the Nillumbik Shire and relates to selection and the take-up of occupation licences in and around the auriferous areas. 'Glenaulin' on Portion 2 Section 12 of the Parish of Yan Yean further north, was subdivided into 108 2-acre lots and 72 1-acre lots advertised in early 1854. The selling of the lots, however, was unsuccessful (Westbrook 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 (Westbrook 2016).

Those who owned large blocks of land towards the north in Yan Yean Parish attempted ambitious early subdivisions 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 where larger blocks were divided into two or three lots. This pattern lasted up until 1900 with only few significant homesteads erected during this time.

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, is seen to have inspired this trend in 1905 having bought the northern lot of the northern half of the Crown Portion 5 and subdividing it into 9 lots from 10 to 28 acres. The first plot was purchased in 1906 and 8 had been sold by 1914, and the last selling in 1927 (CT: V3098 F446). The southern edge of the subdivision included a private road, Clarkes Road, now Worn's 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 Road provided a central dividing line for the subdivision. 14 had sold by 1916 (CT: V2020 F836).

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

Plenty's new landscape was celebrated in an article in the Advertiser 1925, declaring it '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. 'It is also notable that the area is described to be 'thrown open for selection' in 1913, which is likely referring to the recent surge in subdivisions, that a school had been built, that 'fine dwellings (were) built here and there' and the Plenty Social Club and Progress Association had formed (Hurstbridge Advertiser, 31 July 1925:4).

Plenty's town centre was established in the 1920s when the first group of facilities was established such as the school, Methodist church and store (Westbrook 2016). In 1928-29



the Heidelberg Shire resumed 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 (Hurstbridge Advertiser, 9 May 1930:4). Tenders were called in May 1931 and the hall was opened in July 1931 (Hurstbridge Advertiser, 9 May 1930:4; 23 May 1930:1).

After World War II, additional community facilities were built. The Plenty reserve became a War Memorial Park with memorial gates, toilets, a playground and trees planted by schoolchildren on Arbour Day. (Pearce and Plenty Historical Society 2009). A fire station shed was erected on the corner of Howell Road (Westbrook 2016).

History

The history of this site prior to the interwar period is typical of the development of the Plenty locality. The first land sales were in 1853 (Morang Parish Plan), with the subject land later forming part of a 1912 subdivision 'Plenty River Estate' ('Plenty River Estate' advertisement poster c1912). Alfred Charles Webber purchased Lot 5 of the subdivision in 1917. He sold it to his son Charles (Robert) Fitzroy Webber in 1919 (CT:V4088 F501), who then bought the adjoining land to the north in 1920 (CT:V4311 Fol.153). The 1920 topographic map does not show a house on the land at that time (Cth Dept. of Defence, 1920).

The land was mortgaged to the War Service Homes Commission (WSHC) in 1921 (CT:V4088 F501). By 1921 the WSHC had ceased building houses and was rather issuing tenders for others to build the homes. As such, it is unlikely that the WSHC directly built the house at 183 Yan Yean Road, providing finance and pre-prepared design.

In 1926 Charles Webber subdivided the property. The sale offering described a "splendidly built H.W. [hardwood] bungalow, 4 rooms and all conveniences, 6 acres land, with garage, sheds, poultry pens &c; adjoining the Plenty P.O. Store State School etc." (Advertiser (Hurstbridge) 24 September 1926:2) The house also appears on a 1930 topographic map (Australian Section, Imperial General Staff, c1930). This indicates the house was built between 1921 and 1926.

Lot 1 of the new subdivision was purchased by John Larwill Edgcumbe in 1929 (CT:V4088 F501). The land was a 6-acre property of "virgin bush" on the Yan Yean Road, named 'Nilgiris' (Australasian 1 June 1935:48). Nilgiris is a Tamil word meaning 'blue hills / mountains' and refers to a district in Tamil Nadu, India. A 1935 newspaper article was dedicated to Edgcumbe's farm. "This property has a gentle slope to the west, and on this today are rows of laying and single test pens, a modern incubator-house and an underground egg-room" (Australasian 1 June 1935:48). The poultry industry was developing rapidly in the district in the mid-1930s. With the poor prices for fruit in this period, many in the district now combined poultry farming with fruit growing (Advertiser (Hurstbridge) 5 February 1932:1 and 9 March 1934:2).

John was president of the Plenty Tennis Club, which may relate to the tennis court in front of the house (Advertiser (Hurstbridge) 28 September 1934:7). He died at 'Nilgiris' in 1936 at the age of 38 from after-effects of his war injuries (Argus 11 February 1936:1; Advertiser (Hurstbridge) 14 February 1936:5 and 28 February 1936:2). John's sister, Erica Valletort Edgcumbe, administered his estate (CT:V5267 F360).

Lawrence Leslie and Eilene Dunn, poultry farmers, purchased the land in 1944. It was subdivided into two lots in 1974 (CT:V5267 F360). The property was last sold in 2010 (realestate.com.au).



Description & Integrity

The property comprises a large block with the house set within the front third, along with outbuildings and tennis court in front of the house. The series of sheds to the rear may relate to the 1930s poultry farm. These include a former egg incubator room of timber construction with gabled roof and intact entry, in dilapidated condition. The house is accessed via a driveway at the north-east corner of the site. The landscape includes mature trees to the site boundaries and surrounding the house, but there are otherwise no distinguishing features or elements.

The house is a weatherboard inter-war bungalow with a dominating transverse gable roof and deep front verandah with wide brick piers. The verandah has been enclosed by a series of screens. Within the verandah, the box windows and two doorways are intact. The house has been extended with an addition to the rear.



Figure 1: Aerial view of the property (indicated in red). Source: Google Maps.





Figure 2: Closer aerial view of the house, outbuildings and tennis court. Source: Courtesy of Shire of Nillumbik.



Comparative Analysis

Nilgiris at 183 Yan Yean Road, Plenty is an example of an inter war bungalow and poultry farming property. Nilgiris compares with other farming properties in Nillumbik, particularly those demonstrating the shift away from the dominant fruit growing industry to incorporate other farming practices. And, to other interwar bungalow dwellings in the Shire.

Orcharding was a dominant agricultural practice in Nillumbik from the 1860s, and by the early twentieth-century the western parts of the shire were important centres supplying fruit to Melbourne (Mills & Westbrook 2016: 61). The turn of the century peak in fruit growing began to decline by the First World War. As orchardists began to struggle they supplemented their income by introducing mixed farming practices, or seeking other types of work. By the Second World War fruit growing was no longer a dominant industry in the area (Mills & Westbrook 2016: 61-62). Mixed farming was further encouraged by the soldier settlement program after the First World War (Mills & Westbrook 2016: 44-45). Thus, the pattern of farming in the area shifted in the first part of the twentieth century from fruit growing to mixed uses including raising poultry for meat and eggs. There are few farming properties of this period currently listed on the Heritage Overlay.

Interwar development in Nillumbik was slow compared with the rapid suburban expansion seen elsewhere in Australia (Cuffley 1989:14). The area remained somewhat isolated from Melbourne and retained its agricultural character. New architectural ideas took longer to reach, and be adopted in, these areas. Houses of this period tend to be modest, low cost, weatherboard structures with limited detailing. Interwar dwellings are under-represented on the Heritage Overlay (HLCD 2009) and those which are included tend to be more substantial homes for wealthy families, rather than farmhouses.

14-26 Browns Lane, Plenty is covered by interim Heritage Overlay HO270. It is a representative example of an interwar (c1924) dwelling, originally part of a mixed farming property including orcharding and poultry. Nilgiris compares with 14-26 Browns Lane as both date from the mid-1920s and are examples of farmhouses associated with poultry raising. The house at 14-26 Browns Lane reflects a conservative architectural approach, retaining Edwardian-era characteristics. Nilgiris is distinguished as an early example of the newer Californian Bungalow mode, demonstrating stylistic influences from suburban Melbourne.



Figure 3: Front elevation of 14-26 Browns Lane, Plenty. Source: Citation for 14-26 Browns Lane, Plenty. Prepared by Context, 2021.

Apted Weatherboard House and adjacent forge, 1920s/1930s house and mature exotic planting, 860 Cottles Bridge-Strathewan Road, Arthurs Creek (HO28). This site is associated with the Apted family of prominent orchardists, and the site includes a 1920s /



1930s house, a rare example in the municipality. Nilgiris compares favourably against this house as both are inter war weatherboard bungalows associated with a farming property. The Apted property demonstrates the importance of orcharding to the early development of Nillumbik, whereas Nilgiris relates to the later shifts away from fruit growing to other forms of farming, and the smaller lot sizes associated with soldier resettlement.



Figure 4: The 1920s/1930s weatherboard house at the Apted property. Source: Shire of Eltham Heritage Study, 1992.

40 Greysharps Road, Hurstbridge (HO261) was constructed c1923 and is significant for its associations with the orchard industry, and as a substantially intact weatherboard interwar bungalow. The house at Nilgiris is of a comparable construction date and is also associated with farming. Both properties are evidence of the introduction of new architectural ideas from Melbourne into the more conservative agricultural area.



Figure 5: House at 40 Greysharps Road, Hurstbridge, image dated 2012. Source: Place citation 40 Greysharps Road, Hurstbridge.

Weatherboard House, 936 Heidelberg-Kinglake Road, Hurstbridge (HO76) was constructed c1920-21 is historically and aesthetically significant as an example of an Edwardian style house constructed in the interwar period. The house demonstrates the conservatism of the area at a time when the Californian Bungalow came into prominence. The house at Nilgiris is distinguished as an example of the changing fashions of the time



and the move away from Edwardian era tastes. Both houses are comparable in their use of weatherboard, a relatively economic and available construction material at the time.



Figure 6: Weatherboard house at 936 Heidelberg-Kinglake Road, Hurstbridge. Source: Shire of Eltham Heritage Study, 1992.

The farm and residence at Nilgiris, 183 Yan Yean Road, Plenty, fits within the established pattern of interwar development in Nillumbik. It is an example of changing architectural tastes and the introduction of Californian Bungalows as a dominant residential form. The house is further distinguished by its broad and enclosed front verandah with brick piers that runs the length of the front façade under the single roof form. The property also demonstrates the development of diverse farming practices after the First World War as the dominance of orcharding declined and soldier settlers were encouraged to diversify their activities to ensure profitability. The property at Nilgiris is distinguished as an example of development supported by the War Service Homes Commission.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Nilgiris is significant as a good example of the farm properties established during the development of Plenty in the 1920s after the major subdivisions in the early twentieth century. It is significant as an example of a War Service Home erected in the 1920s. It is an example of a successful poultry farm established and operated from the 1930s by John Edgcumbe, a returned serviceman. It is an important example of the once-common farming practice of poultry farming in the area

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

Nilgiris at 183 Yan Yean Road, Plenty is a representative example of a weatherboard, interwar farmhouse in the bungalow style. The setting of the house including outbuildings and mature landscaping to the site boundaries demonstrates the use of the property for farming.

The property is a representative example of interwar development supported by the War Service Homes Commission.

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

N/A

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

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

N/A



Statement of Significance

What is significant?

Nilgiris at 183 Yan Yean Road, Plenty is significant to the Shire of Nillumbik. The original form, materials and detailing of the farmhouse and its rural setting contribute to the significance of the place.

Post-war additions and alterations are not significant.

The former egg incubator shed contributes to the historical understanding of the place.

Other outbuildings are not significant.

How is it significant?

Nilgiris at 183 Yan Yean Road, Plenty is of local historical and representative significance to the Shire of Nillumbik.

Why is it significant?

Nilgiris is significant as a farm property established during the development of Plenty in the 1920s after the major subdivisions in the early twentieth century. It is significant as an example of a War Service Home erected in the 1920s. It is an example of a successful poultry farm established and operated from the 1930s by John Edgcumbe, a returned serviceman. It is an important example of the once-common farming practice of poultry farming in the area. (Criterion A)

Nilgiris is significant as a representative example of a 1920s weatherboard bungalow. It demonstrates the shift in architectural tastes and influences from suburban Melbourne. (Criterion D)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Recommended Extent





References

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Cuffley, P 1989, *Australian Houses of the Twenties & Thirties*, The Five Mile Press, Rowville.

HLCD Pty Ltd, 2009, 'Shire of Nillumbik Heritage Gap Study Framework – a framework for the assessment of places of potential significance in the Shire of Nillumbik' prepared for Nillumbik Shire Council.

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Pearce, A and Plenty Historical Society. 2009. *Plenty War Memorial Gates - A Short History*, Plenty Historical Society, Plenty (Vic).



Title: Farmhouse, 52 Kurrak Road, Yarrambat

Identified by: Samantha Westbrooke.

Prepared by: Trethowan Architecture

Address: 52 Kurrak Road, Yarrambat

Name: Farmhouse	Survey Date: February 2022
Place Type: Individual Place	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To property boundaries	Construction Date: c1916-20



Historical Context

Land to the west of Yan Yean Road, in the Parish of Marog, was sold at Crown land sales between 1840 and the early 1850s (Morang Parish Plan). The gold rushes brought an increase of population to the Diamond Valley and in their wake came the selectors who under the Selection or Land Acts of the 1860s, were able to purchase small holdings of land with the proviso that they improve them by clearing, fencing and building. Yarrambat, originally known as Tanck's Corner had a couple of gold rushes, one before 1860 and the other after 1900. However not enough gold was found to create a thriving township. The town was therefore primarily established by selectors. From the early 1860s commons were set up to allow settlers to graze livestock on Crown Land. The Greensborough Farmers' Common was gazetted in 1861. The land in the common was described as "mostly Stringy Bark Forest & barren" (Greensborough Farmers' Common File 907755, Item 21, Unit 892, VPRS242, PROV, *Argus*, 26 February 1861).

The lots on the north and south sides of Ironbark Road were the first to be taken by selectors Frederick Tanck and Thomas Reynolds in the early 1870s under sections 19 and 20 of the *Land Act 1869*, and they obtained their grants in the mid 1870s. Tanck's Corner was a T-intersection where Ironbark Road meets Yan Yean Road. While the first land acts were mainly tailored to selection of blocks of viable farm size, gold miners and their associated service population lobbied for a system allowing small-holdings which would



allow food gardens and keeping a horse and cow. Provision was soon made in the land acts for a system of occupation licenses for small areas of Crown land in auriferous areas. The resulting occupation licences on auriferous land, which were limited to twenty acres, were first introduced under Section 42 of the *Land Act 1865*. As gold was found in the area north of Nillumbik (Diamond Creek) relatively late, in the Tancks Corner locality twenty-acre occupation licenses were first taken up under Section 49 of the *Land Act 1869*. The first Section 49 licenses in the Tancks Corner area were taken up from c1883 ('Greensborough County of Evelyn', 1884).³¹⁸ These were close to the eastern edge of the auriferous land, next to Tanck's and Reynolds' selections. Further licenses were progressively taken up under Section 65 of the *Land Act 1884* over the whole of the auriferous area north of Nillumbik (Mills 2013).

While the occupation licenses did not at first allow for eventual alienation of the auriferous land, under political pressure allowances were made for purchase after a period of lease if it could be shown that mining was unlikely to occur in the future. The first alienations of twenty-acre lots near Tancks Corner occurred in the late 1880s, with alienation occurring gradually on the remaining twenty-acre lots into the 1920s (Mills 2013). This process of occupation also eventually led to the demise of the Greensborough Farmers Common, despite resistance by surrounding farmers (*Argus*, 14 March 1879:3). The Common was officially abolished in 1907 (Victoria Government Gazette, 10 July 1907, No.86 p.3330).

In the broad swathe of over 800 twenty-acre license holdings stretching from Nillumbik (Diamond Creek) to the north-east of St Andrews (Queenstown), the conjunction of these small lots and the hilly and relatively unfertile lands of the auriferous areas was a major stimulus to the establishment of the orcharding industry which was the mainstay of the area's economy well into the twentieth century. A large proportion of the catchment population of the Tancks Creek/Yarrambat population made their living this way. The Tanck's Corner school, which had opened in 1878 in response to the influx of selectors, closed in 1892, possibly because surrounding land was increasingly being bought for speculation (Butler 1996, p45; Hooper, 1978, p 8). The locals petitioned for reopening, at one stage listing forty-eight children within one-and-a-half miles of Tancks Corner (Hooper 1978:33). The reopening in c1900, along with the establishment of postal service and store around the turn of the century, was related to this new and intensive form of settlement.

Many of the people whose names became associated with Yarrambat did not settle there until the 1880s or 1890s. Henry Montague Pepper, with his wife and family, took up their selection in 1889. Thomas Collins, who had lived in Diamond Creek, moved with his wife to Yarrambat to start an orchard in 1886. Another early family, the Stuchbery's, did not select their land, but bought two acres of the Oatlands Estate in 1890. On the banks of the Plenty River, together with their twelve children, they established a market garden and built a house, dairy and stable. The name of the town was officially changed to Yarrambat in 1929. It is unknown why the name was changed however Yarrambat is named from an Aboriginal word meaning "high hills" or "pleasant views".

For a long period of time community life in the township centred on the school, which opened in 1878 on land donated by Thomas Reynolds. Although there was a blacksmith's shop and store at Yarrambat, the school was the only community building until the 1940s, when the fire station was built in 1947 (replaced in 2001) and the Yarrambat Hall in 1948. Parishioners of St Michaels, who met in the school, prior to having a dedicated church of their own, worked from the 1930s to clear land and build their Church. It was officially opened in 1954. The original school building has been moved to Yarrambat Heritage Park (located adjacent to Yarrambat Golf Course).

History



Crown Portion 5 Parish of Morang, 820 acres, was purchased from the Crown by Alexander McKillop in 1840 (Morang Parish Plan). It seems the land had already been subdivided by 1864 (*Argus* 6 October 1864:1). Between 1875 and 1880 three owners are listed for the land (CT:V770 F907 and CT:V774 F669). It was then further subdivided on several occasions between 1880 and 1906 (CT:V1167 F751 and CT:V3098 F446).

William Henry Dyson, orchardist of South Morang, purchased the land in 1916 (CT:V3125 F918). The house may have been constructed at this point, as it appears to be shown on the 1920 topographic map (Cth Dept. of Defence, 1920).

Walter Marshall, builder of Preston, purchased the land in 1920. When he died in 1927 probate was granted to his wife Mary Harriet and their son Charles Doiley Marshall (CT:V3125 F918). A 1930 topographic map shows the house close to the southeast corner of the lot and orchards over the southern half of the 20 acres (Australian Section, Imperial General Staff, c1930).

When Charles Marshall died in 1949, probate was granted to his son Walter Arthur Marshall (CT:V3125 F918 and *Argus* 11 January 1949:9). Walter, a clerk, and his brother Ronald Charles Marshall, poultry farmer, both of Yarrambat, owned the land from 1958 (CT:V8198 F:346). The Marshalls branched out into training, driving and breeding horses for harness racing. The Stud was called the Golden Wealth Trotting Stud. A 1974 aerial photograph shows a training track over most of the lot, with two other such tracks on the south side of Brown's lane; there is no evidence of the orchards shown on the 1930 topographic map (Dept. Crown Lands & Survey, 1974). A sign with the Marshall name still stands at the front of the property.



Description & Integrity

52 Kurrak Road, Yarrambat is a former farm complex located on the north side of Kurrak Road. The c.1916-1920 weatherboard farmhouse is located close of the road, east of a central driveway. A corrugated iron-clad shed is located to the west of the driveway. There are several other large sheds and structures to the rear of the residence and front shed.



Figure 1: Aerial view of 52 Kurrak Road (indicated in red). The weatherboard residence is indicated in blue, located at the south-east of the site near to the road.

The residence has an L-shaped footprint with a transverse gabled rear wing, a central hipped-roof section, and a projecting gable end towards the front. There is a single window centrally to the front gable, and the entrance is set back to the east. There is a skillion verandah around three sides of this front wing with timber posts and a (later) timber lattice balustrade. There are what appear to be later but early additions to the rear, one with a gable roof and one with a skillion roof. The house is minimally detailed and simply painted in a light grey / blue colour. The house is currently in a state of disrepair, sections of the verandah floor are missing, and the verandah is bowed at the front.

The shed adjacent to the residence at the west side of the driveway has a tall gabled roof, with walls and roof clad in corrugated iron. There are two additions to this shed on the north and the north-west corner. Outbuildings further north into the site are simple, utilitarian shed structures of corrugated iron and no distinguishing detail.

The site is open (likely providing training space for the trotting stud), with some mature trees along the south and east boundaries. The front fence to Kurrak Road is low height, timber post and wire, with a metal lattice gate. A property number sign at the front gate also bears the name 'Marshall'.



Figure 2: Front of weatherboard house, viewed from the road. Source: Trethowan Architecture, 2022.



Figure 3: West side of the residence. Source: Trethowan Architecture, 2022.



Figure 4: View of the central driveway, looking towards the rear outbuildings. Source: Trethowan Architecture, 2022.



Figure 5: View of the large shed to the west of the central driveway, as viewed from the street. Source: Trethowan Architecture.



Comparative Analysis

52 Kurrak Road, Yarrambat is associated historically with a prominent local family, the Marshalls who established the property in the 1920s and it is still in the same family ownership. The Marshalls were involved in mixed farming practice of orcharding and raising poultry, a common agricultural theme within the interwar period, and later introduced a trotting stud. This interwar period of development in the Shire was identified in the Shire of Nillumbik Heritage Gap Study Framework June 2009 as being a development period under-represented in the Heritage Overlay.

There are other examples of orchard farming properties already on the Heritage Overlay. However, most of these date from the late-nineteenth century when this industry was at its height in the area. Comparable examples include:

- 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO89)
- 14-26 Browns Lane, Plenty (Recommended for HO).

760 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO89), significant for its association with the MacMillan family of orchardists over a long period of time, and as a pre-1920s weatherboard dwelling in the area. This property also contains pre-1920s outbuildings. 52 Kurrak Road is similar as an orchard farming property with a weatherboard farmhouse. However, the house and outbuildings at 52 Kurrak Road are later. The historical association to orcharding at 52 Kurrak Road demonstrates a different agricultural theme of interwar mixed farming as orcharding alone was not profitable.



Figure 10: The weatherboard farmhouse at 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek.

14-26 Browns Lane, Plenty is covered by interim Overlay HO270. It is a representative example of an interwar bungalow, originally part of a mixed farming property including orcharding and poultry. The mixed farming use is comparable to 52 Kurrak Road, and is representative of the interwar subdivision and agricultural practices of the area. Often orcharding alone was not financially viable, and farmers began to include other activities. Like 14-26 Browns Lane, the 1920s residence at 52 Kurrak demonstrates the typical single-storey timber construction, asymmetrical form, and wrap around verandah demonstrating styles popular in the earlier (Edwardian) period. 14-26 Browns Lane is distinguished by the more extensive verandah and the bay window with its own skillion roof.



Figure 7: Façade of house at 14-26 Browns Lane, Plenty. Note the box bay window and verandah within the sweep of the main roof including turned timber posts. Source: Citation for 14-26 Browns Lane, Plenty. Prepared by Context, 2021.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

52 Kurrak Road, Yarrambat is historically significant to the Shire of Nillumbik as an example of an interwar farmhouse, demonstrating interwar-era mixed farming practices combining orcharding and raising poultry.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

The farm complex at 52 Kurrak Road, Yarrambat has representative value as a farm house from the 1920s (interwar period) in the Shire, with a modest character. The farmhouse is comparable to other examples of timber farmhouses associated with small mixed farming properties of the period in Nillumbik and retains its original form and main features including weatherboard cladding and return verandah at the front.

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

N/A

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

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

N/A



Statement of Significance

What is significant?

52 Kurrak Road, Yarrambat is significant to the Shire of Nillumbik. The original 1920s weatherboard residence including its form, materials and detailing contribute to the significance of the place. The setting of the place including its relationship to the road and the driveway separating the house from the outbuildings contribute to the significance of the place.

The corrugated iron outbuildings are not significant.

Later fabric, including the front fence and alterations to the house, are not significant.

How is it significant?

52 Kurrak Road, Yarrambat is of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

52 Kurrak Road, Yarrambat is historically significant as a surviving example of the interwar farmstead group connected with orcharding and poultry farming activity in the Shire of Nillumbik. The farmhouse is a modest example of the period and retains its original form and main features including footprint, weatherboard cladding and return verandah. It is also historically significant for the ongoing connection to the Marshall family since the 1920s. The Marshalls were one of the early orcharding and poultry farming families associated with the significant interwar agricultural theme of the area. (Criterion A)

The farm complex at 52 Kurrak Road, Yarrambat is significant as a representative farm house from the 1920s (interwar period) in the Shire. The farmhouse is an example of the period farmhouse in the Shire and retains its original form and main features including weatherboard cladding and return verandah at the front. (Criterion D)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified by: Samantha Westbrooke.



References

Argus, as cited.

Australian Section Imperial General Staff, Great Britain, War Office General Staff, c1930, 'Victoria, Yan Yean Australian Section 1:63,360 topo series', State Library of Victoria (SLV) Map Collection.

Commonwealth Department of Defence Melbourne, Government Printer, 1920, 'Victoria, Yan Yean [cartographic material], Australia 1:63,360 topo series', State Library of Victoria (SLV) Map Collection.

Department of Crown Lands and Survey Victoria, 1974 'Yan Yean Photomap' State Library of Victoria (SLV) Map Collection.

Graeme Butler and Associates, "Nillumbik Shire Heritage Review," (Nillumbik: Nillumbik Shire, 1996),

Eileen Hooper, Centenary Year: Tanck's Corner 1878-1978, Yarrambat 1878-1978 (Yarrambat: Yarrambat State School 1978),

Land Victoria, Certificates of Title (CT), as cited.

Peter Mills, "A History of Twenty-Acre Occupation Licenses on the Auriferous Lands of the Nillumbik Area," (Nillumbik Shire Council, 2013).

Morang Parish Plan



Title: Stuchbery Farm, Smugglers Gully, Latrobe Road, Yarrambat

Identified by: Samantha Westbrooke

Prepared by: Trethowan Architecture

Address: Plenty Gorge Parklands, Yarrambat

Name: Stuchbery Farm, Smugglers Gully	Survey Date: 2016
Place Type: Farm, dairy	Architect: Unknown
Grading: Significant	Builder: Unknown – likely owner / builder
Extent of Overlay: To extent shown	Construction Date: c1920



Aerial view showing the remnant farm structures within the parkland

Historical Context

Land to the west of Yan Yean Road, in the Parish of Marong, was sold at Crown land sales between 1840 and the early 1850s (Morang Parish Plan). The gold rushes brought an increase of population to the Diamond Valley and in their wake came the selectors who under the Selection or Land Acts of the 1860s, were able to purchase small holdings of land with the proviso that they improve them by clearing, fencing and building. Yarrambat, originally known as Tanck's Corner had a couple of gold rushes, one before 1860 and the other after 1900. However not enough gold was found to create a thriving township. The town was therefore primarily established by selectors. From the early 1860s commons were set up to allow settlers to graze livestock on Crown Land. The Greensborough Farmers' Common was gazetted in 1861. The land in the common was described as "mostly Stringy Bark Forest & barren" (Greensborough Farmers' Common File 907755, Item 21, Unit 892, VPRS242, PROV, *Argus*, 26 February 1861).



The lots on the north and south sides of Ironbark Road were the first to be taken by selectors Frederick Tanck and Thomas Reynolds in the early 1870s under sections 19 and 20 of the *Land Act 1869*, and they obtained their grants in the mid 1870s. Tancks Corner was a T-intersection where Ironbark Road meets Yan Yean Road. While the first land acts were mainly tailored to selection of blocks of viable farm size, gold miners and their associated service population lobbied for a system allowing small-holdings which would allow food gardens and keeping a horse and cow. Provision was soon made in the land acts for a system of occupation licenses for small areas of Crown land in auriferous areas. The resulting occupation licences on auriferous land, which were limited to twenty acres, were first introduced under Section 42 of the *Land Act 1865*. As gold was found in the area north of Nillumbik (Diamond Creek) relatively late, in the Tancks Corner locality twenty-acre occupation licenses were first taken up under Section 49 of the *Land Act 1869*. The first Section 49 licenses in the Tancks Corner area were taken up from c1883 ('Greensborough County of Evelyn', 1884).³¹⁸ These were close to the eastern edge of the auriferous land, next to Tanck's and Reynolds' selections. Further licenses were progressively taken up under Section 65 of the *Land Act 1884* over the whole of the auriferous area north of Nillumbik (Mills 2013).

While the occupation licenses did not at first allow for eventual alienation of the auriferous land, under political pressure allowances were made for purchase after a period of lease if it could be shown that mining was unlikely to occur in the future. The first alienations of twenty-acre lots near Tancks Corner occurred in the late 1880s, with alienation occurring gradually on the remaining twenty-acre lots into the 1920s (Mills 2013). This process of occupation also eventually led to the demise of the Greensborough Farmers Common, despite resistance by surrounding farmers (*Argus*, 14 March 1879:3). The Common was officially abolished in 1907 (Victoria Government Gazette, 10 July 1907, No.86 p.3330).

In the broad swathe of over 800 twenty-acre license holdings stretching from Nillumbik (Diamond Creek) to the north-east of St Andrews (Queenstown), the conjunction of these small lots and the hilly and relatively unfertile lands of the auriferous areas was a major stimulus to the establishment of the orcharding industry which was the mainstay of the area's economy well into the twentieth century. A large proportion of the catchment population of the Tancks Creek/Yarrambat population made their living this way. The Tanck's Corner school, which had opened in 1878 in response to the influx of selectors, closed in 1892, possibly because surrounding land was increasingly being bought for speculation (Butler 1996, p45; Hooper, 1978, p 8). The locals petitioned for reopening, at one stage listing forty-eight children within one-and-a-half miles of Tancks Corner (Hooper 1978:33). The reopening in c1900, along with the establishment of postal service and store around the turn of the century, was related to this new and intensive form of settlement.

Many of the people whose names became associated with Yarrambat did not settle there until the 1880s or 1890s. Henry Montague Pepper, with his wife and family, took up their selection in 1889. Thomas Collins, who had lived in Diamond Creek, moved with his wife to Yarrambat to start an orchard in 1886. Another early family, the Stuchbery's, did not select their land, but bought two acres of the Oatlands Estate in 1890. On the banks of the Plenty River, together with their twelve children, they established a market garden and built a house, dairy and stable. The name of the town was officially changed to Yarrambat in 1929. It is unknown why the name was changed however Yarrambat is named from an Aboriginal word meaning "high hills" or "pleasant views".

For a long period of time community life in the township centred on the school, which opened in 1878 on land donated by Thomas Reynolds. Although there was a blacksmith's shop and store at Yarrambat, the school was the only community building until the 1940s, when the fire station was built in 1947 (replaced in 2001) and the Yarrambat Hall in 1948. Parishioners of St Michaels, who met in the school, prior to having a dedicated church of



their own, worked from the 1930s to clear land and build their Church. It was officially opened in 1954. The original school building has been moved to Yarrambat Heritage Park (located adjacent to Yarrambat Golf Course).

History

Portion 2 of Section 12 Parish of Morang was sold to Peter Davis at a Crown land sale in 1853 (Argus 1 April 1853:9). William Dunsford purchased part of the land in 1888 (CT:V1185 F973), and from c1893 leased part of it to the Stuchbery family who built a timber cottage with walls "of local stone and clay packed between boards until set" (Hooper 1978:70).

In 1920 a number of adjacent titles were amalgamated into one, and then re-subdivided (CT:V4282 F314). In 1923 Alfred Stuchbery purchased 124-acres including the land he had been leasing (CT:V4796 F039). Presumably this included the house and whatever other infrastructure the Stuchberys had created during the period of their lease.

The Stuchberys engaged in mixed farming and constructed a water wheel on the Plenty River to pump water up to a vegetable plot and the house (Hooper 1978, 70). Remnant farming structures evident on site include a dairy, well, part of a barn, well, elements of the garden, and evidence of the water race and pigsty (RNE Place ID 100394 'Stuchbery Farm Complex'). The dates of these buildings and structures are not known.

Alfred Stuchbery died in 1934 And in 1935 the land went to Alfred's wife Ada before it was acquired by their son Raymond and his wife Vida in 1938 (CT:V4282 F314). The land passed to Vida after Raymond's death in 1958 (CT:V4282 F314). In 1974 she subdivided it into two lots separated by an extension of Latrobe Road, retaining the western portion containing the family's remaining farm buildings (CT:V9045 F653 & CT:V9059 F654). The original farm building was demolished c1978 and replaced with a new dwelling (Hooper 1978a, p.70). Vida died 1980 and the land passed to her children (CT:V9059 F654).

Members of the Stuchbery family remained on the property until 1992/3 when the Melbourne Water Corporation acquired the land. In 1997 it was transferred to the Melbourne Parks and Waterways (CT:V9059 F654). The land is now part of the Plenty Gorge Park; the c1978 farmhouse that replaced the original has since been removed. A few non-native trees remain.



Description & Integrity

The following description relies on Samantha Westbrooke's site visit and description prepared in 2016. Access difficulties prevented a follow up site visit in 2022.

The remnants of Stuchbery Farm lie within the Plenty Gorge Parklands managed by Parks Victoria. The farm complex is bound by Smugglers Gully to the north, Plenty River to the west, Latrobe Road to the east and Plenty Gorge Parklands to the south.

Stuchbery Farm consists of a complex of remnant farm buildings comprising stone and mortar dairy, two wells, stone and mortar sheds (remains of three), two stone slab floors of other buildings, remnants of cattle bails, a garage, remnants of a pig pen, a chook pen (cage) and garden cypress trees. On the river flat below farm is the site of an old shed and washing/boiling urn used in preparation of vegetables grown there. The construction of most of the buildings incorporated materials from the property.

The dairy is the most intact and well-preserved building on the site. It is constructed of stone and earth mortar, and rendered inside and out with earth and lime. It has a verandah back and front, a corrugated iron roof over a plank lining, timber door in the front and a small window in each of the front and back walls. Trunk saplings have been used for the corner supports. There is a paling fence at the front. Inside are two timber benches and timber blocks on the floor to hold down the milk churn. The ceiling has been removed. There is no evidence of any shelving.

The barn is of the same construction as the dairy with stones held in a matrix of earthen mortar. The exterior has not been rendered. Saplings form the timber supports. Only sections of the walls and roof framing remain. The floor is of flat boulders.

The well has been cut out of the bedrock. Where the walls are earthen, they have been lined with a rendering of earth and lime. The square well is adjacent to the barn and other sheds to which it supplied water.



Figure 1. Former location of a farm shed on the river flats. Source: Samantha Westbrooke, 2016



Figure 2. Remnant buildings at Stuchbery Farm. Source: Samantha Westbrooke, 2016



Figure 3. Dairy building. Source: Samantha Westbrooke, 2016



Figure 4. Dairy, barn remains and corrugated iron clad garage. Source: Samantha Westbrooke, 2016



Figure 5. Barn remains and adjacent footings. Source: Samantha Westbrooke, 2016



Figure 6. Chicken coup. Source: Samantha Westbrooke, 2016



Figure 7. View to complex remains from east. Source: Samantha Westbrooke, 2016



Figure 8. View to river flats from the farm complex. Source: Samantha Westbrooke, 2016



Comparative Analysis

There are limited relevant comparators to Stuchbery Farm currently on the Heritage Overlay in Nillumbik. *HO267 (Batman Apple Tree and Pioneer Graves, 6A Hamish Court, Greensborough)* is typologically comparable to Stuchbery Farm as a demonstration of riverbank settlement and mixed farming of the 1890s.

HO267 is limited to trees and a former cemetery site identified by plaques. Stuchbery Farm has much greater potential to yield information that will contribute to an understanding of the settlement and farming along the riverbanks in Nillumbik. Stuchbery Farm retains more remnants of the original property and evidence of varied land uses.

Stuchbery Farm, therefore, compares favourably against HO267 and is, in fact, a better examples of a former riverbank settlement from the late nineteenth-century.

There are five places in Yarrambat that are either currently listed or recommended for inclusion on the Heritage Overlay. These places are:

- HO219 St Michaels Church, 469-475 Ironbark Road
- House, Farm 52 Kurrak Road
- 'Geebung', 166 Pioneer Road
- Farm Complex & Former Yarrambat State School, 651 Yan Yean Road
- Yarrambat General Store, 466 Ironbark Road

These places are not typologically comparable to Stuchbery Farm, and present different facets of the settlement of Yarrambat.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Stuchbery Farm is historically significant for its demonstration of mixed farming by farmers of little means, typical of the area and important to the development of Nillumbik. The scale of the property in the area and the form of tenure through leasing is atypical for the Nillumbik Shire. (Criterion A)

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

Stuchbery Farm has research potential for its ability to yield information about the key components and layout of an early riverbank settlement and mixed farming. The remnant buildings and in particular the dairy demonstrate vernacular building style and techniques and the use of local materials for construction. (Criterion C)

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is significant?

Stuchbery Farm, within the Plenty Gorge parklands, Yarrambat is significant to the Shire of Nillumbik. The original form, materials and detailing of the dairy, remnant farm buildings and footings and their setting including the river flats contribute to the significance of the place.

How is it significant?

Stuchbery Farm is of local historic and research significance to the Shire of Nillumbik.

Why is it significant?

Stuchbery Farm Complex is historically significant for its connection to a well-known family in the history of the Yarrambat locality/community, and a family with a 100 year presence on a single farm. It is historically significance for its demonstration of mixed farming by farmers of little means, typical of the area. The scale of the property in the area and the form of tenure through leasing is atypical for the Nillumbik Shire. (Criterion A)

Stuchbery Farm has research potential for its ability to demonstrate the key components and layout of the settlement and farming along the riverbanks in the Shire of Nillumbik. The remnant buildings and in particular the dairy demonstrate vernacular building style and techniques and the use of local materials for construction. (Criterion C)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	Yes
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Proposed Extent:





References

Advertiser (Hurstbridge), as cited.

Argus, as cited.

Edwards, Dianne H. 1979. *The Diamond Valley Story*: Shire of Diamond Valley.

Graeme Butler and Associates. 1996. Nillumbik Shire Heritage Review. Nillumbik: NillumbikShire.

Greensborough Riding of Heidelberg Shire Rate Books (RB), as cited.

Hooper, E 1978, *Centenary Year: Tanck's Corner, 1878-1978*, Yarrambat.

Land Victoria, Certificates of Title (CT), as cited.

Peter Mills, "A History of Twenty-Acre Occupation Licenses on the Auriferous Lands of the Nillumbik Area," (Nillumbik Shire Council, 2013).

Register of the National Estate (RNE) Place ID 100394, 'Stuchbery Farm Complex, 85-87 Latrobe Road, Yarrambat', accessed online 12 November 2015.



Title: Farm Complex & Former State School, 651 Yan Yean Road, Yarrambat

Identified by: Samantha Westbrooke
Prepared by: Trethowan Architecture

Address: 651 Yan Yean Road, Yarrambat

Name: Mayfields, River Glen	Survey Date: 2022
Place Type: Farm, house, outbuildings, school building, equipment	Architect: Unknown
Grading: Significant	Builder: Unknown
Extent of Overlay: To extent shown	Construction Date: 1856, 1920s, 1930s

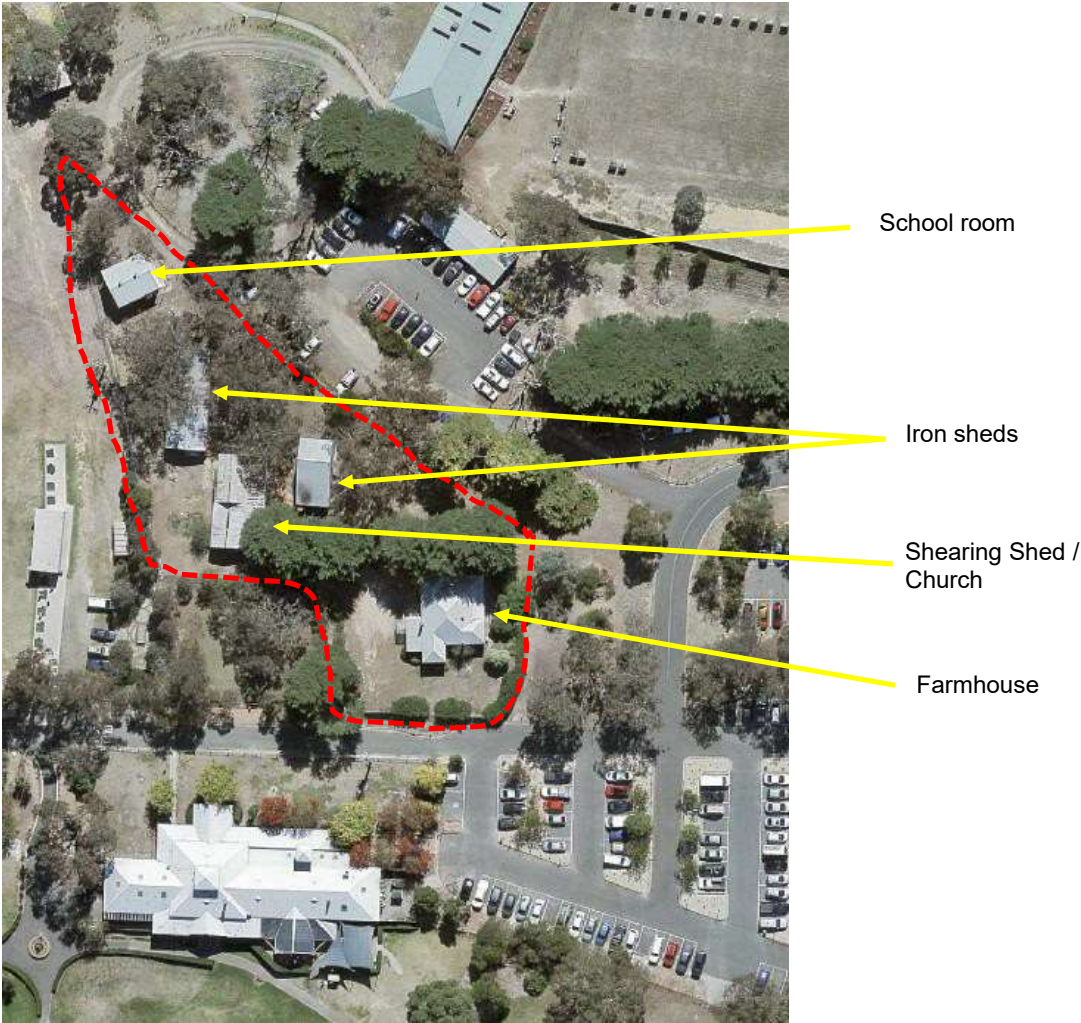


Figure 1: Aerial view of the site and complex of buildings.



Historical Context

Land to the west of Yan Yean Road, in the Parish of Marong, was sold at Crown land sales between 1840 and the early 1850s (Morang Parish Plan). The gold rushes brought an increase of population to the Diamond Valley and in their wake came the selectors who under the Selection or Land Acts of the 1860s, were able to purchase small holdings of land with the proviso that they improve them by clearing, fencing and building. Yarrambat, originally known as Tanck's Corner had a couple of gold rushes, one before 1860 and the other after 1900. However not enough gold was found to create a thriving township. The town was therefore primarily established by selectors. From the early 1860s commons were set up to allow settlers to graze livestock on Crown Land. The Greensborough Farmers' Common was gazetted in 1861. The land in the common was described as "mostly Stringy Bark Forest & barren" (Greensborough Farmers' Common File 907755, Item 21, Unit 892, VPRS242, PROV, Argus, 26 February 1861).

The lots on the north and south sides of Ironbark Road were the first to be taken by selectors Frederick Tanck and Thomas Reynolds in the early 1870s under sections 19 and 20 of the Land Act 1869, and they obtained their grants in the mid 1870s. Tancks Corner was a T-intersection where Ironbark Road meets Yan Yean Road. While the first land acts were mainly tailored to selection of blocks of viable farm size, gold miners and their associated service population lobbied for a system allowing small-holdings which would allow food gardens and keeping a horse and cow. Provision was soon made in the land acts for a system of occupation licenses for small areas of Crown land in auriferous areas. The resulting occupation licences on auriferous land, which were limited to twenty acres, were first introduced under Section 42 of the Land Act 1865. As gold was found in the area north of Nillumbik (Diamond Creek) relatively late, in the Tancks Corner locality twenty-acre occupation licenses were first taken up under Section 49 of the Land Act 1869. The first Section 49 licenses in the Tancks Corner area were taken up from c1883 ('Greensborough County of Evelyn', 1884).³¹⁸ These were close to the eastern edge of the auriferous land, next to Tanck's and Reynolds' selections. Further licenses were progressively taken up under Section 65 of the Land Act 1884 over the whole of the auriferous area north of Nillumbik (Mills 2013).

While the occupation licenses did not at first allow for eventual alienation of the auriferous land, under political pressure allowances were made for purchase after a period of lease if it could be shown that mining was unlikely to occur in the future. The first alienations of twenty-acre lots near Tancks Corner occurred in the late 1880s, with alienation occurring gradually on the remaining twenty-acre lots into the 1920s (Mills 2013). This process of occupation also eventually led to the demise of the Greensborough Farmers Common, despite resistance by surrounding farmers (Argus, 14 March 1879:3). The Common was officially abolished in 1907 (Victoria Government Gazette, 10 July 1907, No.86 p.3330).

In the broad swathe of over 800 twenty-acre license holdings stretching from Nillumbik (Diamond Creek) to the north-east of St Andrews (Queenstown), the conjunction of these small lots and the hilly and relatively unfertile lands of the auriferous areas was a major stimulus to the establishment of the orcharding industry which was the mainstay of the area's economy well into the twentieth century. A large proportion of the catchment population of the Tancks Creek/Yarrambat population made their living this way. The Tanck's Corner school, which had opened in 1878 in response to the influx of selectors, closed in 1892, possibly because surrounding land was increasingly being bought for speculation (Butler 1996, p45; Hooper, 1978, p 8). The locals petitioned for reopening, at one stage listing forty-eight children within one-and-a-half miles of Tancks Corner (Hooper 1978:33). The reopening in c1900, along with the establishment of postal service and store around the turn of the century, was related to this new and intensive form of settlement.



Many of the people whose names became associated with Yarrambat did not settle there until the 1880s or 1890s. Henry Montague Pepper, with his wife and family, took up their selection in 1889. Thomas Collins, who had lived in Diamond Creek, moved with his wife to Yarrambat to start an orchard in 1886. Another early family, the Stuchbery's, did not select their land, but bought two acres of the Oatlands Estate in 1890. On the banks of the Plenty River, together with their twelve children, they established a market garden and built a house, dairy and stable. The name of the town was officially changed to Yarrambat in 1929. It is unknown why the name was changed however Yarrambat is named from an Aboriginal word meaning "high hills" or "pleasant views".

For a long period of time community life in the township centred on the school, which opened in 1878 on land donated by Thomas Reynolds. Although there was a blacksmith's shop and store at Yarrambat, the school was the only community building until the 1940s, when the fire station was built in 1947 (replaced in 2001) and the Yarrambat Hall in 1948. Parishioners of St Michaels, who met in the school, prior to having a dedicated church of their own, worked from the 1930s to clear land and build their Church. It was officially opened in 1954. The original school building has been moved to Yarrambat Heritage Park (located adjacent to Yarrambat Golf Course).

History

Sales of land in the Parish of Morang were held in April 1840. Portion 13 Parish of Morang 555 acres was purchased by Robert Fleming. Portion 13 was subdivided into large lots that began to sell in 1898. Leslie Woodbourne Clarke of the nearby Doreen property 'Linton Grange' purchased a 217-acre lot in the centre of this land in 1918 (CT:V2547 F295).

William Mayfield purchased the land from Clarke in 1928 (CT:V4126 F026). Other sources indicate, however, that E. Lynch and family had lived on the property prior to this sale (Argus 3 September 1928: 19 and Advertiser (Hurstbridge) 10 August 1928: 2). Topographic maps of 1920 and 1930 show that a house was built, in the position of the current building, during the 1920s. (Cth Dept. of Defence 1920, and Australian Section, Imperial General Staff. c1930). In 1934 the Cunningham family were leasing the property for dairy farming (Advertiser (Hurstbridge) 12 June 1936: 1). It was described as: "one of the largest, if not the largest acreages of the [Yarrambat] district properties" (Advertiser (Hurstbridge) 20 April 1934: 1).

By 1936 Frederick Leonard Young and family occupied the property. (Advertiser (Hurstbridge) 14 August 1936: 4). The name of the farm may have been changed at this point as there is newspaper reference to F. Young of 'River Glen' Yarrambat in 1938 (Advertiser (Hurstbridge) 8 July 1938: 2). The Youngs may have had a lease at first, as titles indicate that the 217-acre lot was transferred to Frederick Young, farmer of Doreen, 1942 (CT:V4126 F024).

Frederick Snr died in 1951, and the land went to his son Len Young (CT:V4126 F024 and Age 2 June 1951: 11). Len bought the adjacent 100-acre lot to the south in 1949 (CT:V3914 F731). Another 55 acres to the north was purchased from Mr J. Jeffery (Len Young, 1998).

The Shire of Diamond Valley purchased the parcels of land in 1981 (CT:V4126 F024 and CT:V3914 F731).

Len Young recounts that the family lived at first in a "mud" house for a few years while the land was cleared. This may have been the house built by the Lynches in the 1920s. Len Young later built the existing weatherboard house (Len Young, 1998).

Relocated Buildings



There are two buildings relocated to this site – a former Church used as a shearing shed, and a former school room.

The shearing shed is a converted 150-year-old former Wesleyan Methodist Church. The structure was first erected as a church at Separation, west of Mernda, in 1856. The hall was purchased at auction in 1939, dismantled and moved to the Young's farm and re-erected as a shearing shed (Len Young, 1998). The shearing shed was restored in 2005-6 (YHS, 2015).

The Tanck's Corner School No.2054 opened on land donated by selector Thomas Reynolds in May 1878, in response to the wave of selection in the area following the Land Acts. The current Yarrambat Primary School still stands on this land at 552 Yan Yean Road. Butler states that it was remodelled in 1920 and moved to a new site nearby (Graeme Butler and Associates 1996, p.45). The differences between early photographs (probably pre 1920s) and later photographs (c1950s), such as roof pitch and plan, may indicate that a completely new schoolroom with shallow pitched was provided at this point (Blake 1973). In 2002, the Yarrambat Heritage Museum moved the Yarrambat Primary School classroom to this site (YHS 2005).



Figure 2: Former church / shearing shed (left) and former school room (right) relocated to this site. Source: Samantha Westbrooke, 2016.

Description & Integrity

The site is located in the north-east corner of the Yarrambat Golf Course. Formerly the Young farm, it retains the 1930s farmhouse, shearing shed (which is a converted church) and two other corrugated iron clad outbuildings, as well as the relocated school room (Figure 1).

Farmhouse

The farmhouse is a weatherboard building with a square floor plan and a main hipped roof with hip roofed projecting bays to the front (east) and to one side (south). The projecting wing to the front has a semi-circular bay window. The verandah runs along the east and south sides terminating at the projecting wings. The building is substantially intact. The original windows are box tripartite timber framed typical of a late 1930s – 1940s residence.

There is a row of pines in front of the residence and a palm tree at the south east corner.



Figure 3: View of the weatherboard house behind mature garden. Source: Trethowan Architecture, 2022.



Figure 4: Front (left) and side (right) views of the farmhouse. Source: Samantha Westbrooke, 2016.



Figure 5: North (left) and south (right) elevations of the house. Source: Samantha Wetbrooke, 2016.

Farm buildings – shearing shed & outbuildings

The shearing shed is constructed of weatherboard and consists of a gable roofed nave/hall and a skillion addition to one side presumably added as part of its conversion to a shearing shed. There is a central arched door to the front gable end indicating the former use of the building as a church.

There are corrugated iron clad, steel framed sheds either side of the shearing shed.



Figure 6: View of the shearing shed. Source: Trethowan Architecture 2022.



Figure 7: View of an outbuilding / machinery shed. Source: Trethowan Architecture, 2022.





Figure 8: View of farm machinery adjacent to iron shed.

Former school room

The former Yarrambat Primary School classroom is a single-roomed weatherboard building with a near square footprint. It has a low-pitched gable roof clad in corrugated iron. There is a door and small window to the front elevation, two windows to the east elevation and it appears that a window has been removed from the west elevation.



Figure 9: View of the schoolroom. Source: Trethowan Architecture, 2022.



Figure 10: Side elevation of the school room. Source: Samantha Westbrooke, 2016.



Comparative Analysis

651 Yan Yean Road is an example of an interwar farm complex retaining the 1920s farmhouse and corrugated iron outbuildings, as well as the repurposed former Church used as a shearing shed. The relocated school room does not relate to the former farming use but contributes to the character of the place.

The former farming complex at can be compared with other interwar farm complexes (comprising house and outbuildings), and with other shearing sheds. Interwar farming properties are underrepresented in the Heritage Overlay (HLCD 2009).

The former school room can be compared with other late nineteenth-century school buildings already included on the Heritage Overlay. Relocation of school buildings was a common practice in the late nineteenth and early twentieth centuries based on need (Butler 2001). The school room at 651 Yan Yean Road, therefore, can also be compared with other examples of relocated school buildings.

Farmhouses

Weatherboard farmhouse & outbuildings, 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO89) includes a c1905 weatherboard farmhouse and outbuildings dating pre-1920. The site is associated with the MacMillan family of orchardists and demonstrates the areas former fruit growing industry. The farm complex at 651 Yan Yean Road is a later example and is related to dairy farming rather than the prominent orcharding industry, or the interwar pattern of mixed farming on smaller lots. Nevertheless, both properties represent the changing farming practices that were seen in the early twentieth century. Both properties are constructed of timber, which was an economical and readily available building material.



Figure 11: MacMillan Farm. Source: Shire of Eltham Heritage Study, 1992.

860 Cottles Bridge-Strathewan Road, Arthurs Creek (HO28) is an orcharding property that incorporates a c1913 weatherboard house as well as a 1920s/1930s house. The later house demonstrates the transition to the bungalow style incorporating nested front gables, shingles to the gable ends, low roof pitch and timber detailing. The house at 651 Yan Yean Road is similar as a 1930s weatherboard dwelling, however it does not take on the emerging bungalow style seen at Cottles Bridge-Strathewan Road. The house at 651 Yan Yean Road demonstrates the conservative character and delayed adoption of stylistic trends.



Figure 12: View of the 1920s/1930s weatherboard bungalow at 80 Cottles Bridge-Strathewan Road. Source: Shire of Eltham Heritage Study, 1992.

14-26 Browns Lane, Plenty (c1924) is covered by interim Overlay HO270. It is a representative example of an interwar bungalow, originally part of a mixed farming property including orcharding and poultry. Both properties are representative of agricultural development in the interwar period, and are stylistically conservative. The house at 651 Yan Yean Road is later, but is stylistically similar to the Browns Lane house, eschewing the emergent Californian Bungalow style that had become dominant in suburban Melbourne.



Figure 13: Façade of house at 14-26 Browns Lane, Plenty. Note the weatherboard construction. Source: Citation for 14-26 Browns Lane, plenty prepared by Context 2021.

Outbuildings

Heffernan farm outbuildings, at 104 Thomson Crescent, Research (HO247) are a series of farm outbuildings including a corrugated iron clad gabled shed / workshop from the interwar period. Together the buildings demonstrate the areas pre-1950s economy which was principally agricultural.

The farm complex at 651 Yan Yean Road is comparable as a complex of farm buildings that demonstrate the district's former dominant industry. Both sites are surviving examples of vernacular, utilitarian construction.

School buildings

Christmas Hills Primary School 1362 at 1409 Eltham-Yarra Glen Road, Christmas Hills (HO53) is an example of a c1880 weatherboard school building. Both this building and the former school room at 651 Yan Yean Road are constructed of timber and are modest buildings with simple detailing. However, the Christmas Hills school is at a larger scale on



an L-shaped plan incorporating a teacher's residence. The Christmas Hills school remains in its original location and forms part of the current Primary School. This continuity of use and location distinguishes the Christmas Hills school as a more significant example of its type in Nillumbik.

Diamond Creek State School SSI003 at 85 Cowin Street, Diamond Creek (HO31) is a timber school building dating from c1870. The Diamond Creek school is a larger and more complex building demonstrating a later development in education compared with the single square school room at 651 Yan Yean Road. Nevertheless, both buildings demonstrate early local education in regional communities, and modest timber construction.

Primary (state) school 2105 and former residence at 275 Eltham-Yarra Glen Road, Kangaroo Ground (HO47) is a cluster of school buildings including a simple timber school room c1887. Both this school room and the one at 651 Yan Yean Road are constructed of timber and take simple orthogonal plans with gable roofs. Both buildings retain good levels of intactness and demonstrate early local education facilities in small communities.



Figure 14: Historic image of the Kangaroo Ground school room. Source: Shire of Eltham Heritage Study, 1992.

Scout's Building – previously State School No 3939 buildings, at 20 Anzac Avenue, Hurstbridge (HO3) includes the 1886 former Gobur State School which was moved to the site in 1947. The former school building is a modest, rectangular, weatherboard building with a gable roof and simple detailing. It compares favourably with the former school room at 651 Yan Yean Road, as an example of an early school building relocated according to need.





Figure 15: Former State School 3939. Source: Shire of Eltham Heritage Study, 1992.

St Andrews State School No 128 Building, 35 Caledonia Street, St Andrews (HO20) includes an 1887 school building and part of the relocated 1876 Smith's Gully school. This is a modest, simply-detailed weatherboard school building of the late nineteenth century. Both this building, and the school room at 651 Yan Yean Road demonstrate the common practice of relocating school buildings. Both buildings are modest, timber structures with gable roofs demonstrating the simple, vernacular construction of the period.



Figure 16: St Andrews School. Source: Shire of Eltham Heritage Study, 1992.

The former farm complex at 651 Yan Yean Road demonstrates developing farming practices from the interwar period, as the district diversified away from the dominant orcharding industry. The house and outbuildings demonstrate the former use of the land, supported by the relocated timber church that became a shearing shed. It compares favourably against other examples of interwar farm complexes already included on the Heritage Overlay.

The school room does not relate to the former farming activities or the main period of development of the place. It does, however, demonstrate early educational development in regional areas and the common practice of relocating school buildings in the late nineteenth and early twentieth centuries. It compares favourably with other nineteenth-century timber school buildings, often remodelled and / or relocated to meet changing community requirements.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The farm complex and former state school at 651 Yan Yean Road is of historical significance as the former River Glen property, which was unusually large into the interwar period, and for the scale of the farming operation.

It is historically significant for the two timber buildings relocated to this site. The shearing shed is a former Methodist Church dating from the 1850s. The school room dates from 1878 and was remodelled / relocated in the 1920s. It was again relocated to this site from the current Yarrambat Primary School site. This demonstrates the common practice of relocating school buildings according to need.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

The farm complex and former state school at 651 Yan Yean Road is of aesthetic significance for the substantially intact 1930s farmhouse, 1920s school building and 1856 church converted to a shearing shed. Each of the three main buildings retain many original details and their original purpose and appearance are easily legible.

The complex of buildings incorporates corrugated iron clad sheds, farm machinery and mature trees.

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).

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

N/A



Statement of Significance

What is significant?

The complex of buildings comprising the former farmhouse and outbuildings; and the relocated school room and shearing shed, located within the Yarrambat Golf Course at 651 Yan Yean Road, Yarrambat is significant to the shire of Nillumbik.

The original form, materials and detailing of the farmhouse, shearing shed, two corrugated iron clad outbuildings, school room, and their setting including pine rows and palm trees contribute to the significance of the place.

No part of the later golf course, its related buildings and carpark are significant.

How is it significant?

The former farm complex and relocated buildings are of local historic and representative significance to the Shire of Nillumbik.

Why is it significant?

The former farm complex is historically significant as the former River Glen property, which was unusual in Yarrambat in remaining a relatively large lot of 217 acres into the inter-war period. The tenure of the Youngs from 1936 represents the introduction of modern and relatively large-scale sheep farming to the district.

The site is also of historical significance because it also contains two relocated buildings. An 1856 Wesleyan Methodist Church was purchased at auction in 1939, dismantled and moved to the farm and re-erected as a shearing shed. The c1920 former Yarrambat Primary School classroom relocated here in 2002 from the site of the existing Yarrambat School. (Criterion A)

The complex comprising the former farm & relocated buildings is aesthetically significant for the substantially intact 1930s farmhouse, the 1920s School building and the 1856 former church, converted to a shearing shed. The farmhouse is a typical example of a 1930s farmhouse that retains many of its original features including its overall original form with hipped roofs and projecting wings, the semicircular bay window and the timber framed tri-partite windows. The corrugated iron clad sheds and the established trees contribute to the setting of the place and indicate the former use of the site as a farm. The school building demonstrates a typical standard Education Department style and is instantly recognisable as a classroom building. The shearing shed is unusual as a converted church from the 1860s. (Criterion D)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	Yes
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes – mature pines and palm tree around house
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Recommended Extent



Identified By Samantha Westbrooke

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Title: Landfall, 15 Castle Road, North Warrandyte

Identified by: Samantha Westbrooke June 2020

Prepared by: Trethowan Architecture

Address: 15 Castle Road, North Warrandyte

Name: Landfall	Survey Date: February 2022
Place Type: House	Architect: Harry J Little
Grading: Significant	Builder: Unknown
Extent of Overlay: To property boundary	Construction Date: 1938



Historical Context

Warrandyte was the site of the first registered goldfield in Victoria in 1851, when gold was discovered in Andersons Creek (now located within the Warrandyte State Park). It became established as a thriving small township, comprising mainly miners, orchardists and farmers (Warrandyte Historical Society, undated). Around the beginning of the 20th century Warrandyte became a haven for artists, architects and sculptors. The undulating and verdant region caught the eye of Heidelberg School painters in the early 1900s. In 1908, artist Clara Southern, who was part of the School, took up residence in the Warrandyte township and formed an artistic community, which included artists Penleigh Boyd and Louis McCubbin (Warrandyte Historical Society, n.d). It was soon followed by a group of artists, craftspeople and design professionals, including sculptors Danila Vassilieff and Inge King, potters Reg Preston and Gus McLaren; furniture designer Fred Lowen, and architects Fritz Janeba and John Hipwell (Reeves, 2020). The area also attracted day trippers and holiday makers, who were allured by the tranquil river scenery and bushland surrounds. Its reputation for striking river scenery was further enhanced with the establishment of the Warrandyte State Park in 1975 (Warrandyte Historical Society, undated)



During the postwar era, the bush landscape gradually punctuated by innovative, architect-designed dwellings. Their designers included Hipwell, Janeba, Marcus Barlow, Robin Boyd and John and Phyllis Murphy. Many of these houses, however, were destroyed in the 1962 bushfire. However, the incident also paved ways for a new wave of considered housing development in the ensuing decades (Reeves, 2020).

History

Aaron Aarons (later known as James Aron) was born to a Jewish family of tailors at Brick Lane in the East end of London in 1860. Together with his father Philip Aarons and mother Jael, he arrived in Melbourne in 1871. James was believed to be in Kalgoorlie during the gold rush of the 1880s, before returning to Melbourne where he operated successfully as a Pawnbroker. James Aron (53 years) married Helen Mary Gumley (23 years) on 26th June 1913 in Melbourne. In the early 1930s the family started to take holidays in Warrandyte. The family decided to move permanently to Warrandyte around 1935 and rented "The Castle" in Castle Road. In 1936 James Aron purchased the subject land, comprising two titles (CT:V3884 F727 and CT:V3807 F203).

The Aron family enjoyed life in Warrandyte and soon became friendly with local artists including Adrian Lawlor, Jimmy Flett and Jo Sweatman. Helen collected the works of many Warrandyte artists, either as direct purchases or through the exhibitions mounted at the Penleigh Boyd Studio by Connie Smith, the wife of a local real estate agent. Helen became closely involved with the Koornong School and its founder Clive Nield. Two of her children attended the school and David, the elder of these, also later taught Mathematics at the school. It was through Koornong that the family formed a close relationship with the modernist émigré artist Danila Vassilieff and acquired a number his paintings.

On the 10th January 1938 the land was transferred to Helen Aron for "Love & Affection" from James Aron who died on 24th March 1938. Helen also purchased properties for her children in the area – including one for her daughter Beatrice (Betty) in Brackenberry Street next to the Warrandyte RSL. Helen Aron constructed the house, later known as "Landfall" in 1938 to the designs of architect Harry J. Little.

While Helen took great pride in her new home, a number of converging issues made life difficult. The great fire of 1939 had spared the house but devastated the immediate surroundings. As a widow with a family to support, the large house and grounds required considerable work and the coming of war complicated matters further. With considerable reluctance she decided to sell Landfall in January 1941 and moved to Caulfield where she lived until her death in 1948.



Figure 1: The house soon after completion. Source: Peter Fry

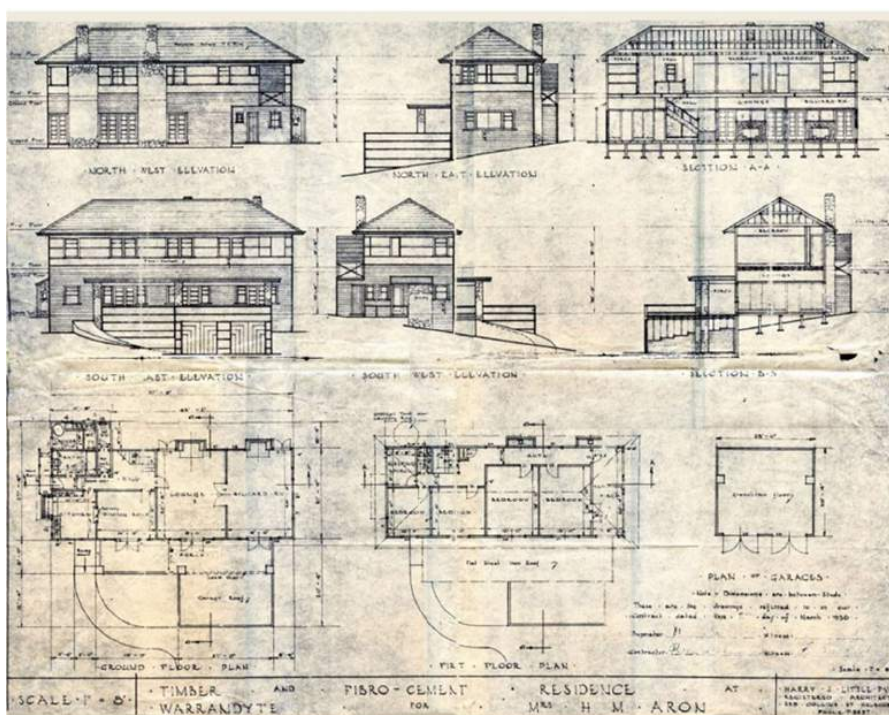


Figure 2: Harry J Little's architectural drawings of the residence. Source: Peter Fry

With Helen Aron's departure, Arthur Watkin Wynne, journalist and son of prominent Sydney newspaper proprietor Watkin Wynne, acquired Landfall in January 1941 for £1,500. Wynne had followed his father into the newspaper business and held the position of manager at the Melbourne Herald.

The Wynne family remained at Landfall for ten years, before selling the property to Henry Beecham in 1951. Beecham retained the property for 17 years, selling on 27 March 1968 to Evelyn Fine Arts Pty Ltd, the business entity behind prominent Melbourne artist Ernest Buckmaster. The Archibald Prize-winning artist, a great favourite of conservative Melbourne art lovers, unfortunately died later that year, living at the house for just six months before his death.

Buckmaster's family retained the house until 1972 and, after passing briefly through the hands of a third party (Maxwell Bruce Watson Shire Secretary and Dorothy May Watson), it returned to the Beecham family when it was purchased by Henry's son Henry Croll Beecham (Timber Merchant with own Company H Beecham and Co.), and his wife Marjorie. Marjorie was a daughter of the prominent Pizzey family, which included a number of notable members such as Dorothy Pizzey, headmistress of St Catherine's Girls School, Toorak and Graham Pizzey, popular writer and naturalist.

Marjorie and Henry made Landfall a focus for the arts in Warrandyte, especially ceramics, the field in which Marjorie had excelled since her early career as an occupational therapist at the Repatriation Hospital at Heidelberg. Henry Beecham died in 2000 and Marjorie lived at Landfall until her death in November 2017, bringing to an end the Beecham family's 62-year association with the property. Marjorie ran the Warrandyte Arts Association Pottery School for over 55 years.



The Architect

The house was designed by Harry J. Little. The architect was chosen by Helen Aron, as she liked a block of flats designed by Little that was built opposite the former Aron home at 4-6 Kingsley Street in Elwood.

Other buildings designed by Harry Little include the Collingwood United Masonic Temple in Gipps Street Collingwood, entrance foyer and Lower Town Hall at Maryborough and Temple Court in Collins Street Melbourne (as part of the firm Grainger, Little, Barlow & Hawkins). The builder is not known.



Description & Integrity

The site is situated at the top of a hill at the junction of Castle Road and Lewis Road, North Warrandyte. Yarra River forms the eastern boundary of the site. The property still comprises two lots and includes the house, pottery studio and extensive garden with tennis court.



Figure 3: Aerial View of 15 Castle Road, North Warrandyte (property boundaries, showing the two lots, indicated approximately in red). Source: Nearmap.



Figure 4: Front of the House c.2018. Source: Peter Fry



Figure 5: Helen Aron standing under the original pergola on the north side of the house between the stone chimneys. Source: Peter Fry

The House

The house is a two-storey timber-framed building with weatherboard cladding on the ground floor and fibre cement sheeting on the first floor. The hipped roof is clad in Marseilles tiles. The original floor plan (Figure 2) was largely a simple rectangle and takes advantage of the sloping terrain with a projecting double garage at lower ground level to the front (south side). An open terrace accessed from the ground floor rooms was originally over the double garage, but this has been filled in to form a sunroom.



On the north side, two dominant feature chimneys of fully exposed rough-hewn local stone are flanked on both sides by pairs of French doors. This area provides another terrace, paved with local stone paving and sheltered by a pergola.

Local stonework is also featured on the kitchen stove chimney at the west end, pillars either side and between the garage doors and pillars on the front terrace. The timber-framed doors and windows to the main original rectangular house are intact and enhance the appearance of the house, clearly demonstrating the 1930s design. The original windows are single double-hung, twin double-hung or have a fixed central pane and a double-hung sash either side. The framing and mullions are wide – demonstrative of the 1930s period. The doors have wide frames with horizontal mullions only.

There were originally sleep out porches on the first floor – one across the east end and one as a corner sleep-out on the north-west corner. Both of these have since been filled in. A north-west corner wing has also been added to the building with timber framing and weatherboard cladding. This wing has a carport to the ground floor and rooms to the first floor. The location of this wing on the north-west corner means it interrupts the original rectangular form of the building.

The ground floor is entirely devoted to family activities with all bedrooms on the first floor. At the ground floor the interior features timber panelling to the walls to door head height, and dominant stone fireplaces in the main living rooms.

The Pottery Studio

The pottery studio was built for Marjorie Beecham and constructed circa 1970s for her use and for the teaching of others. Located to the north-west corner of the house, it is a split-level building of mud brick construction with rustic timber framing and a low-pitched gable roof. The roof has a large overhang on two sides forming an entry porch on one side and deep verandah on the other. There is frameless glazing below the eaves to door height. The front doors to the studio are barn style doors, possibly recycled from another building.

The Garden

Just after Helen Aron built the house, the area was engulfed by the Black Friday bushfires of 26 January 1939. The new house survived but the garden was destroyed. The garden was subsequently replanted and features significant areas of local stonework including low garden walls, paths, steps, terracing, paving and stone pillars either side of the entrance to the property. These features are throughout the garden creating an intricately landscaped garden across the whole site. The garden also contains a tennis court with a tall cyclone wire fence around it. On the west side of the garden are the footings and chimney from a demolished cottage, which apparently housed an elderly family member of the Beecham family in the 1950s. The garden also features a stone paved curved terrace with low concrete balustrade overlooking the river.



Figure 6: Front gate to property. Source: Sam Westbrooke, 2020.



Figure 7: Driveway entry showing stone edging. Source: Sam Westbrooke, 2020.



Figure 8: Front (south) elevation showing double garage.. Source: Sam Westbrooke, 2020.



Figure 9: Front porch entry. Source: Sam Westbrooke, 2020.



Figure 10: Rear (north) elevation with French doors, pergola and stone chimneys. Source: Sam Westbrooke, 2020.



Figure 11: South-west corner with carport and later addition. Source: Sam Westbrooke, 2020.



Figure 12: West end entrance. Source: Sam Westbrooke, 2020.



Figure 13: Garden terrace overlooking the river. Source: Sam Westbrooke, 2020.



Figure 14: Examples of stone edging and steps in the garden. Source: Sam Westbrooke, 2020.



Figure 15: Marjorie Beecham Pottery Studio. Source: Sam Westbrooke, 2020.



Comparative Analysis

There are several 1930s houses comparable to 15 Castle Road already listed on the Heritage Overlay in Nillumbik, including:

Stonygrad House, 34 Hamilton Road, North Warrandyte (HO58), constructed in 1939 from local mudstone. This property is historically significant for the association with Danila Vassilief, well-known artist and teacher at the local Koornong Experimental School. It is technically significant for the use of the local mudstone in its construction.

15 Castle Road compares favourably with Stonygrad House in terms of their construction date, scale, use of natural stone materials, and their associations with members of the local artistic community. The two properties are stylistically different but similar in their approach to local materials and relationship with the land. Stylistic variation is characteristic of the inter-war period which both properties date from.



Figure 16: Stonygrad House, showing the use of natural local stone. Source: Shire of Eltham Heritage Study, 1992.



Figure 17: View of the front of Stonygrad House. Source: realestate.com.au

Former Headmaster's House 25 Koornong Crescent West, North Warrandyte (HO110), dating from 1939 to a design by Best Overend. It is architecturally and historically significant for the association with noted architect Best Overend, and for the early modernist design. It is historically significant as the only major remaining structure from the Koornong Experimental School to survive the 1950s bushfires. It is significant for its association with Clive Nield, academic and founder of the Koornong School; and teacher and artist Danila Vasillieff.

15 Castle Road compares favourably with 25 Koornong Crescent as both are large homes from the 1930s associated with long-term members of the local community. Both homes are designed by noted architects, and demonstrate simple, innovative architecture and early modernist ideas. Both houses survived the 1950s bushfires and are rare, remnant examples of larger scale homes of the 1930s.



Figure 18: Views of 25 Koormong Crescent. Source: Shire of Eltham Heritage Study, 1992.

Three Bears Cottage, 105 Gongflers Drive, Bend of Islands (HO205) dates from 1936 and constructed of unusual materials with a design influenced by the Griffin school. It is historically and architecturally significant, and for its association with the Haughton family who were instrumental in the development of this area.

Three Bears Cottage differs from 15 Castle Road in its small scale but is similar in the use of stone and 1930s design invoking early modern stylistic ideas. The houses demonstrate different development patterns and lifestyles of the 1930s, but are both associated with long-term residents who shaped Nillumbik.



Figure 19: Three Bears Cottage at 105 Gongflers Drive, Bend of Islands. Source: Heritage Assessments, Shire of Nillumbik C13, Graeme Butler & Associates, 2006.

There are other houses in North Warrandyte already listed on the Heritage Overlay, including:

- HO224 Arnold House, 20 Kangaroo Ground-Warrandyte Road, North Warrandyte Robin Boyd 1960s
- HO181 Mackey House, 6 Castle Road, North Warrandyte inter war bungalow c1918
- HO22 Miners Timber Slab Cottage, 2 Castle Road, North Warrandyte
- HO156 Sloan's Cottage, 193 Research-Warrandyte Road, North Warrandyte 1880s miners cottage
- HO101 The Robins – Penleigh Boyd House and Outbuilding, 13 Kangaroo Ground – Warrandyte Road c1913



- HO103 Nichol House, 49 Kangaroo Ground-Warrandyte Road Robin Boyd 1950s
- HO144 Dwelling, 28 Osborne Road, North Warrandyte 1890s cottage

These houses, however, are not comparable to 15 Castle Road. They are of different periods and are stylistically diverse.

In summary, Landfall at 15 Castle Road, compares with other dwellings from the 1930s that demonstrate a thoughtful approach to material use and early modern design ideas, and associations with important local residents involved in the artistic community. 15 Castle Road is a good example that meets the threshold set by comparators.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Landfall, 15 Castle Road, is one of just a few large, architect-designed houses in Warrandyte that survived the great bushfires of 26 January 1939. Designed by architect Harry J Little in 1938, the two storey, cream brick house is more akin to a design you might see in more built up suburbs and is an unusual style of house seen in Nillumbik. The house reflects the inter-war development pattern of the area as weekend retreats subdivisions became permanent suburban dwellings.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's cultural or natural history (research potential).

N/A

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

N/A

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

Landfall, 15 Castle Road, is an excellent, substantially intact example of a late 1930s home retaining and demonstrating key features of the period including the cream brick, Marseille tile roof, pergola with stone paving, timber-framed 1930s style windows and French doors, stone chimneys and other feature stone pillars.

The landscaped gardens contribute to the aesthetic significance of the place with the paths, steps, stone paving, terracing and stone edging to garden beds, and stone pillar entrance to the property.

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

N/A

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).

N/A

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).



Landfall, 15 Castle Road, is associated with the local artistic community of Nillumbik, that was centred around North Warrandyte and Eltham. The area around Research Road, north of the Yarra River, was established as an artist community from the early 20th Century.

This artistic connection was supported by the Beecham family, who were associated with the artist community of North Warrandyte. Henry Croll and Marjorie Beecham made Landfall a focus for the arts in Warrandyte. The mud brick ceramics studio on the site was built for Marjorie for her own use and for teaching others. Marjorie also ran the Warrandyte Arts Association Pottery School for over 55 years. Marjorie also ran the Warrandyte Arts Association Pottery School for over 55 years. The mud brick pottery studio on the site demonstrates Marjorie Beecham's occupation and pottery activities on the site. Given the long association and evidence of the Beecham's occupation, and their longstanding role in the community, the association reaches a threshold of significance at the local level.

Landfall, at 15 Castle Road, was also briefly occupied by noted artist and Archibald Prize winner, Ernest Buckmaster. However as the association was brief and not evident in the fabric of the place, this association does not reach a local threshold of significance.



Statement of Significance

What is significant?

Landfall, 15 Castle Road, North Warrandyte is significant to the Shire of Nillumbik.

The form, original features and materials of the cream brick residence and mud brick studio and the landscaped garden features including the stone edging to garden beds, paths, stone paving, steps, terracing and entrance pillars contribute to the significance of the place.

The later north-west corner wing consisting of a ground floor car port and rooms above does not contribute to the significance of the place.

How is it significant?

Landfall, 15 Castle Road, North Warrandyte is of local historic, aesthetic and associative significance to the Shire of Nillumbik.

Why is it significant?

Landfall is of local historical significance as one of just a few large, architect designed houses in Warrandyte built before the great bushfires of 26 January 1939 that also survived the fires. (Criterion A)

Landfall, 15 Castle Road, is an excellent, substantially intact example of a large late 1930s home retaining and demonstrating key features of the period including the cream brick, Marseille tile roof, pergola with stone paving, timber-framed 1930s style windows and French doors, stone chimneys and other feature stone pillars. Designed by architect Harry J Little in 1938, the two storey, cream brick house is more akin to a design you might see in inner Melbourne suburbs and is an unusual style of house in the Nillumbik Shire. The architectural style and scale is distinctive in the Shire. The landscaped gardens contribute to the aesthetic significance of the place with the paths, steps, stone paving, terracing and stone edging to garden beds, and stone pillar entrance to the property. (Criterion E)

Landfall, 15 Castle Road, is significant for its association with the local artistic community of Nillumbik, that was centred around North Warrandyte and Eltham. The area around Research Road, north of the Yarra River, was established as an artist community from the early 20th Century. This artistic connection was supported by the Beecham family, who were associated with the artist community of North Warrandyte. Henry Croll and Marjorie Beecham made Landfall a focus for the arts in Warrandyte. The mud brick ceramics studio on the site was built for Marjorie for her own use and for teaching others. Marjorie also ran the Warrandyte Arts Association Pottery School for over 55 years. The mud brick pottery studio on the site demonstrates Marjorie Beecham's occupation and pottery activities on the site. (Criterion H).

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls	
<i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls	No



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

Recommended Extent



Recommended extent shown in red (original property extent of 2 Lots)

Identified By

Mills & Westbrooke



References

Landfall Heritage Brochure prepared by Peter Fry (grandson of James and Helen Aron), 2019

Manningham Art Gallery and Warrandyte Historical Society Oral History Project, Potters Cottage 1958-2003

Mills, Peter and Samantha Westbrooke, 2016, 'Nillumbik Shire Thematic Environmental History, revision 2016', prepared for Nillumbik Shire Council

Warrandyte Historical Society Website whsoc.org.au



Title: Plenty Heritage Park

Prepared by: Trethowan Architecture

Address: 2-6 Memorial Drive, Plenty (Lot 2 PS817427)

Name: Plenty Heritage Park, 2-6 Memorial Drive, Plenty	Survey Date: 20/1/2022
Place Type: Individual Place	Architect:
Grading: Significant	Builder:
Extent of Overlay: To Title Boundaries,	Construction Date: Hall (1930-31, additions 2010), CFA Fire Station (1970, additions 1979, 1994), Church (1924, relocated to site 2018, additions 2020)



Figure 1. Plenty Hall, built 1930-31 (Source: Context June 2021).



Figure 2. Plenty Methodist, later Uniting Church, built 1924, relocated to this site 2018 (Source: Context June 2021)



Historical Context

Plenty is a semi-rural district north of Greensborough, located 20 km northeast of Melbourne. The name Plenty is drawn from the nearby Plenty River, which had been proclaimed by Joseph Tice Gellibrand in 1835. Gellibrand chose the name to reflect the promising countryside of the area (Victorian Places).

In 1840, Crown land sales of the area began with blocks ranging from around 300 to 800 acres. Alexander McKillop was the first to purchase a block; Crown Portion 5 Parish of Morang constituting 820 acres. The Crown continued to auction the other blocks in 1853; Patrick Mornane obtaining Portion 3 Section 4, and L.C Luscombe purchasing 308 acres Portion 2 Section 4 (Westbrook 2016).

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

This initial, ad hoc settlement pattern varies to other settlements in the Nillumbik Shire and relates to selection and the take-up of occupation licences in and around the auriferous areas. 'Glenaulin' on Portion 2 Section 12 of the Parish of Yan Yean further north, was subdivided into 108 2-acre lots and 72 1-acre lots advertised in early 1854. The selling of the lots, however, was unsuccessful (Westbrook 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 (Westbrook 2016).

Those who owned large blocks of land towards the north in Yan Yean Parish attempted ambitious early subdivisions 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 where larger blocks were divided into two or three lots. This pattern lasted up until 1900 with only few significant homesteads erected during this time.

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, is seen to have inspired this trend in 1905 having bought the northern lot of the northern half of the Crown Portion 5 and subdividing it into 9 lots from 10 to 28 acres. The first plot was purchased in 1906 and 8 had been sold by 1914, and the last selling in 1927 (CT: V3098 F446). The southern edge of the subdivision included a private road, Clarkes Road, now Worn's 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 Road provided a central dividing line for the subdivision. 14 had sold by 1916 (CT: V2020 F836).

Arthur Grenbry Outhwaite of 'Tallarook', Walsh St South Yarra purchased 496 acres, the section of Portion 3 Section 4 west of the Yan Yean Road, from John Butler's executors in



April 1912 (CT: V2326 F062). He subdivided his property into 40 lots immediately (CT: 3589 F730). The Lierse brothers (previously of Oatlands Road) bought the 38 acres at the western end of the subdivision in 1925, which included a number of the weekenders lots (CT: V3589 F 730). When Outhwaite died in 1938, only two lots remained unsold (CT: V3589 F730).

Plenty's new landscape was celebrated in an article in the Advertiser 1925, declaring it '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. 'It is also notable that the area is described to be 'thrown open for selection' in 1913, which is likely referring to the recent surge in subdivisions, that a school had been built, that 'fine dwellings (were) built here and there' and the Plenty Social Club and Progress Association had formed (Hurstbridge Advertiser, 31 July 1925:4).

Plenty's town centre was established in the 1920s when the first group of facilities was established such as the school, Methodist church and store (Westbrook 2016). In 1928-29 the Heidelberg Shire resumed 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 (Hurstbridge Advertiser, 9 May 1930:4). Tenders were called in May 1931 and the hall was opened in July 1931 (Hurstbridge Advertiser, 9 May 1930:4; 23 May 1930:1).

After World War II, additional community facilities were built. The Plenty reserve became a War Memorial Park with memorial gates, toilets, a playground and trees planted by schoolchildren on Arbour Day. (Pearce and Plenty Historical Society 2009). A fire station shed was erected on the corner of Howell Road (Westbrook 2016).

History

The subject site is on part of Crown Portion 2, Section 4, in the Parish of Morang, a 308 acre lot which was purchased by LC Luscombe in 1853 from the Crown. In 1875 a fifty-acre parcel of this land was purchased by Thomas Bennet with the land being sold again in 1888 to John Pritchard, Butcher and Thomas Bodycoat, farmer (CT: V1144 F732; CT: V2043 F454). Thomas Bodycoat became the sole proprietor of the 35 acres of the original 50 acre parcel in 1889. Thomas Bodycoat died in 1905 with the land passing to his widow Alice and Joseph, Farmer and Frederick Bodycoat, Farmer (CT: V2166 F010). It appears that up to this time the land was largely undeveloped, and may have been used for farming. In 1922 the land was purchased by orchardists Frederick and Annie Deumer (CT: V4586 F140). In 1929, the Deumers sold the land to Edward Jacob Cane. Cane subdivided the land, and sold the subject site to the President, Councillors and Ratepayers of the Shire of Heidelberg shortly after (CT: V2166 F536). Ownership of the site was transferred to the President and Ratepayers of the Shire of Diamond Valley in 1982 and then to the Nillumbik Shire Council in 1997 (CT: V2166 F536).

The site was recently subdivided to allow for the building of a new CFA building on its western half. Now known as the Plenty Heritage Park, 2-6 Memorial Drive, Plenty, the site incorporates the following individual elements:

- The Plenty Hall (HO248)
- Plenty Fire Station
- Bell and Time Capsule
- Former Plenty Uniting (Methodist) Church (HO250)

The Plenty Hall

The Plenty Hall (HO248), facing Memorial Drive, was constructed on the site opening in 1931. The Plenty Progress Association had held a series of fund raisers through the 1920s,



collecting £700 to build the hall. The Association asked Council that they had the building inspector prepare plans for the hall in November 1930 (Plenty Historical Society Inc 2020, Hurstbridge Advertiser 21 November 1930:6). The opening of the hall in July 1931 was marked by a large dance inside the new building Hurst Bridge Advertiser 10 July 1931:2). The Plenty Hall Trustees were first rated for the hall in 1932- 33, with an annual value of £15 (Hermes record for 'Plenty Hall, 103-107 Yan Yean Road, Plenty').



Figure 3 The Plenty Hall in 1945, circled in red. (Source: Landata)

Within a few years the hall was already proving too small, and extensions have been undertaken intermittently since, reflecting its integral position in the local community. Electricity was introduced to the area throughout the late 1940s and early 1950s, and the hall was likely to have been electrified at this time. Additions include a kitchenette and hall ceiling, a concrete toilet block added to the northwest of the hall in the 1960s (demolished 2009), weatherboard clad wings to the north (two bays since demolished) and west sides (three bays), as well as an open porch at the side entry (now demolished).

In 2010 the rear of the hall was extended, almost doubling its size. The extension included a new hall kitchen, storage areas and bathrooms. (Hermes record for 'Plenty Hall, 103-107 Yan Yean Road, Plenty'; K Fitzmaurice, Plenty Historical Society Inc 2020, pers. comm, 6 July 2021, Dennis Ward architects 2008).

There is a record of continued use of the hall by a variety of community organisations, including the Girl Guides who have used the site almost continuously from the mid-1960s. The local social and cricket club (one of the earliest clubs in the area established in 1946) and the Plenty Progress Association are also associated with the site. The hall has hosted regular dances and concerts, and its grounds were regularly used for large community picnics in the 1950s and 1960s. Some of the groups currently using the hall include a dancing group for disabled children, the Girl Guides and a local art group (K Fitzmaurice, Plenty Historical Society Inc, pers. comm, 6 July 2021).

Plenty Fire Station

The Plenty branch of the Country Fire Authority was formed c1961, at a time when many CFA branches were established in the area. (Mills & Westbrooke 2016:7). This date is indicated by the plaque commemorating the rededication of the cast iron bell on the corner of Yan Yean Road and Memorial Drive, which states that 2011 marked the fiftieth anniversary of the Plenty branch. Like other early CFA stations, the Plenty station was



originally an iron shed (Figure 4). This building was located in what is now the car park at the corner of Howell and Yan Yean Roads (Plenty Historical Society Inc 2012).



Figure 4. 1972 aerial showing the Plenty Hall outlined in red, the 1970 Plenty CFA building outlined in green, and the original tin shed used by the CFA outlined in blue (Source: Landata).

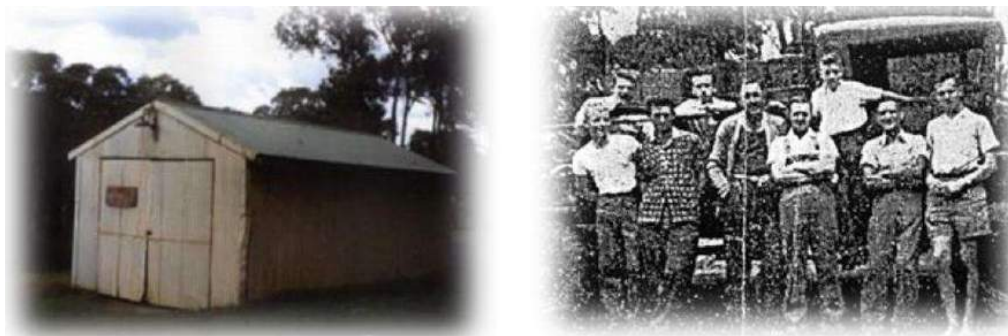


Figure 5. An image of the original Plenty Fire Station on the left (likely c1960s) and early volunteers on the right. (Source: Plenty Historical Society Inc 2012, Plenty Heritage Walk, www.plentyhistoricalsociety.com.au)

The fire station building appears to have been completed in three stages, with the southern portion of the building being constructed first. This section of the building was opened in 1970, as commemorated on the granite plaque located on the front of this portion of the building (Figure 6). The central section of the building appears to have been added in 1979 for a cost of \$9,500. The northern section, sited forward of the rest of the building, was built in 1994 for a cost of \$30,000 (Shire of Diamond Valley Building Card). The latter two stages of the building are built in slightly different coloured bricks.



Figure 6. An image of the plaque on the front of the Plenty Fire Station, noting its opening date in 1970. (Source: Context May 2021)

In February 2009, the Plenty Brigade was involved in fighting the Black Saturday fires. These fires were one of the worst bushfires in Australian history and were responsible for the worst loss of life in the Nillumbik area.

The building has been used for various other civic and community functions. These include functions connected to local sporting clubs, serving as a polling booth, as well as providing a meeting place for the Plenty Historical Society.

In 2021, construction begun on the new Plenty Fire Station, to the north of the Plenty Hall.

Bell and Time Capsule

A time capsule was buried at the site near the corner of Yan Yean Road and Memorial Drive in c1984-85 to mark the 150th anniversary of Victoria. The capsule is set to be opened in 2034-35 (Figure 8).

In 2011, a cast iron bell (Figure 7) was rededicated at the site, and placed above the time capsule. The rededication commemorated the fiftieth anniversary of the Plenty Branch of the Country Fire Authority. Discussions with the Plenty Historical Society indicate that the bell was originally located at Larundel Mental Asylum in Plenty Road, Bundoora. The Bell was relocated to the Upton's property in Browns Lane, Plenty in the 1940s and was rung in conjunction with a siren on the shop in Yan Yean Road to warn of fires. It is thought that the bell was moved to its current location in 1984-5 when the time capsule was buried. This coincided with the closure of the Plenty State School (HO213) in Howell Road.



Figure 7. Cast Iron Fire Bell outside the Plenty CFA Fire Station. (Source: Context May 2021)



Figure 8. Time Capsule underneath the Fire Bell outside the Plenty CFA Fire Station (Source: Context May 2021)

Former Plenty Uniting (Methodist) Church

Originally built for Methodist worship, the Plenty Uniting Church was erected at 171 Yan Yean Road, Plenty (near the corner of River Avenue) in 1924 (Figure 9). The parcel of land, part of Crown Portion 3 Section 4 in the Parish of Morang, County of Evelyn, was part of a larger property of sixteen acres owned by farmer Alfred Hill, who purchased it in 1919 (CT: V4189 F837625). He later subdivided the land, becoming one of nine joint proprietors of the existing land parcel, Lot 3, Subdivision No. 6039, in November 1925 (CT: V5065 F1012881).

The church was built with funds raised by local Methodists, encouraged by the Victorian Methodist Church offer of £50 to communities who could raise £100 to put towards construction costs (History Victoria 2018). Aside from worship, the church hosted local events including weddings, harvest festivals, Sunday School and gatherings (Hurstbridge Advertiser, 28 March 1930:2, 17 May 1935:5 and 31 May 1935:5). The building was extended on the west side in 1967.



Figure 9. Former Plenty Uniting (Methodist) Church at its original location in Yan Yean Road. (Source: Yarra Plenty Regional Library)

In 1977 the church became part of the Uniting Church in Australia. The church was closed in 1985 and was later used as an artist's residence and then a gift shop (Hermes record



for 'Plenty Methodist, later Uniting Church'). The church building was included in the Heritage Overlay as HO250 in 2009, with the following statement of significance:

Plenty Methodist, later Uniting Church is significant for its long association with religious community gatherings and activities in the Plenty farming area, since its construction in the 1920s, and one of a group of much valued civic structures in the immediate area.

The building was subsequently acquired from the Uniting Church by the Major Roads Projects Authority. It was relocated to its present site, north of the Fire Station in the Plenty Heritage Park in Memorial Drive, Plenty, in September 2018 (Figure 10). The relocation was necessitated by the reconstruction of the Yan Yean Road, and was undertaken following a review and heritage assessment by an independent panel (McCullough, T & Walters 2012).



Figure 10. The former Plenty Methodist Church being relocated from its original site at 171 Yan Yean Road, Plenty to its current location on 12 September 2018 (Source: www.rbaarchitects.com.au accessed July 2021)

As part of its relocation the church building has been restored. Skillion additions made to the west side of the church in 1967 have been removed and the roof was reclad in corrugated galvanised iron, four new cylindrical roof vents were also installed. Changes to the building in 2020 have included the relocation of the entry doors from the south side to the north side of the porch, the addition of a disabled ramp along the northern side of the building and the addition of a lower gabled roofed section at the rear of the original 1924 church.

The building is available for community use and is the home of the Plenty Historical Society who campaigned for its protection (Plenty Historical Society Inc 2020).

Description & Integrity

The Plenty Hall, Plenty CFA Building and Plenty Methodist (later Uniting) Church are located within the Plenty Heritage Park at 2-6 Memorial Drive, Plenty. The site is bound by Howell Road to the north, Yan Yean Road to the east, Memorial Drive to the south and extends through to Butlers Road at the corner of Howell Road. The site falls north to south and is largely gravelled, providing car and pedestrian access to the site from both Memorial Drive and Yan Yean Road. The site is characterised by unstructured plantings of Australian native trees which provides an informal bush setting for the buildings. The site is largely unfenced with the exception of a low timber post and rail fence enclosing a small lawned



garden area at the corner of Yan Yean Road and Memorial Drive, and a high cyclone wire fence that encloses a utility area at the back of the CFA building.



Figure 11. Map of the now subdivided site at 2-10 Memorial Drive, Plenty. The Plenty Fire Station is highlighted in red, the location of the bell and time capsule is highlighted in yellow. The Plenty Hall is highlighted in blue; the former Methodist (later Uniting) Church in green. Note, the area to the west of the Plenty Hall is the location for the new CFA building. At the time of a site inspection on 22 January 2022 the site works for the new building had commenced. (Source: Nearmap 24 December 2021, with property boundaries shown in yellow)

The Plenty Hall (c1931)

The Plenty Hall is single storey bullnose weatherboard building located along Memorial Drive midway between Yan Yean Road and Butlers Road. The building is rectangular in plan with a gable Colourbond corrugated iron roof with several skylights penetrating the rear section of the roof.

The building was constructed in two main stages. The taller front section of the building facing Memorial Drive is the original Hall building constructed in 1930. The lower rear section is an addition built in 2010. The front section of the building is distinguished by its unusual, chamfered eaves lined with open timber slats. The later addition has standard boxed eaves.



Figure 12. Eastern elevation of the Plenty Hall showing the taller original building built in 1930-31 and the lower extension added in 2010. (Source: Context June 2021).



Skillion roofed additions that sit below the gutter line run along three quarters of the western face of the hall and a verandah runs along the eastern façade to the northern half of the building.



Figure 13. South west corner of the Plenty Hall showing the skillin roofed additions along the building westernside. Note the chamfered open slatted eave detail of the original Hall building. (Source: Context June 2021)

The principal elevation facing Memorial Drive is symmetrically arranged with vertical timber double hung sash windows either side of a pair of flush panel doors. Access to the building is via a concrete ramp with a painted tubular steel balustrade. A large sign attached to the wall above the doors reads 'PLENTY HALL'.



Figure 14. Principal elevation of the Plenty Hall facing Memorial Drive, Plenty. (Source: Context May 2021).



Along the eastern elevation there are four equally spaced vertical timber framed sash window and a single timber panelled door on the front section of the building. There are a pair of flush panel doors under the verandah of the rear section. The western elevation is utilitarian in nature with high horizontal windows that provide light and ventilation to the service area of the building.

The Plenty CFA Fire Station (1970)

The Plenty CFA Fire Station is located in the southeast of the site, near the corner of Yan Yean Road and Memorial Drive.

The building is a utilitarian single storey rectilinear building constructed in beige-coloured brick. Its function as a fire station has dictated its overall form. It has a simple corrugated iron clad skillion roof which falls east to west.

The eastern elevation, facing Yan Yean Road, is the building's principal façade. This elevation contains the main pedestrian entry, as well as four large entries for fire trucks. The building projects forward at its northern end, housing a tall double-width garage door with inset glazed upper panes. Three further single-width garage doors are centrally located on this elevation: are solid and one is inset with glazed upper panes. Between the two solid doors a small granite plaque is set into the wall noting its official opening in 1970. To the south of this elevation, a glazed door is placed between two natural aluminium framed windows. 'Plenty Fire Brigade' is visible in white lettering above the two solid garage doors.



Figure 15. Principal elevation of the Plenty CFA Fire Station facing Yan Yean Road. (Source: Context May 2021)

The northern elevation has a centrally set window. The southern elevation has had a verandah added. The western elevation is predominantly face brick, with various small windows. All windows are framed in natural aluminium and are functional in purpose providing light and ventilation to the service areas of the building.



Figure 16. North elevation of the Plenty CFA Fire Station. (Source: Context May 2021)

Figure 17. Southeast corner of the Plenty CFA Fire Station showing the addition of a pergola structure. (Source: Context May 2021).

Bell and Time Capsule

A small area of garden located on the corner of Memorial Drive and Yan Yean Road is set behind a low post and rail timber fence. A cast iron fire bell is located within this garden. The bell is painted red and set on a simple frame of dark stained timber. A small metal plaque on this frame commemorates the rededication of the bell in 2011 to mark the Plenty CFA's fiftieth anniversary. Around the top of the bell are cast the letters reading Vickers Sons & co Limited Sheffield 1875 Patent Cast Steel 6316. A time capsule was buried under the bell in c1984-85 to mark the 150th anniversary of Victoria.

Former Plenty Methodist (later Uniting) Church (1924, relocated to this site 2018)

The former Plenty Methodist Church is located towards the northern end of the site behind the Plenty Hall. The building faces Yan Yean Road and is set back a distance from the road allowing for a gravel carpark in front. The relocated church is positioned on the highest point of the land and elevated on concrete stumps (concealed by open timber base boards). It is a simple rectangular weatherboard building with a steeply pitched galvanised corrugated iron gable roof with exposed rafter ends and four cylindrical roof vents, pointed window openings and projecting front vestibule. These features are characteristic of the interwar Carpenter Gothic style.

The building has been constructed in two sections, with the front taller section being the original church built in 1924 and the rear section being added in 2020. The original section of the building features two pointed arched opening on its northern and southern elevations. These openings are fitted with timber double hung sash windows. The bottom sashes are divided into four and are glazed with opaque ripple glass. The top sections are divided into six clear glazed panes centred on a stylised Y-shaped tracery element. Along the southern elevation towards the rear of the original church building is a single vertical boarded door that is elevated above the ground. A disabled ramp and timber steps have been added to the northern side of the building, these provide access to a pair of vertically boarded doors on the northern side of the front projecting vestibule. The rear, lower addition to the church has been built to mimic the detailing of the original building with a steeply pitched gable roof, exposed rafter ends and a timber slated air vent on the gable end.



Figure 18. Relocated former Plenty Methodist (later Uniting) Church showing northern elevation and the entry vestibule. Note the lower rear section of the building was added in 2020. Source: Context June 2021).

Figure 19. Relocated former Plenty Methodist (later Uniting) Church showing southern elevation. (Source: Context June 2021).

The Plenty Hall at 2-6 Memorial Drive, Plenty is largely intact with some changes visible to original or early fabric. The building's original gable roofed form with a as built in 1930 remains clearly legible. The building retains its original pattern of openings and window joinery. Changes to the building include the addition of skillion roofed sections to the western elevation and a large gabled roof addition at its northern end in 2010. These additions are clear identifiable leaving the original hall building clearly legible.

The Plenty Fire Station at 2-6 Memorial Drive, Plenty is largely intact with some changes visible to original or early fabric. The buildings original built form as built in 1970 is still legible and retains it skillion roofed form and pattern of window and door openings that retain their original fittings.

Changes to the building include two addition to its northern end (1979 and 1994) that doubled the size of the building. These additions have been designed to seamlessly merge with the earlier section of the building although they have used a different colour brick making the early section of the building clearly distinguishable.

The former Plenty Methodist (later Uniting) Church at 2-6 Memorial Drive is largely intact with some changes visible to original or early fabric. The buildings original 1924 gable roofed form with projecting gable roofed entry vestibule remains clearly legible. The building retains its original pattern of pointed arch window openings and joinery. Changes include the moving of the entry doors from the southern side to the northern side of the entry vestibule, construction of a ramp and steps along the northern side of the building, recladding of the roof with galvanised corrugated iron and a gable roofed addition to its western end in 2020. These additions are clear identifiable leaving the original church building clearly legible. While the building has been relocated to this site in 2018 this site is only 430 meters from its original location and retains the original bush setting of the building.

Comparative Analysis

Church buildings

Churches played an important role in the lives of early settlers to the Shire, becoming the centre of the spiritual and social lives of communities. Many miners who came to Victoria were of Protestant, nonconformist background and, as a result, many of the earliest churches in the former goldmining towns in the shire were Methodist. Eltham and Diamond



Creek are noted as being one of the earliest areas in Victoria to establish primitive Methodist churches with services conducted out of a home in Eltham in 1850 (Mills & Westbrooke 2017). The first Wesleyan Church was built on the corner of Susan and Bridge streets, Eltham in 1860. The Diamond Creek community built a small chapel in 1861 and a Nillumbik church was built in 1871. Other congregations followed soon after. In some situations, due to the small and fluctuating population of a district, the church was constructed many years after a congregation was present. In the interim, other community buildings were used for services until a township was stably established (Mills & Westbrooke 2017).

There are only eight other churches represented on the Shire of Nillumbik's Heritage Overlay. Of these, four date from the nineteenth century (St Margaret's Anglican Church, Eltham c1860-1 (HO154); St Andrew's Anglican Church, St Andrews c1868 (HO21); Presbyterian Church, Kangaroo Ground (HO46); Uniting Church, originally Methodist Church, Eltham 1880 (HO118). Two date from the early twentieth century (St Matthews Church, Hall, War Memorial and Plantings, Panton Hill c1900-1920s (HO96); Hurstbridge Uniting Church and Hall originally Methodist Church, Hurstbridge (1925 HO60). One dates from the 1950s (St Michaels Anglican Church, Yarrambat 1954 (HO219) and one dates from the 1970s (St Peters Anglican Church', Hurstbridge c1970s (HO62).



Figure 20. St Andrews Anglican Church 15 Caledonia Street, St Andrews c1868 (HO21 Shire of Nillumbik).



Figure 21. Presbyterian Church 265 Eltham-Yarra Glen Road, Kangaroo Ground c1878 (HO46 Shire of Nillumbik)



Figure 22. Uniting Church (originally Methodist) 810 Main Road, Eltham 1880 (HO118 Shire of Nillumbik)



Figure 23. St Matthews Church 575 Kangaroo Ground-St Andrews Road, Panton Hill c1900-1920s (HO96 Shire of Nillumbik)



Figure 24. Hurstbridge Uniting Church and hall (originally Methodist) 998 Heidelberg-Kinglake Road, Hurstbridge c1925 (HO60 Shire of Nillumbik).



Figure 25. St Michael's Anglican Church 469-475 Ironbark Road, Yarrambat 1954 (HO219 Shire of Nillumbik)

While built much earlier than the Plenty Methodist Church, the St Andrew's Anglican Church (HO21), the Kangaroo Ground Presbyterian Church, (HO46) and the Eltham Uniting Church (HO118) all have a similar built form and scale to the subject site and are also designed in the Carpenter Gothic style.

The Carpenter Gothic style was used for churches of modest size, commonly in country areas when the economy and simplicity of construction was important. This style followed through from the Victorian to Federation eras and into the interwar years. The most directly comparable to the subject site is St Andrews Anglican Church (HO28) built in 1868. It is of timber construction and has an almost identical form with simple pointed arch openings.

Although larger in scale the most comparable church on the Heritage Overlay to the subject building is the Hurstbridge Uniting Church (HO60). Built in the same year (1925) for the Methodist Church, both buildings having a similar Carpenter Gothic form with pointed arch windows divided into panes that form a stylised Y-shaped tracery in the upper sashes. St Mathews Church, Panton Hill (HO96) is also of a similar scale, materiality and style to the subject church building although it was built earlier. It is interesting to note that St Michael's Anglican Church, Yarrambat (HO219) is still employing a Carpenter Gothic form in 1954.

What all these churches share is their historical, social and spiritual importance to fledgling communities as they established themselves within the district.

Community Halls

The earliest halls in the Nillumbik area usually took the form of mechanics' institutes and free libraries. The mechanics' institute movement started in Scotland in 1800 with the intention of improving the education of working men (Mills & Westbrooke 2017). Several of these early halls were either destroyed by fire or demolished over time. For example, the Diamond Creek Public Hall and Literary Institute was possibly the earliest hall in the area, opening in 1868. The hall was used to house the infant grades of the state school when there was a rapid increase of pupils in the early 1870s (Mills & Westbrooke 2016:103). A new hall incorporating sections of the old was built in 1905 however this building was destroyed by fire in 1969 (Mills & Westbrooke 2017). At Kangaroo Ground a hall, which became known as Stevenson Hall after its builder, was built in 1885. It did not have a library, but did host the typical list of entertainments and meetings and was noted for its good dance floor. The Shire ordered the demolition of the dilapidated hall in 1969. (Mills & Westbrooke 2017)



Surviving community halls in the Shire include:

- Christmas Hills Mechanics Institute, 775 – 787 Ridge Road, Christmas Hills, rebuilt in 2013 (HO243)
- St Andrews Hall, 1 Proctor Street, St Andrews 1925
- Arthurs Creek Mechanics Institute, 906 Arthurs Creek road, Arthurs Creek
- Gibson Hall, 575 Kangaroo Ground-St Andrews Road, Pantom Hill c1924 (HO96).



Figure 20. Christmas Hills Mechanics Institute, 775 – 787 Ridge Road, Christmas Hills rebuilt in 2013 (HO243 Shire of Nillumbik). Source: <https://christmashillshall.org.au/>



Figure 21. St Andrews Hall, 1 Proctor Street, St Andrews built 1925. Source: <https://www.standrewscommunitycentre.org/history-of-st-andrews-hall.html>



Figure 22. Arthurs Creek Mechanics Institute, 906 Arthurs Creek road, Arthurs Creek Source: <https://www.creativespaces.net.au/space/arthur-s-creek-mechanics-institute-inc>



Figure 23. Gibson Hall, 575 Kangaroo Ground-St Andrews Road, Pantom Hill built in c1924 (HO96). Source: <https://commons.wikimedia.org/wiki/File:PantomHillGibsonHall.JPG>

The Christmas Hills Mechanics' Institute and Free Library (HO243) opened in 1877. It was funded partly by public donations and partly by a government grant and was located on a temporary Crown land reserve (Mills & Westbrooke 2017). Destroyed by fire in 1894, the hall was rebuilt on its current site in 1895 and again in 2013. Other than the subject building this is the only hall on the Shire of Nillumbik's Heritage Overlay. Although still in use as a hall this building is not directly comparable to the Plenty Hall as it was rebuilt in 2013.

Fundraising for the Queenstown Mechanics' Institute and Free Library started in 1882 with the building opening in 1883. In 1889 the building was moved to a more central position in the town, as it had been too inaccessible. The institute was reopened in 1899 and was an important part of the community until 1924 when it was destroyed by fire. It was rebuilt in 1925 at its current location and is now known as the St Andrews Hall (Mills & Westbrooke



2017). It is most comparable to the Plenty Hall for its interwar build date and for being of a similar materiality and form.

Tenders for the erection of a mechanics' institute and library at Arthurs Creek were let in 1887 by architect Edgar J Henderson. The Institute was opened in September of that year (Mills & Westbrook 2017). The hall is still in use. Although of a much earlier build date this hall is somewhat comparable to the subject building for its materiality and form and for being in continual use as a community hall.

There is also a small timber hall building adjacent to the St Matthews Church at 575 Kangaroo Ground-St Andrews Road, Panton Hill. Known as Gibson Hall and built in c1924 the building is within the curtilage of HO96 and is comparable to the Plenty Hall having a similar materiality, form and interwar build date. Like the subject building it has also been in continual use as a hall since built.

Compared to the above examples The Plenty Hall is a rare surviving purpose-built community timber hall that has been in continual for 90 years without being destroyed by fire and re-built or significantly altered.

CFA Fire Stations

In the early twentieth century there was little organised firefighting in the Nillumbik area. Bush fire brigades were established throughout Victoria in the aftermath of the Black Sunday 1926 fires. The Panton Hill and Diamond Creek bush fire brigades were both formed in 1927 (Advertiser (Hurstbridge), 16 September 1927:33; 21 December 1928:2). The Eltham town brigade, formed in 1926, often helped in bush firefighting in surrounding areas outside of the town itself. Few buildings relating to firefighting survive from the pre-World War II period. Small towns and settlements have always made varied use of their few public buildings, and this extended to a range of activities concerning fire management. Public meetings to call for the formation of fire brigades were often held in halls after fires. These halls were also used for public meetings held to organise the raising of money for victims of the fires and fundraising concerts and balls were held in the same venues.

In the aftermath of the Black Friday bushfires of 1939 additional fire brigades were established within Nillumbik. The Hurstbridge, Panton Hill and St Andrews bushfire brigades were all formed around 1939 and the Diamond Creek bush fire brigade was formed in November 1940. When the Country Fire Authority (CFA) was established in 1945, volunteer bush fire brigades became the basis of bushfire fighting in Victoria. The CFA soon began to provide new equipment for brigades, including trucks, and corrugated iron sheds to house them.

There are several CFA fire stations in the Shire of Nillumbik. The majority of these Fire Stations appear to have been built after the 1950s, with some more recent station buildings, such as that at Diamond Creek. Fire stations are a utilitarian typology, designed to respond to their function. They are often altered to meet changing demands faced by emergency services.

To date, no fire station building has been included on the Shire of Nillumbik Heritage Overlay. The fire bell, located at the Eltham CFA Fire Station at 909 Main Road, Eltham, has been included as HO129.

The following CFA Fire Stations are comparable to the subject site for their postwar build dates and their utilitarian single storey rectilinear built form where the function of the building as a fire station has dictated their design:



Figure 26. Eltham CFA Fire Station, 909 Main Road, Eltham. (Source: Google maps)



Figure 27. Kangaroo Ground CFA Fire Station, 50 Kangaroo Ground- St Andrews Road, Kangaroo Ground. (Source: Google Maps)



Figure 28. Research CFA Fire Station, 3 Research-Warrandyte Road, Research. (Source: Google Maps)



Figure 29 Diamond Creek CFA Fire Station, 83 Main Hurstbridge Road, Diamond Creek. (Source: Google Maps)

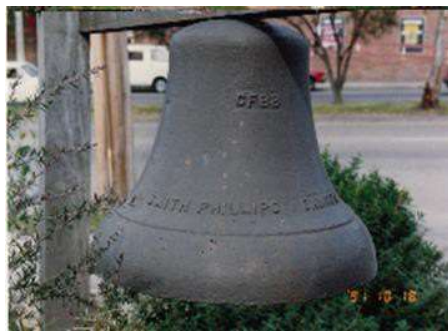


Figure 30. Eltham CFA Fire Station (left) and bell (right). (Source: Hermes)

Country Fire Authority fire stations have been included on Heritage Overlays outside the Shire of Nillumbik. However, these building tend to be of an earlier construction date, pre World-War II, and are not directly comparable.

The Plenty Fire Station is distinguished from the Nillumbik example above by its inclusion within a civic precinct that forms the centre of the town of Plenty. The building's location on a prominent corner within this precinct setting highlights the importance of fire service in towns in the Shire of Nillumbik.

Catastrophic events like the 2009 Black Saturday bushfires form the basis of a strong and enduring collective memory for those in the area. The Plenty Fire Station would have played a pivotal role in protecting the township during that time. Further, the nearby proximity of the Plenty Hall is important, due to the known community connections between public halls and fire stations in times of crisis in the Shire. The volunteer nature of the organisation also provides a close tie to the local community.



Conclusion

As a collection of buildings on a site that has been in Council ownership since 1929, the Plenty Hall, Plenty CFA Fire Station and relocated former Plenty Methodist (later Uniting) Church are significant for the tangible evidence they provide of the early settlement and growth of the township of Plenty. This is reinforced by the site close proximity to Plenty High School site (HO213) at 17 Howell Road and the Plenty War Memorial Gates (HO249) at 109-115B Yan Yean Road. In this way the group of buildings is comparable to a number of other early groups of buildings in the Shire that form civic precincts. These include those at Kangaroo Ground which includes the Presbyterian Church (HO46), State School (HO47) and General Store and Post Office (HO48), those at Panton Hill which include the St Matthews Church and Memorial Cross (HO96), Panton Hill Primary School and Maud Rattray Memorial Bell (HO97) and the Panton Hill Primary School residence (HO98) and those at St Andrews which include a shop and residence (HO18), St Andrews Hotel (HO19), St Andrews State School (HO20) and St Andrews Anglican Church (HO21).

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Taken together, the buildings on the site demonstrate a strong and clear connection to important themes in the history of the Shire. These include the story of living with natural processes, particularly fire, in the municipality (the former fire station and bell). The church and hall relate strongly to the theme of building community life, particularly maintaining spiritual life (the former church) and establishing meeting places (the hall).

The informal bush character that is distinguished by its natural topography, unstructured plantings of indigenous trees and unpaved, gravelled surfaces with no kerbing, also contributes to the setting of the place, evoking the original settings of the buildings that have been moved.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The Plenty Hall is of representative (architectural) significance. It is a largely intact, highly representative example of a utilitarian timber community hall built in the interwar period. It is characterised by its simple rectangular plan with corrugated iron gable roof and double hung timber sash windows and double door openings. Of note are the unusually detailed chamfered timber slated eaves. Similarly, the former Methodist (later Uniting) Church building is a largely intact, highly representative example of a country interwar timber church. It is characterised by its simple rectangular plan with a steeply pitched galvanised corrugated iron gable roof with exposed rafter ends and four cylindrical roof vents, pointed



window openings and projecting front vestibule. These features are characteristic of the interwar Carpenter Gothic style.

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).

The Plenty Heritage Park has a long and continuing associations with the local Plenty community, and specific local groups within the broader community, including the CFA, Plenty Cricket Club, Plenty Girl Guides and Plenty Historical Society. The site as a whole has played an ongoing role in the social life of the local Plenty community since 1931, when the hall opened.

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is significant?

The Plenty Heritage Park at 2-6 Memorial Drive, Plenty, comprising the Plenty Hall (1930-31) and former Plenty Methodist (later Uniting) Church (1924, relocated to this site 2018) and its natural bush setting, is significant.

Elements that contribute to the significance of the place include:

- the Plenty Hall building (1930-31);
- the former Plenty Methodist (later Uniting) Church (1924);
- the cast iron fire bell;
- the time capsule;
- the informal natural bush landscape of the site which includes its natural topography, indigenous trees and plantings and gravelled surfaces with no hard paving or kerbing.
- the ongoing social use of the site for local community activities.
- The Plenty CFA Fire Station building, and the additions made to the Plenty Hall in 2010 and to the former Plenty Methodist (later Uniting) Church in 2020 are not significant.

How is it significant?

The Plenty Heritage Park at 2-6 Memorial Drive, Plenty, is of local historical, representative and social significance to the Shire of Nillumbik.

Why is it significant?

The Plenty Heritage Park is historically significant as a parcel of land purchased by the Council in 1929 for the purpose of being reserved for public use by the local community. This resulted in the construction of community facilities on the site that forms the centre of the town of Plenty. The relocation of the former Methodist (later Uniting) Church in 2018 reinforces this historical significance of the site, continuing and expanding its use for community purposes. The informal bush character with its natural topography, unstructured plantings of indigenous trees and unpaved, gravelled surfaces with no kerbing evokes the original settings of the buildings that have been moved. (Criterion A)

The Plenty Hall is of local historical significance. The Plenty Progress Association held a series of fund raisers through the 1920s to build a hall on the site which culminated in the Association asking Council that the building inspector prepare plans for the hall in November 1930. Within a few years the hall was already proving too small, and extensions have been undertaken intermittently. This reflects its integral role in providing a central hub for local community activities. It continues to be used for its original purpose. (Criterion A)

The former Methodist (later Uniting) church is historically significant for its long association with religious gatherings and activities in the Plenty farming area since its construction in 1924. It is one of a group of much-valued civic structures in the immediate area. Although no longer used as a church, the building continues to be used for community purposes. (Criterion A)

In line with the intention of the site being used for community facilities, the Plenty CFA initially built a tin shed on the site in the 1960s, replacing it with the current building in 1970 (additions 1979 & 1994). The long-time association of the fire service with the civic precinct setting highlights the importance of fire services to towns in the Shire of Nillumbik. The building has also been used for various other civic and community functions. These include functions connected to local sporting clubs, serving as a polling booth, as well as providing a meeting place for the Plenty Historical Society. As a marker of the site's significance to the local community a cast iron fire bell was relocated to the site in 1984-85 and a time



capsule placed under it to commemorate Victoria's one hundred and fiftieth anniversary. (Criterion A)

The fire bell is historically significant as a relatively rare surviving example of a cast iron fire bell and because it has played an important part in the community life of Plenty, warning of local fires since the 1940s (Criterion A)

The Plenty Hall is of representative (architectural) significance. It is a largely intact, highly representative example of a utilitarian timber community hall built in the interwar period. It is characterised by its simple rectangular plan with corrugated iron gable roof and double hung timber sash windows and double door openings. Of note are the unusually detailed chamfered timber slated eaves. (Criterion D)

The former Methodist (later Uniting) Church building is of representative (architectural) significance. It is a largely intact, highly representative example of a country interwar timber church. It is characterised by its simple rectangular plan with a steeply pitched galvanised corrugated iron gable roof with exposed rafter ends and four cylindrical roof vents, pointed window openings and projecting front vestibule. These features are characteristic of the interwar Carpenter Gothic style. (Criterion D)

The Plenty Heritage Park is of local social significance for its long and continuing associations with the local Plenty community, and specific local groups within the broader community, including the CFA, Plenty Cricket Club, Plenty Girl Guides and Plenty Historical Society. The site as a whole has played an ongoing role in the social life of the local Plenty community since 1931, when the hall opened. The hall has served the community for 90 years for various functions and activities, including dances, concerts and meeting for local groups. Local CFA volunteers have used the site as their home base since the 1960s. The site continues to be used exclusively for civic purposes including as a polling both for local, state and Federal elections. (Criterion G)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	No
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted	Yes



<i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Samantha Westbrooke Pty Ltd, Context Pty Ltd



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Title: Kangaroo Ground War Memorial Park

Identified by: Peter Mills and Samantha Westbrooke

Updated and Prepared by: Trethowan Architecture

Address: 385 Eltham-Yarra Glen Road, Kangaroo Ground

Name: Kangaroo Ground War Memorial Park	Survey Date: 22 January 2022
Place Type: Memorial Park	Architect: Harold Herbert (designer), Percy Meldrum (Architect)
Grading: Significant	Builder: Mr Rousell
Extent of Overlay: Property Boundaries	Construction Date: 1919- 1926, with later additions



Historical Context

The following history is based on Peter Mills Revised Citation 'HO 49 Memorial Park, Kangaroo Ground' (Final draft 12 October 2020) and Victorian Place (Monash University and University of Queensland, 2015).

The area now known as Kangaroo Ground is part of the lands of the Wurundjeri. There is evidence that the landscape of Kangaroo Ground may have been managed by the Wurundjeri with fire to create productive open ground for animals and plants, which also



favoured hunting. There is unfortunately little written evidence of other aspects of Wurundjeri occupation of Kangaroo Ground.

Dispossession of the Wurundjeri from their lands by pastoralists began in the mid-1830s. Interpolating from the wider history of dispossession in Victoria, it is likely the Wurundjeri were driven from their lands by a number of strategies and impacts. Squatters actively destroyed Aboriginal people's means of livelihood including their houses, encampments and fish traps. Stock trampled and destroyed Aboriginal food plants and waterholes, and game was driven away. Aboriginal people starved and resorted to killing the squatters' stock, which resulted in violent reprisals. The influx of European population in the gold-rushes only accelerated this process, and the 1850s saw a steady decline in the Aboriginal population in the area.

The area, in which the summit later known as Garden Hill was located, was marked by relatively open woodland with good soil. The area was named 'Kangaroo Ground' as it attracted grazing kangaroos. A village was settled in 1842, and a farming community, predominantly of Scottish descent, began to grow following the land selection in the 1850s. Kangaroo Ground had been good for cereal and wheat production, and was dominated by market gardens and orchards. From 1854 to the 1880s, gold mining in the Diamond Creek and Warrandyte areas provided a market for Kangaroo Ground farmers. Notably early landholders and pastoralists in the area included James Donald Bruce, George Kirk and the Alexander Thomson family. In 1851, a school and Presbyterian church were established in the area and in 1864 a hotel opened. By the 1880s, the Garden Hill summit had become a well-known feature on tours of the district. In 1892, the Kangaroo Ground Fire Brigade was formed and remains a significant community focus until this day (Herald Sun, 22 March 2017). In 1921, a War Memorial Park was created at 385 Eltham Yarra Glen road.

The area remained a predominantly rural and agricultural area up to the 1970s.

History

Summary History of the Memorial Park
Prepared by Dr Peter Mills June 2020

The land prior to establishment of the Memorial Park

The area now known as Kangaroo Ground is part of the lands of the Wurundjeri. There is evidence that the landscape of Kangaroo Ground may have been managed by the Wurundjeri with fire to create productive open ground for animals and plants, which also favoured hunting. There is unfortunately little written evidence of other aspects of Wurundjeri occupation of Kangaroo Ground.

Dispossession of the Wurundjeri from their lands by pastoralists began in the mid-1830s. Interpolating from the wider history of dispossession in Victoria, it is likely the Wurundjeri were driven from their lands by a number of strategies and impacts. Squatters actively destroyed Aboriginal people's means of livelihood including their houses, encampments and fish traps. Stock trampled and destroyed Aboriginal food plants and waterholes, and game was driven away. Aboriginal people starved and resorted to killing the squatters' stock, which resulted in violent reprisals. The influx of European population in the gold-rushes only accelerated this process, and the 1850s saw a steady decline in the Aboriginal population in the area.

The Kangaroo Ground run, in which the summit later known as Garden Hill was located, was held by James Donald Bruce from 1840, and by Brown and Draper from 1844-49. Brown and Draper had a fenced-off cultivation area on the ridge 600m to the north of the



summit. This part of the Parish of Nillumbik was surveyed in the late 1840s, and at the Crown land sales that followed soon after Allotment 4 Section 2, on which the summit of Garden Hill was located, was purchased by investor George Kirk. Kirk's land was leased by Scottish immigrants Jane and Alexander Thomson and family. Allotment 3 Section 2, just to the east of the summit of Garden Hill, was purchased by Andrew Harkness in 1848.

The open woodland of Kangaroo Ground around Garden Hill was progressively cleared and cultivated. The southern half of Allotment 4, which had been acquired by the Thomsons, was purchased by James and Jane (Stevenson) Mess in 1891. The summit of Garden Hill soon gained a wide reputation as a lookout and picnic area with expansive views in all directions. The Eltham-Yarra Glen Road followed the surveyed government road reserve on the south side Allotments 4 and 3, passing conveniently close to the summit. By the 1880s the Garden Hill summit had become a well-known feature on tours of the district.

Establishing the Memorial Park

After James Mess died in 1901 the property known as 'Garden Hill' was farmed by his sons. Towards the end of World War 1 Eltham Shire councillors began to consider creation of a memorial park with a monument at Garden Hill. Two acres at the southeast corner of Allotment 4 was purchased from the Mess brothers in 1919 and the land was ploughed and cleared of rocks. Planting of ornamental trees including rows of Cypresses on the four boundaries began in 1920. A small block of land to the east was donated by Frances (Harkness) White to create an entrance road, which was soon marked by a timber archway and gate. The Shire of Eltham Memorial Park was opened in September 1921.

In 1922 a delegation of members of the Panton Hill Returned Sailors and Soldiers Imperial League of Australia attended an Eltham Shire Council meeting and suggested that a memorial to fallen soldiers from the district should be built in the park, taking the form of a cairn of local stone crowned with a monument. The Council allocated £250 to the project, a War Memorial Committee was appointed, and fundraising events followed. The Anzac Day memorial service held in the Memorial Park in 1923 was attended by 1000, starting with a procession of school children and a band from the Shire Hall (then in Kangaroo Ground) to Garden Hill.

A rounded cairn of field stone with a flagstaff above was in place by 1924. That year the Eltham Shire Memorial League was formed to plan and raise funds for a more substantial memorial. A design competition was held with entries invited from Melbourne monumental masons and technical schools, but the resulting proposals were considered too polished, when a more rustic effect was desired. A competition entry design for a 70ft lookout tower in local stone by the shire engineer was chosen.

Local resident Basil Hall recalled in 1963 that at a gathering at his house, presumably soon after the competition, artist Harold Herbert had sketched up a design inspired by watch towers built on the Scottish-English border from the 1450s and ca1600. Architect Percy Meldrum then volunteered to produce architectural drawings. By early 1925 the League had approved Meldrum's drawings for a 50ft tower, and this was reduced to 40ft because of cost constraints. The Shire arranged for sandstone to be brought to the tower site from a quarry on the nearby farm of Dr Ethel and Professor William Osborne. Builder Mr Rousell used cast-concrete quoins and dressings with the local stone as rubble veneer in between. The main structure of the tower was in reinforced concrete.

1500 people attended the opening of the tower on Armistice Day 1926. School children from Eltham, Panton Hill, Hurstbridge, Kangaroo Ground, Research, and Queenstown formed a guard of honour for the Governor General and Lady Stonehaven as they



approached the tower and unveiled the temporary honour board painted on the panels on either side of the doorway. A pair of captured German field guns were arranged on either side of the tower in ca1929 but were mysteriously taken away during World War II.

Interwar and World War 2 history of the Memorial Park

With the rise of motor travel, the lookout tower became a very popular stopping point on day tours from Melbourne. A series of returned-soldier caretakers were employed to look after the site, with a one-room caretaker's cottage built in ca1927 from the same local rubble stone as the tower. In September 1930 a "handsome" bronze tablet costing over £100 and bearing the names of the fallen was erected on the tower above arch of the doorway. Returned soldier and ex prize-fighter William 'Tiny' Carroll was the most conspicuous of the early caretakers, living at the tower from c1934 to ca1938 and providing vivid interpretation for visitors.

Four cast iron direction plates were fitted to the lookout balustrades in 1931. The timber doors in the entrance were replaced with wrought iron gates in ca1936. The inside of the tower was painted white in ca1938 in an effort to improve the lighting of the stairs. The park and tower were considered somewhat neglected by 1939, and extensions to the caretaker's cottage to allow a married couple were considered. When the tower was rededicated by the Governor Sir Dallas Brooks in 1951, with new plaques for the names of the fallen in World War II, a new fibro house had been built for the caretakers.

Post World War 2 history of the Memorial Park

The potential of the tower for fire spotting was first canvassed in 1939, but the first spotter started in 1948. In 1966 the need for the addition of a spotter's cabin to the top of the tower was pushed by the Forestry Commission and opposed by the local Returned Services League branches. University of Melbourne architecture professor Brian Lewis and the aging Percy Meldrum advised that a suitable design

would not compromise the tower, and a prefabricated cabin was finally erected by crane in 1974. The Shire of Eltham purchased another block of land to the west in 1973, with the intention of providing better road access to the park.

Another rededication ceremony was held in 2001, with plaques installed to honour the fallen from the Korea, Borneo, Malaya and Vietnam conflicts. In 2008 the Moor-rul viewing platform, which functioned as a lookout for those unable to climb the stairs in the tower, was built on the upper part of the land acquired in 1973. The platform also accommodated interpretation panels. A new fire spotting cabin, this time raised above the original lookout level, was installed in 2010, as well as a new steel spiral staircase inside the tower.

Description & Integrity

The site

The Memorial Park site consists of the original two acre rectangular park at the top of a hill and a piece of land containing the driveway entry at the south east corner, as well as the triangular piece of land to the west of the park and sloping down toward the Kangaroo Ground township, acquired in 1973.

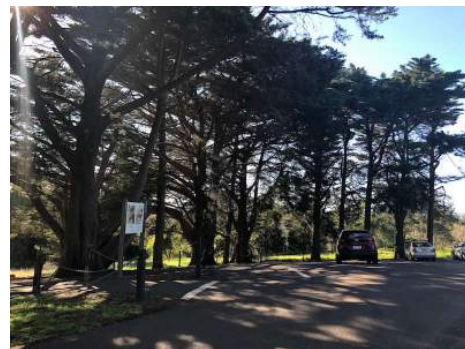
The original area of the Memorial Park is defined by perimeter plantings of Cypress trees on the north, east and south boundaries, dating back to the 1920s. It is thought these trees were planted as a boundary demarcation but also had a memorial association in that they were evergreens. It is acknowledged that these trees are in poor health and will require replacement within 10 years. Planting of replacement trees that retain the landmark



contribution, boundary demarcation and evergreen memorial association would be considered acceptable in retaining the significance of this historical boundary planting.

The War Memorial Tower (opened in 1926) is located at the highest point of the hill with a diagonal pedestrian path leading from the driveway entry to the tower entrance. A small stone clad former caretaker's cottage, built c1927, sits on the northern boundary and the 1951 caretaker's house is located in the north eastern corner and is fenced off from the park with a residential yard around the house.

The driveway is accessed from Eltham-Yarra Glen Road at the south east corner and follows the southern boundary, curving around the south west corner and along the eastern boundary of the original rectangular park to the asphalt car park.



Entrance driveway along southern boundary of the rectangular original rectangular park

North west corner car park of the original park



View towards 2010 toilet building on north boundaryView west towards Moor-rul viewing platform
platform of the original rectangular park

At the top of the later acquired triangular parcel of grassland is the Moor-rul viewing platform, a roofed, steel and timber structure constructed in 2008.

There is a scatter of other memorials on the site including cairns, seats, interpretation panels and a 'Lone Pine' planted in 2005.



Seats and tables were added to the site in 2004 and a toilet building located adjacent to the car park on the central north side of the site was constructed in 2005 and replaced the earlier 1969 toilet block.

Other tree species on the site include five Chusan Palms (*Trachycarpus fortunei*), which were planted in 2001 most likely as replacements of the original (7) Cabbage Palms, a Cedar (*Cedrus deodara*) between the tower and the cottage and two early Sugar Gums (*Eucalyptus cladocalyx*) and a Manna Gum (*Eucalyptus viminalis*) to the west of the tower likely to have been planted in the 1920s.



War Memorial Tower



The tower has a square plan and tapers slightly towards the top. The tower has a concrete plinth and has cast-concrete quoins and dressings with local sandstone, quarried from a nearby site, as rubble veneer in between. The main structure of the tower is reinforced concrete. A rendered string-course runs around the tower below the springing line of the arch. Reinforced concrete ring beams are located at the levels of the landings inside the tower. The internal walls still show the lines of formwork for the reinforced concrete structure.

The tower is 16 metres high with an arched entry facing east and a large bronze tablet above the doorway listing 79 names of men from the Shire who died in World War One and 28 from World War Two. Two bronze plaques with wreaths for the Korea, Borneo Malaya and Vietnam conflicts were installed in the panels on either side of the doorway of the tower in 2001. Because of the 2009 bushfires, the current firespotting cabin at the top of the tower was installed in 2010 and replaced the previous 1974 fire spotter's cabin, which was a prefabricated structure hoisted onto the top of the tower and that involved the removal of the original stone structure around the rooftop exit door. The old ladders inside the tower were replaced in 2010 with a steel spiral staircase.

A square-shaped area of earth/ grass immediately around the tower base was originally implied and differentiated from the rest of the park by rubble edging (visible in photographs of the tower in the 1930s). The square-shaped area around the tower base was formalised in 1994 by leveling the area and defining it with a low stone retaining wall (replacing the original rubble edging), and the entry to the tower paved. Rosemary planting has been added along the top of the stone retaining wall.



c.1927 Caretakers Cottage



The single room caretaker's cottage is also random course rubble sandstone facing, over cast concrete walls. The rubble sandstone was most likely left over from construction of the tower. It has a simple gable roof clad in terracotta Marseille tiles, with a single door and window on the front (south) elevation and a chimney on the west end.

1951 Caretaker's Residence



The 1951 caretaker's residence has a t-shaped plan and is constructed of rendered brick walls with intersecting gable roofs clad in corrugated iron and timber framed openings. The residence has four rooms and separate yard bounded by a timber-paling fence.



Comparative Analysis

Other surviving World War 1 Memorials in Nillumbik Shire are as follows:

- Former Memorial Park (HO260), 36 Greys Harps Road Hurstbridge. Created in 1923 on ten acres of land adjacent to the railway, which was purchased from Sharp's orchards. Volunteers built sports ovals and a picnic area.
- Eltham War Memorial Cenotaph (HO126), 903–907 Main Road, Eltham. A granite obelisk erected in a prominent position at the corner of Main Road and Bridge Street in 1919, which was moved to the front of the Eltham RSL building in the 1950s, and to a new Main Road site in 2012.



Image Source: Google Street View 2022

- Memorial Cross (HO96), 575 Kangaroo Ground-St Andrews Road, Panton Hill. Residents of Panton Hill chose to erect a Memorial Cross in the yard of St Matthews Church of England opposite the Soldiers' Memorial Hall, which was dedicated in 1926.



Image Source: Google Street View 2022

- Diamond Creek War Memorial, Reserve Circuit-Main Hurstbridge Road Diamond Creek. In 1921 the citizens of Diamond Creek erected a red-granite column in Collins Street, Diamond Creek. In 1996 this memorial was relocated to Reserve Circuit and re-dedicated to cover the loss of all lives in conflicts since the Great War.



- Christmas Hills Memorial Park, Eltham-Yarra Glen Road, Christmas Hills. Planted with Oaks and Kurrajongs and equipped with garden seats. A granite tablet memorial was unveiled in the Christmas Hills Memorial Park in 1921.



- Yarrambat War Memorial Park, 448 Ironbark Road, Yarrambat.

Although there were other impressive parks and memorials constructed in the Shire following World War 1, the Memorial Park and War Memorial Tower has more significance to the whole Shire due to its establishment and construction as a whole-of-Shire memorial honouring all of those in the Shire who served and died in the wars rather than just from an individual town or locality within the Shire. In addition, the construction of the War Memorial Tower at the summit of the park as a memorial to those who died was seen as the highlight of the Shire's inter-war memorial building activity. A Shire holiday was declared for the opening of the tower on Armistice Day 1926. It is also distinctive as an all-encompassing memorial site with a park and monument rather than just one of these.

The War Memorial Tower, constructed in 1926, is one of only six War Memorial Towers constructed in Victoria to memorialise World War 1. The Kangaroo Ground Memorial is unusual in its location in a rural rather than town setting and its rustic styling compared to the more formal other examples. Apart from the water tower at Portland, which had the lookout function added at a much later date (1996), the Kangaroo Tower is the only other lookout tower of these examples. The other five memorial towers are shown below:



Ringwood War Memorial Clock tower
1928



Bright War Memorial Clock Tower 1929



Woodend War Memorial Clock Tower 1927



Mildura war memorial clock tower
1921



Portland War Memorial Lookout Tower – the 1930s water tower
was converted to a memorial lookout at 50th anniversary of end of WW 2 - 1996



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

The Memorial Park is historically significant for its role in civic commemoration of all those who enlisted in the wars, from the former Shire of Eltham. The park, established in 1921 following World War One, as the 'Shire of Eltham Memorial Park', intended to serve the whole Shire rather than an individual town or locality. In addition, the construction of the War Memorial Tower at the summit of the park as a memorial to those who died was the highlight of the Shire's inter-war memorial building activity. A Shire holiday was declared for the opening of the tower on Armistice Day 1926.

The Memorial Park and War Memorial Tower are of historical significance for demonstrating the promotion of the idea that the war effort of the young nation proved its right to be on the world stage. The visiting governors and bishops were the symbolic carriers of this knowledge. This nationalistic role was linked in speeches to the view from the lookout of the successfully settled land.

The Memorial Park is of historical significance as a site that has been used as a tourist and picnic destination since at least the 1860s, long before the establishment of the Memorial Park and when the popular summit lookout was known as Garden Hill. This role of the site as a tourist and picnic destination that is further enhanced by the presence of a lookout tower, continues to the present day.

The Memorial Park is of historical significance for its association with the repatriation scheme for returned soldiers who were employed to establish and maintain the grounds as well as employed as caretakers, first living in the Caretaker's Cottage constructed c1927 and later in the larger residence constructed in 1951. The Caretaker's residences also indicate the importance of the park to the Shire indicating that it had to be cared for and demonstrating those early methods of care with an on-site caretaker.

The Memorial Park is of historical significance for its role in the fire history of the area with the use of the tower for fire spotting since 1939 to the present day.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

The War Memorial Tower is of significance as a rare form of a World War One memorial, which more commonly took the form of a stone obelisk located in the centre of a town. There are only five other known War Memorial Lookout Towers in the State. The War Memorial Tower is also unusual for its rustic architectural expression using local rubble stone and minimal ornamentation, which was purposefully chosen for the tower, to reflect the largely rural character of the Shire and to set it apart from the more polished urban manifestations of memorialisation.

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The Memorial Park is of aesthetic significance for its setting on a prominent hill with landmark evergreen plantings (Cypress trees) to the north, south and west boundaries of the original park, other specimen plantings and stone tower at the highest point offering magnificent views of the district. The views to the west of the site through the 1973 purchase of the triangular piece of land, contributes to this setting.

The War Memorial Tower and c.1927 Caretaker's Cottage are of aesthetic significance for their rustic styling and use of random rubble stone quarried locally, reflecting the largely rural character of the former Shire of Eltham.

The fire spotter's cabin on the top of this tower installed originally in 1974 and replaced with the current cabin in 2010 detrimentally impacts on this 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).

The Memorial Park is of social significance as a commemorative focus for the Nillumbik community to remember those who fought in the Wars. The primary role of a memorial was to enable commemoration of the enlisted and fallen. In the early years there was great immediacy with the presence of the parents of the fallen at the services.

The Memorial Park is of social significance for its representation of community strength demonstrated by the involvement of locals in its establishment through community committees and leagues, fund raising efforts and continuing community involvement in its care and how it has evolved. This is also demonstrated in the ongoing need to honour, memorialise and tell stories at the site, including the need to acknowledge the previously unacknowledged traditional owners of the land, which saw the construction of the Moor-rul viewing platform in 2008.

The Moor-rul viewing platform also extends the educative role the site has played in teaching children and other visitors, initially about the young nation and ideas of loyalty and duty but also providing stories of the developing nation and its changing values over time.

CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The Memorial Park at 385 Eltham-Yarra Glen Road, Kangaroo Ground including, the original rectangular park, triangular parcel of land acquired in 1973, eastern parcel of land containing the driveway entry, the 1926 War Memorial Tower, c.1927 Caretaker's Cottage, 1951 Caretaker's Residence, diagonal path to the tower, Cypress trees to the north, west and south boundaries of the original rectangular park, Cedar (*Cedrus deodara*) between the tower and the cottage and two early Sugar Gums (*Eucalyptus cladocalyx*) and Manna Gum (*Eucalyptus viminalis*) to the west of the tower.

How is it significant?

The Memorial Park at 385 Eltham-Yarra Glen Road, Kangaroo Ground is rare, and historically, aesthetically and socially significant to Nillumbik Shire.

Why is it significant?

The Memorial Park, established in 1921 as the Shire of Eltham Memorial Park, is historically significant for its role in civic commemoration of all those who enlisted in the wars, from the former Shire of Eltham and was intended to serve the whole Shire rather than an individual town or locality. In addition, the construction of the War Memorial Tower opened on Armistice Day 1926 at the summit of the park as a memorial to those who died was the highlight of the Shire's inter-war memorial building activity to commemorate the fallen. The Memorial Park is of historical significance for its association with the repatriation scheme for returned soldiers who were employed to establish and maintain the grounds as well as employed as caretakers, first living in the Caretaker's Cottage constructed c.1927 and later in the larger residence constructed in 1951. The Caretaker's residences also indicate the importance of the park to the Shire indicating that it had to be cared for and demonstrating those early methods of care with an on-site caretaker. (Criterion A)

The Memorial Park is also of historical significance as a site that has been used as a tourist and picnic destination since at least the 1860s, long before the establishment of the Memorial Park and when the popular summit lookout was known as Garden Hill. This role of the site as a tourist and picnic destination that is further enhanced by the presence of a lookout tower, continues to the present day (Criterion A).

The Memorial Park is of historical significance for its role in the fire history of the area with the use of the tower for fire spotting since 1939 to the present day. (Criterion A)

The War Memorial Tower is of significance as a rare form of a World War One memorial, which more commonly took the form of a stone obelisk located in the centre of a town. There are only five other known War Memorial Lookout Towers in the State and this is the only one in the Shire of Nillumbik. The War Memorial Tower is also unusual for its rustic architectural expression using local rubble stone and minimal ornamentation, which was purposefully chosen for the tower, to reflect the largely rural character of the Shire and to set it apart from the more polished urban manifestations of memorialisation. (Criterion B)

The Memorial Park is of aesthetic significance for its setting on a prominent hill with landmark evergreen plantings (Cypress trees) to the north, south and west boundaries of the original park, other specimen plantings and stone tower at the highest point offering magnificent views of the district. The views to the west of the site through the 1973 purchase of the triangular piece of land, contributes to this setting. The War Memorial



Tower and c.1927 Caretaker's Cottage are of aesthetic significance for their rustic styling and use of random rubble stone quarried locally, reflecting the largely rural character of the former Shire of Eltham. The fire spotter's cabin on the top of this tower installed originally in 1974 and replaced with the current cabin in 2010 detrimentally impacts on this aesthetic significance. (Criterion E)

The Memorial Park is of social significance as a commemorative focus for the Nillumbik community to remember those who fought in the Wars. The primary role of a memorial was to enable commemoration of the enlisted and fallen. In the early years there was great immediacy with the presence of the parents of the fallen at the services. The Memorial Park is of social significance for its representation of community strength demonstrated by the involvement of locals in its establishment, through community committees and leagues, fund raising efforts and continuing community involvement in its care and how it has evolved. This is also demonstrated in the ongoing need to honour, memorialise and tell stories at the site, including the need to acknowledge the previously unacknowledged traditional owners of the land, which saw the construction of the Moor-rul viewing platform in 2008. (Criterion G)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

The recommended revised (increased) extent for the HO49 Heritage Overlay listing is provided below:



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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes – mature planting including Monterey Cypress, English oak,



	Eucalyptus botryoides, & Livistona australis, 'Lone Pine', chusan Palms (Trachycarpus fortunei), Cedar (Cedrus Deodara), Sugar Gum (Eucalyptus cladocalyx), Manna Gum (Eucalyptus viminalis)
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	Yes – caretaker's cottage
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	Yes
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No



References

Mills, P, 2020, *Revised Citation HO 49 Memorial Park, Kangaroo Ground (final draft, 121 October 2020)*. Samantha Westbrooke Pty Ltd.

Monash University and University of Queensland, 2015, *Victorian Places- Kangaroo Ground*, <https://www.victorianplaces.com.au/kangaroo-ground>, accessed online 07 February 2022.

Shanahan, B. 'Kangaroo Ground CFA brigade celebrates 125 years of keeping the community safe', in *Harald Sun*, <https://www.heraldsun.com.au/leader/north/kangaroo-ground-cfa-brigade-celebrates-125-years-of-keeping-the-community-safe/news-story/91b322614bed015494560af249f71dfe> published 22 March 2017, accessed online at 07 February 2022.



Title: Charnwood, 870 Arthurs Creek Road, Arthurs Creek

Identified by: Trethowan

Prepared by: Trethowan Architecture

Address: 870 Arthurs Creek Road, Arthurs Creek

Name: Charnwood	Survey Date: 2022
Place Type: Orchard Farming	Architect: Unknown
Grading: Individually Significant	Builder: Unknown
Extent of Overlay: To property boundary	Construction Date: From c.1863 – c.1900



View of Charnwood from rear of Arthurs Creek Mechanics Institute. Source: Samantha Westbrooke, 2015.

Historical Context

The first squatters arrived in the Arthurs Creek area in 1837. The Reid's run 'Hazel Glen', where the original stone and mud house survives, lay on the southwest. The Bears' 'New Leicester' lay on the northwest, the Macfarlane's 'Ard Chattan' lay between Running Creek and Arthurs Creek, and the Smiths 'Glen Ard' lay to the west of Running Creek (Hicks 1988:6). Most of the land west of the Plenty River was sold by the mid-1840s. The land to the east, including the Arthurs Creek area, which was forested and hilly with poor sedimentary soils, was considered 'cattle country' and remained under grazing leases for longer (Hicks 1988:13).

The more open undulating country between the Yan Yean Reservoir and Arthurs Creek/Deep Creek was bought at Crown Land sales in the mid-1860s (PROV, VPRS 16171/P1/6, Linton-2). Under the 1860 Land Act, the remaining grazing leases were revoked. The eastern margin of the Parish of Linton, including the Arthurs Creek locality,



was surveyed in 1856 but remained unsold. Lots 16, 17 and 24 of this survey were the first to be selected in c1861 by C. Vaughan, M. McLaughlin and W. Watson (Department of Crown Lands and Survey, 1856). The remainder of the Arthurs Creek area became the Upper Plenty Farmers' Common (later Whittlesea Common) in 1861. An area to the east of Arthurs Creek was proclaimed as the Arthurs Creek Common in 1871 (Vic Gov Gazette, 26 March 1861, No.48:632; PROV, VPRS 0242/P0, file C90869). Most of the European settlers in the area were orchardists and dairy farmers, the most famous of which were the Ryders and Drapers (PROV, VPRS 16171/P1/6, Linton-2). The homesteads of the 1860s such as those of the Ryders and Murphys were typically slab huts (PROV, VPRS 627/ P1, Unit 235, File No 19301). Butter, eggs and poultry were often the first source of income.

A village began to appear in the early 1870s, with the Primitive Methodist church established in 1873, the school opened in 1876 and the Mechanics' Institute in 1878. The Arthur's Creek Fruitgrowers' Association formed in 1890 and held meetings and competitive exhibitions of fruit at the Mechanics' Institute (Argus, 14 May 1890:6). Daily mail services started in 1889. By 1899 George Murphy had built a post office and store (E&WSA& DCVA, 26 April 1918 :3; Payne 1975:191). The settlement would expand little after this point. In the late 1880s there were 1500 acres under fruit within a three-mile radius of Arthur's Creek. The extension of the railway to Yan Yean in 1889 made transport to market easier and quicker (Argus, 21 October 1889:9).

Poor prices during the Depression compounded the decline, and by the late 1930s all but the largest and most progressive orchards were unprofitable. Orchards were cleared and the land turned over to sheep. Markets for lamb and wool were variable and while the larger farms survived on sheep, the smaller holdings reverted to dairying and pigs. By the 1970s beef cattle were becoming more profitable. Orcharding continued at Glen Ard, which by 1975 was reputedly the largest orchard in southern Victoria (Five Pear Trees, Apted's Glen Ard Orchard, 120997). The township had about 350 residents at the 1996 census (Hunter-Payne, 2008).

History

Charnwood

Charles Draper, his wife Catherine and their children, arrived from Liverpool to Hobson's Bay in April 1853. Charles was a wheelwright and worked at Fulton's Foundry in Melbourne. The family became tenant farmers at the Donaldson's property at Kangaroo Ground (Payne 1975:78). Charles Draper first selected land under the mainstream selection provisions of the Land Act 1862, Sections 21 and 22, acquiring Lots 28A and 28B Parish of Linton. Between 1862 and 1876 the Drapers obtained freehold over their selection, as well as the adjacent Lot 2B Parish of Queenstown (Vic. Dept. Land and Survey 1856 and 1888). The earliest homestead buildings, on the west side of Running Creek near its junction with Deep Creek, probably date to around 1863 at the beginning of their freehold. The first two acres of fruit trees were planted in 1864, with the next planting in 1867 (Payne 1975:90).

The whole property was named 'Charnwood' after the forest in Leicestershire. Charles was said to have brought his first trees from the orchards of Kangaroo Ground (Payne 1975:90). The Drapers were not the first orchardists in the area. Robert Whatmough's orchard on the Plenty River just north of Greensborough was bringing in £700 a year during the gold rushes (EO&S&EBR 28 February 1890:3). It was noted in 1865 that the orchardists of the Plenty River had the best crops of apples and pears. On Diamond Creek, orcharding closely followed gold. Orchards started to replace vines in East Bourke by 1867 (Edwards1979:70).

By 1875 the Drapers had forty acres of orchard and were adding a further two to four acres annually. Dairying was carried on at first to make a living while the trees were growing.



Charles' treatment of trees was unorthodox for the time, as he did not prune during the winter, allowing the trees to "grow as nature pleased". Still, his yields were high, and other local growers followed his example. He also successfully stored apples in "camps" on the ground, surrounded by palings. The orchards ran in strips along the creeks, with occasional areas on the hillsides (*Australasian* 29 June 1889:15). At its peak Charnwood had around 160 acres of orchard. The Drapers took pride in the great number of fruit varieties grown, often with only a few trees of each, and there were over 400 varieties in the Draper's apple orchard alone (*Australasian* 29 June 1889:15).

In the 1890s James Draper's third son James began to take over the running of the orchards from his father. James had been instrumental in the formation of the Arthurs Creek Fruitgrowers' Association in 1890 and continued as an office bearer (*EO&S&EBR* 16 May 189:3 and 28 October 1898:5). He also began to appear as an exhibitor of fruit (*EO&S&EBR* 18 March 1892:2 and 22 February 1895:2). In c1900 James Draper moved a few miles west to the grazing property later known as 'Barton Hill' where he built a new house (*EO&S&EBR* 22 March 1901:2). It appears that James' attention was now focused on his new property, as in 1901 tenders were invited for the lease of a portion of Charnwood orchard (*EO&S&EBR* 19 April 1901:2). In 1903 the 335 acres of Charnwood were subdivided into five lots; four were sold over the next few years, but the homestead lot of 78 acres was retained (*Reporter (Box Hill)* 13 November 1903:7, CT:V2919 F583754 and S&McD 1903).



Figure 1: Subdivision plan of the Charnwood property. The homestead is at Lot 2, not for sale. Source: Sands & McDougall Ltd, 1903, State Library of Victoria.

Charles died in 1909 and after legacies were accounted for the estate was valued at over £14,000 (*EO&BER* 16 November 1906:2, *Bendigo Advertiser* 2 June 1909:7). Probate papers show the 77-acre homestead block included a four-roomed brick house, a four-roomed timber house, stables and other outbuildings (PROV, VPRS 28/P3, 111/626). The sale advertisement shows that the homestead block was divided into seven paddocks with seven acres of orchard, two acres in vines, and seven acres in crop. Improvements



consisted of a weatherboard house of nine rooms (presumably the same house referred to in probate papers, but does not mention the brick house), brick kitchen, two conservatories, stable, and outbuildings (*Argus* 10 July 1909:3).

Titles reveal that James Draper purchased the Charnwood homestead block and the adjoining 23-acre lot in September 1911 (CT:V3277 F655383). Now the only living son, James continued to manage the orchards at Charnwood. A number of orchards in the area were beginning to replace old trees of many varieties with better stock and less variety, as demanded by the market (*Australasian* 3 September 1910:10). James, however, may have put more energy into 'Barton Hill' for in 1913 he was fined for failing to eradicate black spot and codlin moth from his orchard at Charnwood (*EO&EBR* 20 June 1913:3). By 1918 the decline in orcharding throughout the district had largely taken its course.

Maria Pickard (Charles Draper's daughter) remained living in the big house at 'Charnwood', but the farm was no longer active (*E&WSA&DCVA* 26 April 1918:1). When Maria died in 1925 she owned no real estate (*Argus* 25 July 1925:16). It appears that no one lived at Charnwood for a number of years after Maria's death. The remains of the orchards were probably removed during this period. In 1939 James was still managing Charnwood, but by the time he died in 1940 the land was being used for grazing and the Charnwood homestead block featured only "an old disused house and stable out of repair" (*E&WSA* 28 June 1940:2). At James' death Charnwood passed to Thomas Barton Draper and James Chester Draper. By 1960 James Chester Draper of East Brighton was the sole owner (CT:3277 F655383). Arnold Mervyn Draper of 'Barton Hill' acquired the property the following year. After his death in 2004, Henry Chester Draper acquired the property in 2007. The land is now used for grazing.

Charles Draper

Charles Draper, alongside John Ryder, was instrumental in the development of the orcharding industry in the district. Both men selected land on the same day in 1863 and established orchards (TEH 2016:69). Charles' fruit was exhibited at various international exhibitions between 1873 and 1895 including in Sydney, Vienna, Philadelphia, Melbourne and London. At the 1895 Intercolonial Fruit Show in Hobart Draper won a 'champion prize' for the finest collection of apples and gave a lecture on filberts (related to hazelnuts) which he had grown at Charnwood (*Australasian* 2 November 1895:13).

Charles was prominent in a number of organisations pursuing the interests of fruit growers. From the early 1870s Charles displayed fruit at the shows of the Horticultural Society of Victoria and was an office bearer in the society (*Argus*, 8 March 1872:7; 3 May 1872:3 and *South Bourke Standard* 22 March 1872:3). Charles helped to establish, and was the first president of, the Arthurs Creek Fruitgrowers' Association, formed in 1890 (*Argus* 14 May 1890:6) and a member of the Whittlesea Agricultural Society (*Yea Chronicle* 29 April 1909:2).

Charles was active in many other aspects of the community life of the district. He became a magistrate of the central bailiwick in 1878 and a Justice of the Peace in 1885 (*Argus* 16 November 1878:8 and 11 July 1885:10.). He was also a councillor and several times president of the Shire of Whittlesea (*Yea Chronicle* 29 April 1909:2). He was a trustee for both the Mechanics Institute and the Linton (Arthurs Creek) Cemetery (Draper, 2010). Draper, along with other local identities, was instrumental in establishing Doreen's first school, a non-denominational Common School opened in 1867 (TEH 2016:68). And as part of the Arthurs Creek Fruit Growers association which campaigned for a local railway and hoped to establish a cool store in the district (THE 2016:69).



Description & Integrity

The property at 870 Arthurs Creek Road, known as Charnwood, is a large tract of land in a pastoral setting (Figure 2 and Figure 3). Deep Creek, Running Creek and Arthurs Creek run through the property, with the latter forming its eastern boundary. The property is accessed via a driveway from Arthurs Creek Road at the south-west, near the Arthurs Creek Primary School. Built structures are concentrated at the north-west of the site, and include a farmhouse, stables and various outbuildings (Figure 2 and Figure 4). The present-day site boundaries match Lot 2 of the 1903 subdivision (Figure 1).



Figure 2: Aerial view of Charnwood at 870 Arthurs Creek Road (large central property, the built structures are circled) within the local context. Source: Nearmap, image dated February 2022 accessed April 2022.

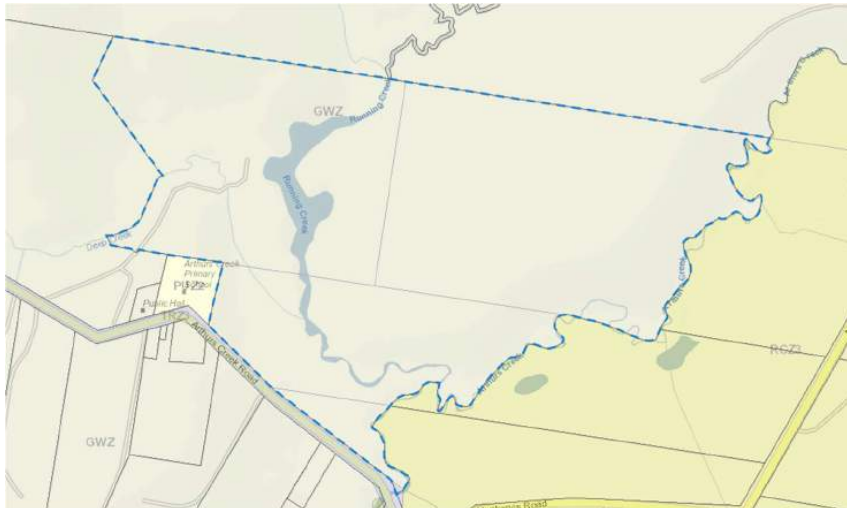


Figure 3: Planning map showing the property boundaries (indicated in blue). Source: VicPlan, accessed April 2022.



Figure 4: Closer view of the built structures at Charnwood, as labelled. Source: Nearmap, image dated February 2022, accessed April 2022.

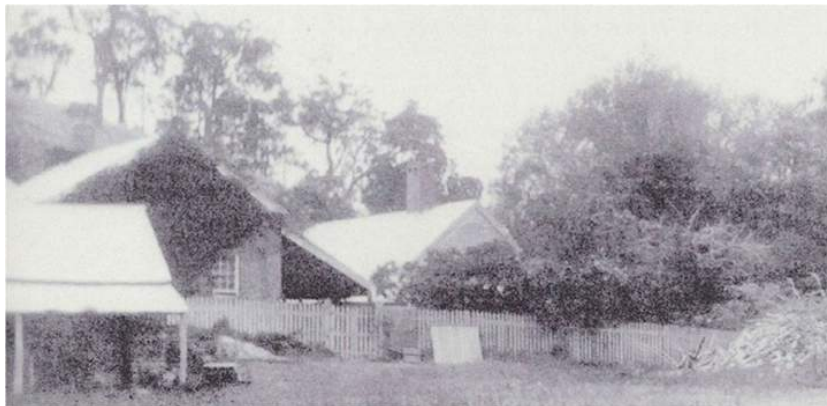


Figure 5: An early photograph of Charnwood c. 1940s (original timber slab house in the bottom left corner). Source: Provided by Charles Draper.

The built structures at Charnwood (Figure 4) include the early brick house with additions, brick stables, which are substantially intact and the ruins of the glasshouses and other outbuildings. The packing shed, which must once have been a hive of industry does not survive and neither does the early timber slab hut, however there may still be evidence of this building, which was in close proximity to the existing brick house (Figure 5). There may be remnants of the original garden surrounding the house.

Both the house and the stable are of soft bricks, which were made on site using clay from a pit at the rear of the stables (B Draper, pers. Comm., 16 June 2015) The house comprised a gabled structure and a half gable, half hip wing. Aerial imagery shows the house now comprises two gabled sections, parallel but offset from each other, and the half gable, half hip wing projecting perpendicular (Figure 6). It is possible that a second gabled wing was added as a later addition to the house. There is also a deck area at the north of the house.

The stables are a simple gable form with three windows and two doors on the front elevation.



There are a few fruit trees, which are remnants of the large orchard, remaining on the creek flats at Charnwood. The site also contains recent sheds and outbuildings.



Figure 6: Closer view of the farmhouse, note the second gabled section at the east. Source: Nearmpa, image dated February 2022, accessed April 2022.



Comparative Analysis

Charnwood at 870 Arthurs Creek Road can be compared with other early farming complexes, particularly orcharding properties, and nineteenth-century brick houses. Orchardring was a dominant industry in the district from the late nineteenth century until the interwar period. Other orcharding properties already on the Heritage Overlay include 830 Cottlesbridge-Strethowen Road, Arthurs Creek (HO29) and 760 Hurstbridge-Arthurs Creek Road, Arthurs Creek (HO89). Both these properties, however, date from the 1920s, after the industry's peak. Charnwood, on the other hand, dates from the beginnings of this industry and demonstrates all phases up to the industry's decline.

Farming Complexes

Ryder's House and Barton Hill Complex, 75 Running Creek Road, Arthurs Creek (HO245) is historically and architecturally significant to Nillumbik for its association with local pioneering family the Drapers, and as an illustration of early twentieth century orcharding.

Barton Hill was established by James Draper, son of Charles, in about 1900. James relocated John Ryder's old slab dwelling there, from Arthurs Creek. John Ryder and Charles Barton were two of the earliest selectors at Arthurs Creek. In 1862 Ryder selected land on the site of the present township of Arthurs Creek and erected his dwelling on the area known as Ryders Flat, near where Arthurs Creek school now stands. Ryders Dwelling has been used as a kitchen and pantry at Barton Hill (Gould, 1991).

Both Charnwood and the Barton Hill complex retain early buildings associated with the original farming practices, and both are associated with the important Draper family. However, Charnwood has a greater connection to both the Draper family and the establishment of the dominant orcharding industry.

Tregowan Farm complex, 310 Doctors Gully Road, Doreen (HO193) is historically significant for its association with the fruit growing industry in Doreen in the 1860s.

The complex comprises three main groups of buildings, a remnant orchard of plum and pear, and mature trees. Outbuildings include timber packing shed, barn and a hayshed. The homestead comprises four buildings, the earliest is a two room house probably built in 1866 from local timber. The kitchen was also a living and sleeping space, and includes two fireplaces. A food storage room is located on the cool south side of the house (Gould, 1991).

Tregowan Farm was established c1866 by Richard Bassett, one of the earliest settlers to Doreen. Both Tregowan Farm and Charnwood are associated with important pioneer families associated with orcharding, and involvement in various civic organisations. Gould notes that both Tregowan Farm and Charnwood were 'at the forefront of orchard development in the late nineteenth century' (Gould, 1991). The properties are comparable in terms of historical and associational significance to Nillumbik.



Figure 7: Aerial view of the buildings at Tregowan Farm. The original kitchen with two chimneys is visible at left of the main house, top of image. Source: Nearmap, image dated February 2022, accessed April 2022.



Figure 8: View of the original kitchen (used as a living space) with its two brick chimneys, dated c2010. Source: realestate.com.au



Thornholme Residence, 180 Doctors Gully Rd, Doreen (HO192) is significant as a Victorian (c1870) and Edwardian-era farm complex associated with the pioneering Creighton family, who have been in the district since the mid-nineteenth century (TEH 2016:68). The complex comprises a variety of weatherboard buildings including a house (extended), stables, cottage and woolshed, with a variety of later outbuildings.

Thornholme and Charwood are comparable as examples of early farming properties that are associated with significant pioneering families. The complex at Thornholme retains several original structures and elements, providing evidence of the variety of structures required for farming. Charnwood retains only the farmhouse and stables.

The Charnwood farmhouse is distinguished as a rare example of a brick farmhouse. The majority of farm structures of this period were of timber, which was a more economical and easily sourced material.



Figure 9: Timber stable complex at Thornholme. Source: Shire of Whittlesea Heritage Study, 1991.

Brick Houses

Brick House, 88 Pitt Street, Eltham (HO155) dates from c1861 house and is historically and aesthetically significant to the Shire of Nillumbik. It is associated with the prominent local builder and bricklayer, George Stebbing, who built it as his own home. Stebbing was also responsible for the construction of some of Eltham's principal township buildings, some of which are also in a Heritage Overlay (HO146, HO459, HO118 and HO154). It is aesthetically significant as a rare surviving example of the modest homes constructed for and by artisans within the early Eltham township. (Bick & Kellaway 1992)

Both houses at Pitt Street and Charnwood are modest, gable-roofed structures reflecting the development of early vernacular construction. Charnwood compares favourably as a rare example of a Victorian-era brick farmhouse, a typology that is more commonly of timber.



Figure 10: Brick house at 88 Pitt Street, Eltham. Source: Bick & Kellaway, 1992.

Vicarage (Dendy House) at St Margaret's Anglican Church, 79-83 Pitt Street, Eltham (HO154) dates from the 1860s and is significant for its association with local builder George Stebbing, and for its connection to the oldest church in the area. The site is also listed on the Victorian Heritage Register (VHR H0459).

The brick farmhouse at Charnwood is a more modest structure, but both dwellings are of simple gable-roofed forms. The Vicarage is distinguished by the use of polychromatic brick and the association with the early church community. The house at Charnwood is unusual as an example of a brick farmhouse.



Figure 11: Brick Vicarage at 79-83 Pitt Street, Eltham. Source: Bick & Kellaway, 1992.



Shillinglaw Cottage, 4 Panther Place Eltham (HO146) dates from c1878-1880 and is historically significant as one of the Shire's oldest buildings, and for its association with pioneers George Stebbing (builder) and Phillip Shillinglaw. The cottage was relocated and reconstructed in the 1960s. The original dark-coloured brick ends and Flemish bond laying pattern remain and are unusual.

Shillinglaw Cottage is distinguished by its fine and unusual brickwork, associated with noted early builder George Stebbing. Both this and the farmhouse at Charnwood are modest, gable-roofed structures, and are very early structures within the Shire. Both are associated with important pioneers and demonstrate different aspects of the Shire's development.



Figure 12: Shillinglaw Cottage. Source: Bick & Kellaway, 1992.



Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).

Charnwood, at 870 Arthurs Creek Road, Arthurs Creek is of historical significance as one of the first settlements in Arthurs Creek, settled as a result of the 1862 Land Act. It is significant for its demonstration of the former prominent orchard industry in the area and in particular for its associations with orchardist Charles Draper. Charnwood represents one of the shire's key historical development periods - the heyday of fruit-growing industry between 1880 and 1910. At its peak in the 1880s, Draper's property was one of Victoria's most important orchard properties with around 160 acres of orchard.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

N/A

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

Charnwood, at 870 Arthurs Creek Road, Arthurs Creek is a representative example of a former nineteenth-century orcharding property. Its representative significance as a surviving early orcharding complex lies in its composition of the 1860s red brick farmhouse and a stables located in a picturesque setting on Arthurs Creek. Both the house and stables are constructed from bricks made on the site using clay from a pit to the rear of the stables. The early and extant buildings are evocative of the pioneering spirit and although diminished, the remnant garden and orchard provide an indication of the expanse and productivity of Draper's orchards in their heyday

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

N/A

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

N/A

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).

N/A



CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the Shire of Nillumbik's history (associative significance).

Charnwood, at 870 Arthurs Creek Road, Arthurs Creek is significant for its association with Charles Draper. Draper was a pioneer orchardist and active in Nillumbik's community through his involvement as the first president of the Arthur's Creek Fruit growers' Association, a fellow of the Royal Horticultural Society, and as a member of the Whittlesea Agricultural Society. Draper, with others, was instrumental in establishing Doreen's first school, a non-denominational Common School opened in 1867. Arthur's Creek Fruit Growers' Association in 1890, which helped campaign for a local railway and established a cool store in the district.



Statement of Significance

What is significant?

Charnwood, 870 Arthurs Creek Road, Arthurs Creek is significant to the Shire of Nillumbik. Significant elements include the original location, form, materials and detailing of the farmhouse and stables dating to c.1865 and added to up to c.1900.

How is it significant?

Charnwood, 870 Arthurs Creek Road, Arthurs Creek of local historic, representative and associative significance to the Shire of Nillumbik.

Why is it significant?

Charnwood, 870 Arthurs Creek Road, Arthurs Creek is of historical significance as one of the first settlements in Arthurs Creek, settled as a result of the 1862 Land Act. It is significant for its demonstration of the former prominent orchard industry in the area and in particular for its associations with orchardist Charles Draper. At its peak in the 1880s, Draper's property was one of Victoria's most important orchard properties with around 160 acres of orchard. (Criterion A)

Charnwood is of representative significance as a surviving early orcharding complex comprising the 1860s red brick farmhouse and a stables located in a picturesque setting on Arthurs Creek. Both the house and stables are constructed from bricks made on the site using clay from a pit to the rear of the stables. The early and extant buildings are evocative of the pioneering spirit and although diminished, the remnant garden and orchard provide an indication of the expanse and productivity of Draper's orchards in their heyday. (Criteria D)

Draper was prominent in a number of organisations pursuing the interests of fruit growers. From the early 1870s Draper displayed fruit at the shows of the Horticultural Society of Victoria, Sydney, Vienna and Philadelphia, and was an office bearer in the Society. Draper was the first president of the Arthur's Creek Fruitgrowers' Association, which was formed in 1890. He was also a fellow of the Royal Horticultural Society and a member of the Whittlesea Agricultural Society. Draper was active and contributed in many aspects of the community life of the district. (Criterion H)



Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Controls <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Remaining orchard trees and garden
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	Yes – stables
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Trethowan

Proposed Extent





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Title: Oak, former Sylvadale homestead 477 Broad Gully Road Diamond Creek

Identified by: Peter Mills and Samantha Westbrooke
Prepared by: Trethowan Architecture

Address: 477 Broad Gully Road Diamond Creek

Name: Oak, former Sylvadale homestead	Survey Date: N/A
Place Type: Tree	Architect: N/A
Grading: Locally Significant	Builder: N/A
Extent of Overlay: Tree Protection Zone	Construction Date: c.1898





The former homestead, much altered, with oak indicated.

Historical Context

Early History of Diamond Creek

Although Crown Land in Nillumbik Parish was offered for sale in 1852 there were few buyers. A government township was reserved on the west of the Diamond Creek at this time but it was neither subdivided nor sold until 1866. In 1863 the Diamond Reef was discovered on land purchased by Dr John Blakemore Phipps in 1854 east of the creek. The rush to Diamond Creek began and soon Phipps was renting sections of his land, which he later subdivided to miners. In effect the development of Phipps land for gold mining was the beginnings of Diamond Creek, which was soon bustling with gold seekers. In 1866 the government proclaimed Diamond Creek as a township. Many of the important community buildings were established by the early 1870s. By the second half of the 1880s the locality was being carved up rapidly into a dominant pattern of numerous small lots of around 20 acres. These were taken up under occupation licenses, first under Section 49 of the *Land Act 1869* and later under Section 65 of the *Land Act 1884*. Diamond Creek's population peaked around the turn of the century then seemed to fall away again in the early twentieth century (Graeme Butler & Associates 1996, p.36).

Site History

477 Broad Gully Road

An 1882 plan of the Greensborough Parish shows the subject site as part of Lot 37 Section A, 128 acres. Milthorpe and Larson Roads are not yet formed ('Greensborough County of Evelyn', J. Folwarczny, 20 March 1882, Department of Lands and Survey Melbourne, SLV map collection). By 1893 the northern part of the lot defined by the formation of Milthorpe Road on the west and Larson Road on the south was divided from west to east into three Section 65 occupation license holdings. These were held by C. Norman, I. (Isabelle) W. Apted and G.J. Apted. They appear to be early Section 65 licenses, with the Apteds having Lands Department file numbers 5 and 7 ('Greensborough, County of Evelyn', T.F. McGauran, 1893, Department of Lands and Survey Melbourne, SLV Map Collection). G.J. Apted's license, which encompassed the subject site, commenced in 1888. By 1893 he was having difficulties paying the rent and this was compounded by damage by the big bushfire, which hit Diamond Creek in 1894. In 1894 G.J. Apted was living at Arthur's Creek



and there was no residence on the land (Thomas Jackson Wadeson File No.5954/42.44, VPRS 5357/P0 Unit 3308).

In 1895 G.J Apted and his wife Isabelle W. Apted applied to transfer their licenses (by this time described as occupying Lots 37c and 37d Section A) to R. Wadeson. The land was fenced but there were no buildings on either lot. The land was reclassified as not auriferous and suitable for selection, and Thomas Jackson Wadeson applied to select the 38 acres under Section 42 of the Land Act 1890 in 1898. It appears that at first Thomas Wadeson leased Lot 37d and his wife Priscilla Wadeson leased Lot 37c (Thomas Jackson Wadeson File No.5954/42.44, VPRS 5357/P0 Unit 3308).

Priscilla Lean and Thomas Jackson Wadeson, both of Diamond Creek, married in 1891, and their child Lancelot was born in Diamond Creek in 1894 (BDM Victoria Events 6851/1891, 19989/1894. The Age, 5 December 1891:5). Priscilla was born in 1872 at Diamond Creek to William John Lean and Mary Ann (Edwards). Thomas Jackson Wadeson's father Thomas and mother Ann (Jackson) had selected Lot 11 Section 22 Parish of Nillumbik, 25 acres, on the northwest edge of the Township of Diamond Creek, and obtained freehold in 1874 (Nillumbik Parish Plan sheet 1). At Thomas Wadeson senior's death in 1891 Thomas Jackson Wadeson's brother Edward Dawson Wadeson inherited Lot 11 Section 22 (Thomas Wadeson will File 47/836, VPRS 7591/P2 Unit 189).

The 1901-2 Heidelberg Shire rate book shows Priscilla on Lot 37c with a house, and Thomas on 37d with no house. Thomas also occupied lot 39b, 19 acres immediately to the south, which he may have purchased (Heidelberg Shire Greensborough Riding rate book 1901-2, VPRS 2870/P0 Unit 14). In 1904 T.J. Wadeson applied for another lease for the consolidated lot of 37c and 37d. The Wadesons had now occupied the block for 6 years and had built a 4- roomed weatherboard house with attached kitchen, as well as stable, chaff house in paling, and hay shed and wagon shed in dab (probably sapling and dab) with iron roof. 11 acres had been cleared and planted with orchard. The remaining 28 acres had been ringbarked and "scrubbed" (Thomas Jackson Wadeson File No.5954/42.44, VPRS 5357/P0 Unit 3308). It thus appears that the oak was most likely planted once the Wadesons occupied the block in c1898 (Thomas Jackson Wadeson File No.5954/42.44, VPRS 5357/P0 Unit 3308).

The Wadesons obtained freehold to the land, now described as Lot 45 Section A, in 1910. The description of the house at this point remains the same as in 1904, and the orchard had increased to 13 acres (Greensborough Parish Plan. Selected under Sections 42 and 44, Lands Dept. File No. 5954). In 1910 Thomas also selected Lot 39, 16 acres just across Broad Gully Road, and he obtained freehold in 1915.

The property was known as 'Sylvadale' by 1914 (Evelyn Observer & Bourke East Record, 6 November 1914:3). By 1919 Thomas had also acquired Lot 39c, 19 acres to the south of Lot 39b (Heidelberg Shire Greensborough Riding rate book 1919-20, VPRS 2870/P0 Unit 179). The homestead was now at the centre of an orchard property of 95 acres, built up out of 5 former Section 65 holdings.

Description & Integrity

The large oak, appearing to be over a century old, stands near to the former homestead. The house contains a substantially altered weatherboard c.1900 residence facing east to Broad Gully Road. There is also a large pine nearby. There are two large outbuildings on either side of the rear drive behind the house and what may be remnant orchard plantings to the north east and south of the residence. The site demonstrates the seizing of opportunity of Section 65 blocks, with the successful accumulation of close to 100 acres over 30 years. The old chimney emerging from surrounding later house indicates old



dwelling was likely incorporated into the new homestead, but it has been extensively redone. The age of the outbuildings is not known, but they do not appear to be original and are utilitarian in design and of predominantly corrugated iron construction.

Comparative Analysis

Comparators are provided for the oak tree, which is the only extant intact heritage item on the site.

The Oak

The Oak canopy spread is approximately 13m radius as measures from Google Earth, which seems comparable with a small group of the largest oaks already included in the Heritage Overlay, and more healthy than others of the scale. This tree is the only one associated with theme of small lot settlement. The tree appears to be around the same age/size as other oaks on the Heritage Overlay. Other comparable oak trees on the HO include:

- The 13m radius is similar to the radius of the oak at 'Trenowin' 83 Lambert Road, Diamond Creek (HO166). The tree is individually listed HO176 and historically associated with Laurey family.
- Wippel's Oak HO99 c1880 Large example but in declining health 14m canopy spread. As per Donaldson's Oak, seed collected in England.
- Donaldson's Oak HO39 c1880 English Oak, of provenance supposedly from acorn collected from Great Windsor Park 1878 by the "pioneer settler" Donaldson and "one of the largest in the shire" (VHD). The radius measured at 11.5m.
- HO241 includes English oaks at the rugby field end of Pitt St Eltham. One tree here appears on Google Earth to have a 14m radius.
- Two English Oaks (3 on citation) are included in HO235 270 Mt Pleasant Rd. These are about 10m radius and are noted as "typical plantings for early farms in the area which now are uncommon at this maturity" (VHD)
- HO171 Mrs Meglin's House and Special School 3 contains oaks only about 8m radius.
- HO102 Pigeon Bank – residence 450 Kangaroo Ground –Warrandyte Rd, Kangaroo Ground Only about 10m radius

Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Planning and Community Development, revised July 2015, modified for the local context.

CRITERION A: Importance to the course or pattern of the Shire of Nillumbik's cultural or natural history (historical significance).



The site is of historical importance for its association with the prominent Wadeson and Apted families who were prominent orchardists. It is of historical importance for its demonstration of the orcharding industry in the area, which was a common source of livelihood around the 1900s in the Shire. The house has been enveloped by new structures, with only the old chimney visible. The age of the outbuildings is not known, but they do not appear to be original and are utilitarian in design and of predominantly corrugated iron construction. For these reasons only the oak is notable as an extant reminder of the former homestead and its historical associations. The size of the oak close to the residence demonstrates the settlement on the land in the late 1890s, and the exotic planting represents the favour at the time given to European species in domestic settings.

CRITERION B: Possession of uncommon, rare or endangered aspects of the Shire of Nillumbik's cultural or natural history (rarity).

CRITERION C: Potential to yield information that will contribute to an understanding of the Shire of Nillumbik's 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).

The oak tree located adjacent to the house is of aesthetic significance for its scale and span and is a landmark demonstrating the early settlement of the area.

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 the Shire of Nillumbik's history (associative significance).



Statement of Significance

What is Significant?

The oak tree at 477 Broad Gully Road, Diamond Creek, is significant.

How is it significant?

The oak tree at 477 Broad Gully Road, Diamond Creek is of local historic and aesthetic significance to the Shire of Nillumbik.

Why is it significant?

The property at 477 Broad Gully Road, Diamond Creek is of local historic significance for its association with prominent families in the Nillumbik Shire - the Wadeson and Apted families and for its association with their occupation of this site at the turn of the twentieth century. The size of the oak close to the residence demonstrates the settlement on the land in the c.1900s. (Criterion A)

The oak tree at 477 Broad Gully Road, Diamond Creek is aesthetically significant for its scale and span and is a landmark demonstrating the early settlement of the area. (Criterion E)

Grading and Recommendations

Recommended for inclusion in the schedule to the Heritage Overlay of the Nillumbik Planning Scheme.

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

External Paint Colours <i>Is a permit required to paint an already painted surface?</i>	No
Internal Alteration Controls <i>Is a permit required for internal alterations?</i>	No
Tree Controls <i>Is a permit required to remove a tree?</i>	Yes – mature Oak tree
Victorian Heritage Register <i>Is the place included on the Victorian Heritage Register?</i>	No
Incorporated Plan <i>Does an Incorporated Plan apply to the site?</i>	No
Outbuildings and fences exemptions <i>Are there outbuildings and fences which are not exempt from notice and review?</i>	No
Prohibited uses may be permitted <i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>	No
Aboriginal Heritage Place <i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i>	No

Identified By

Mills & Westbrooke



References

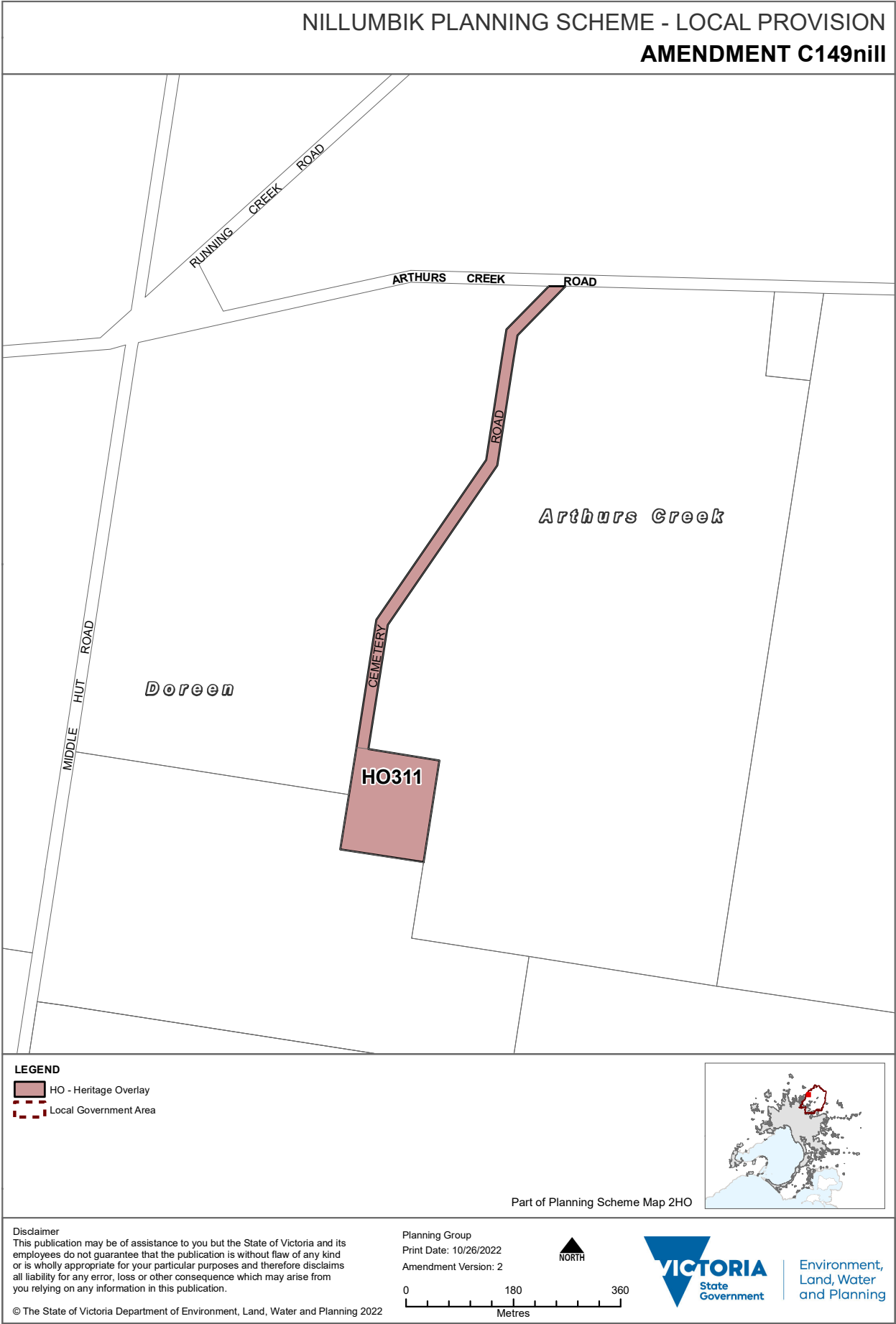
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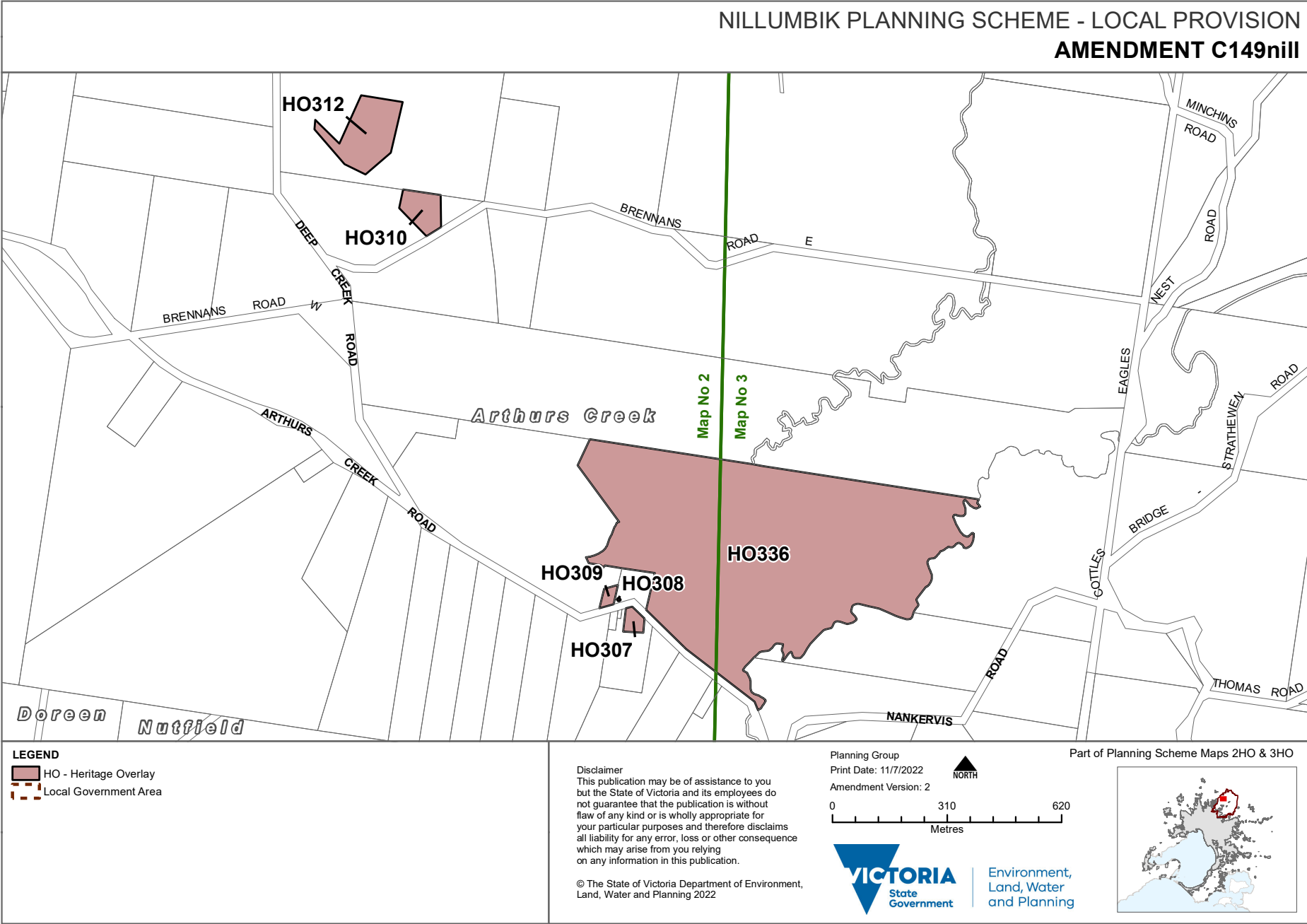
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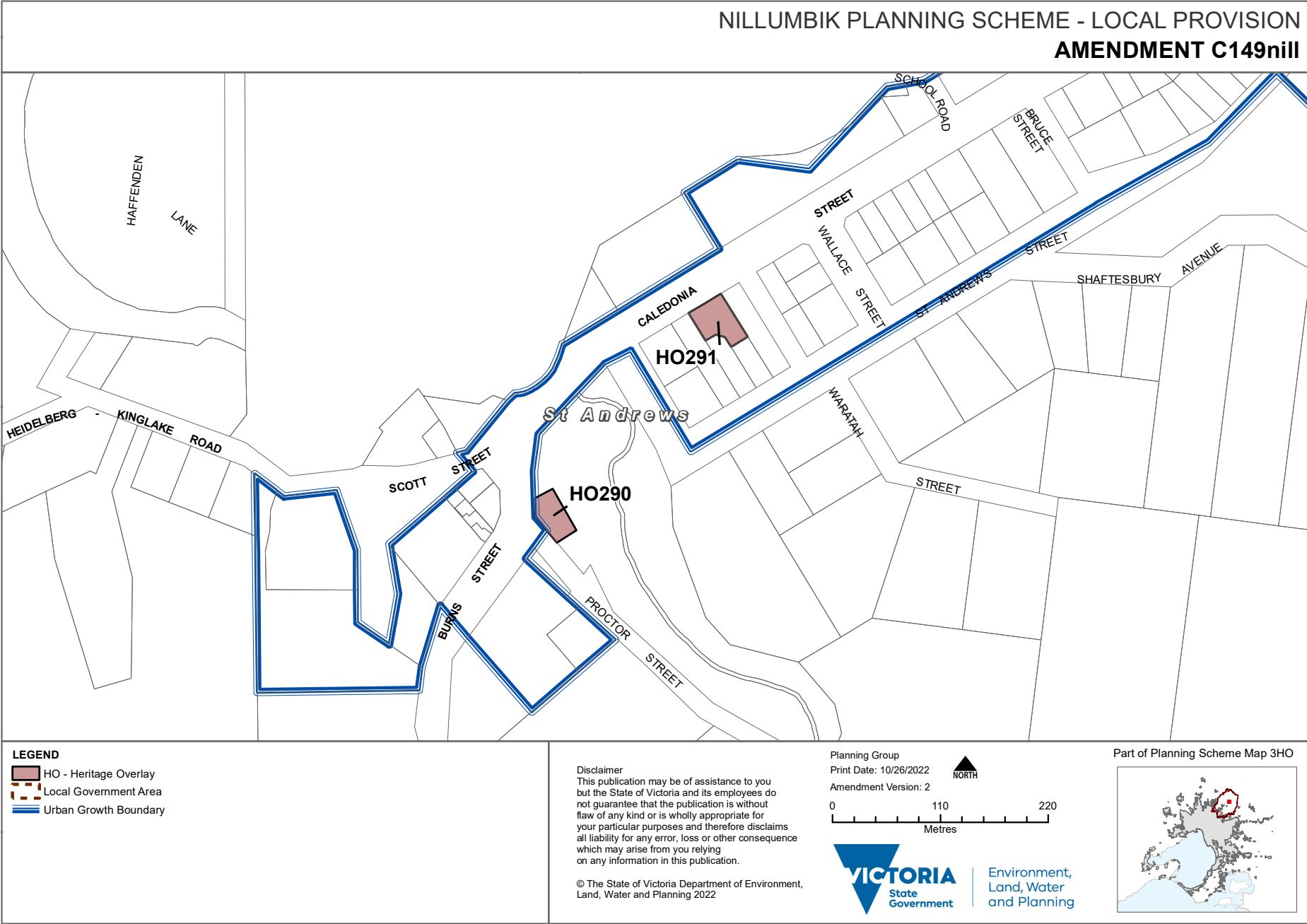
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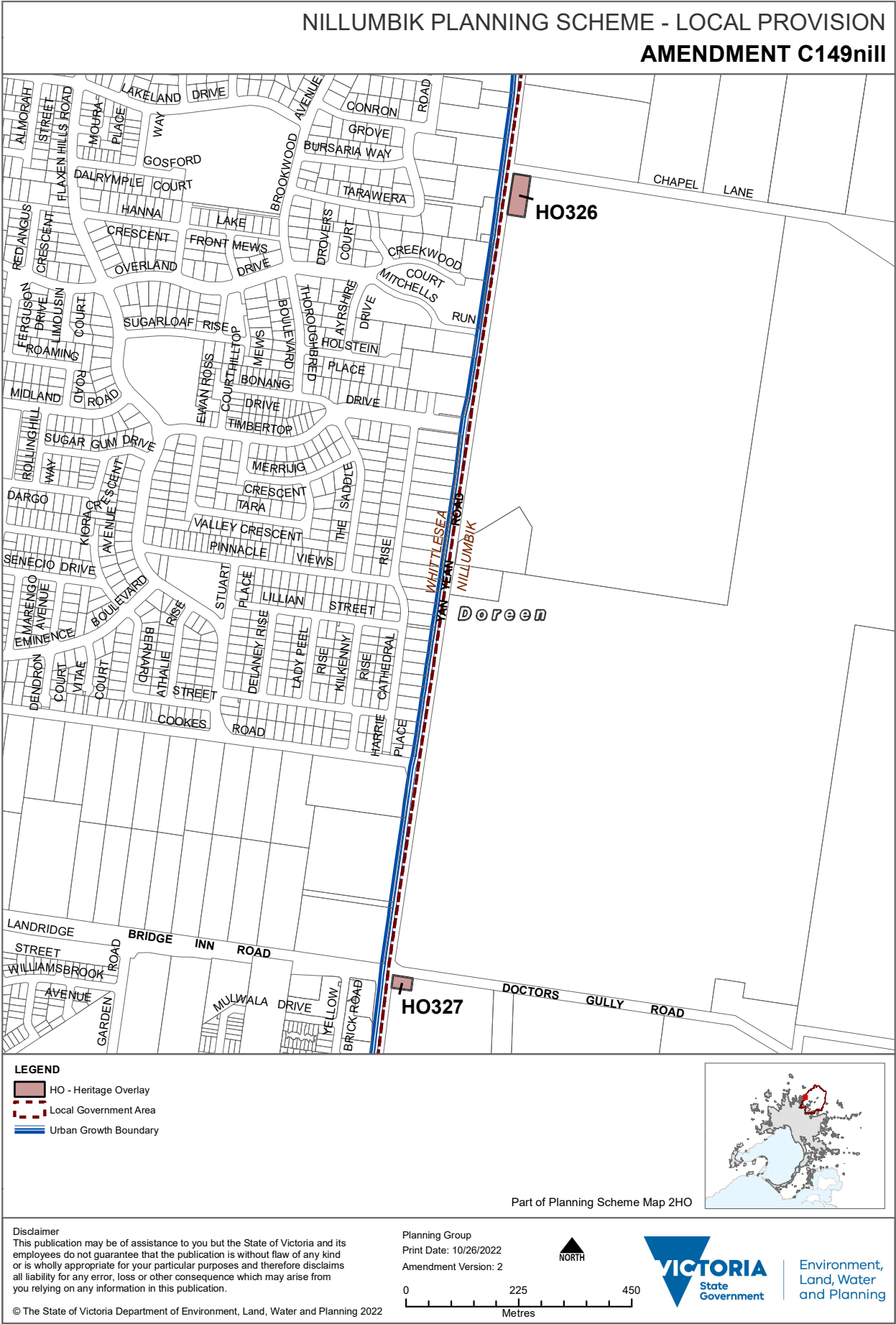
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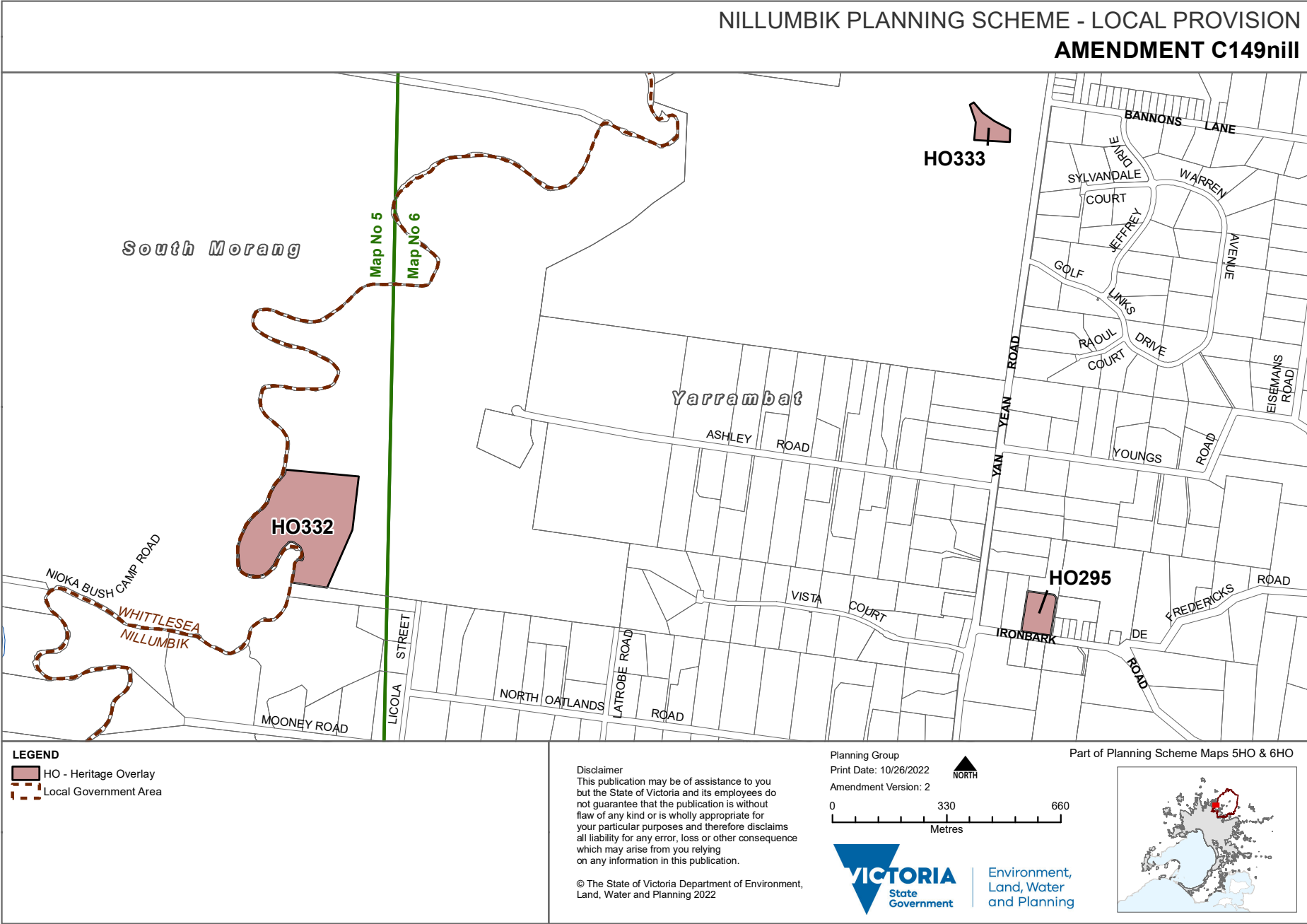
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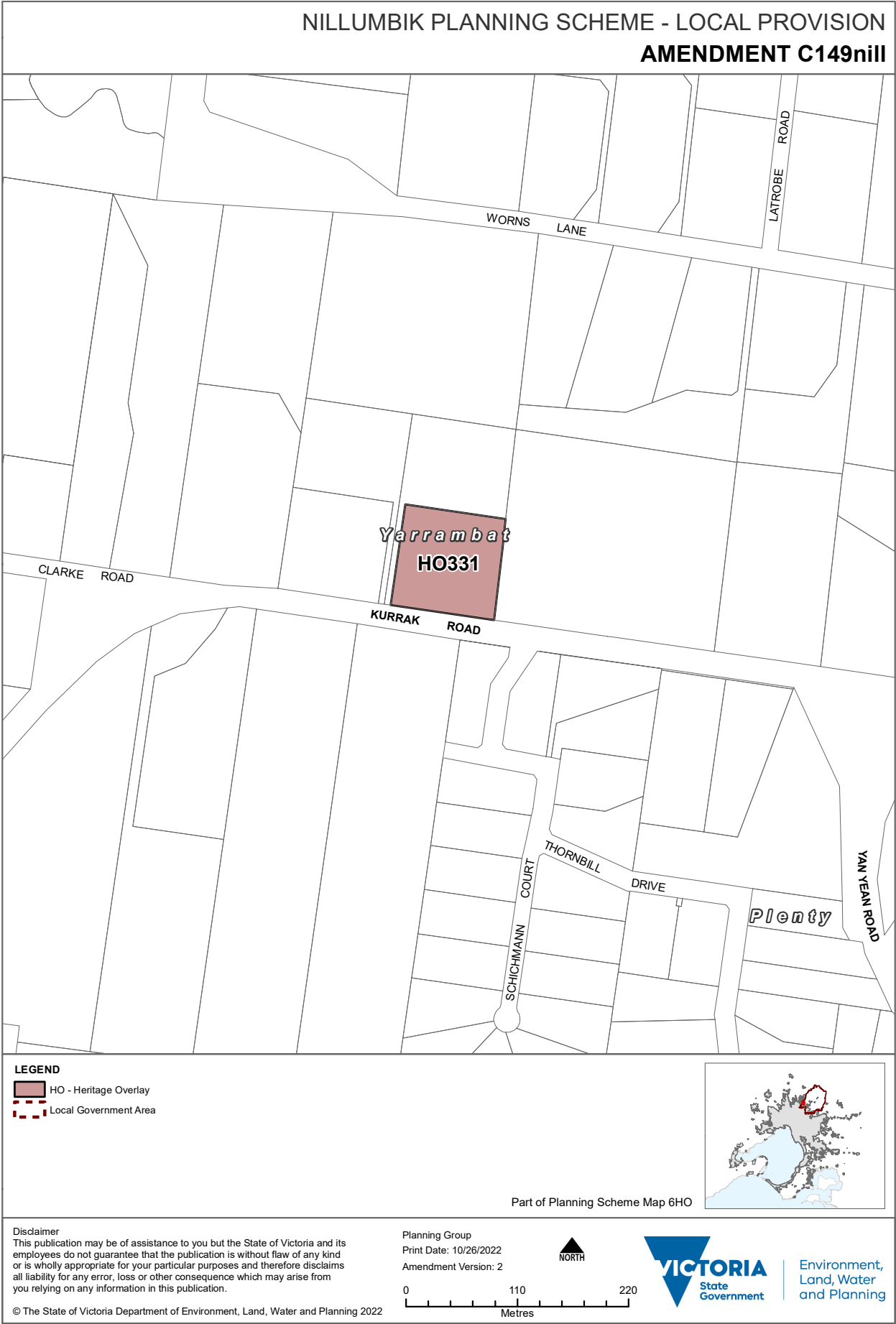


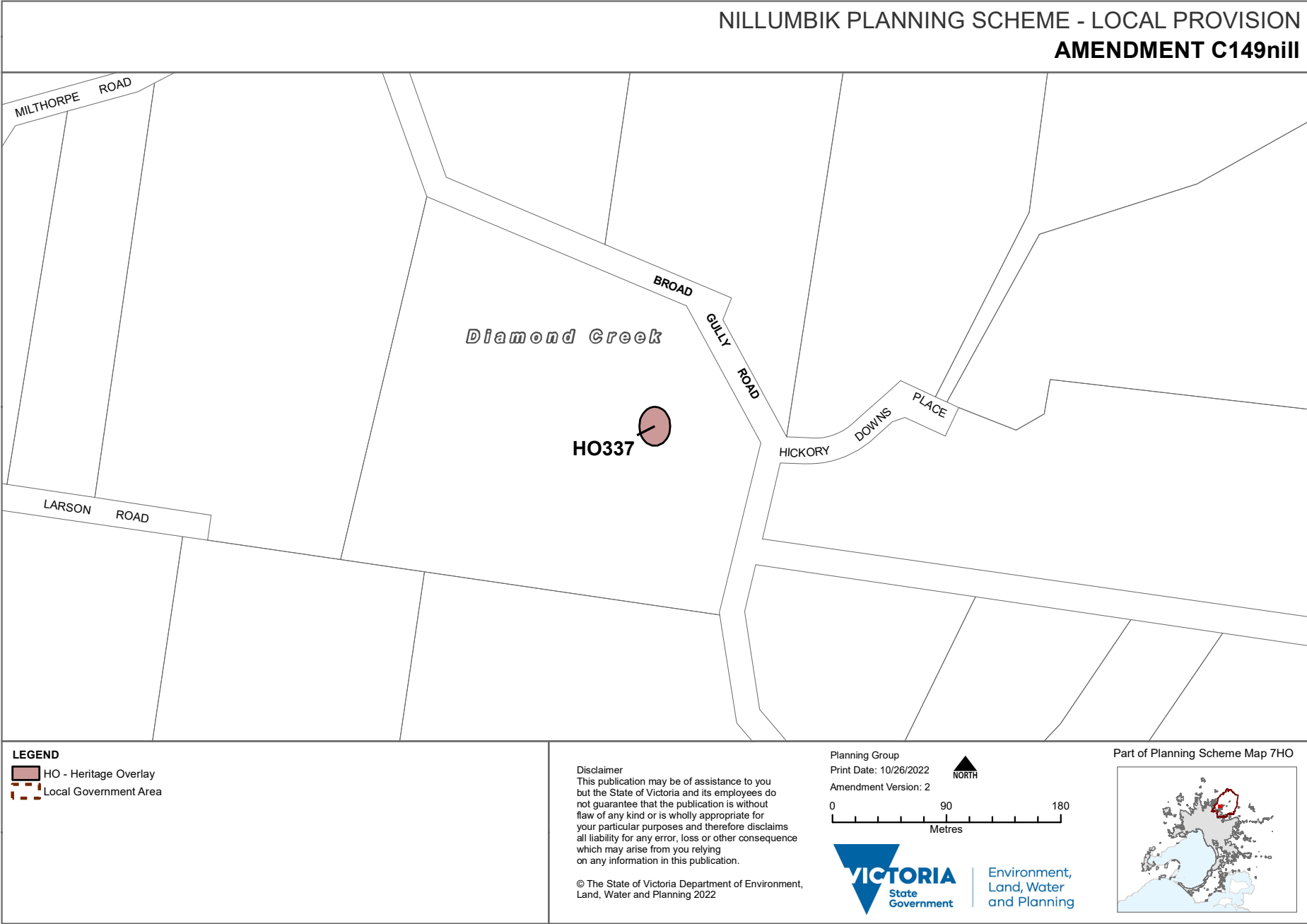


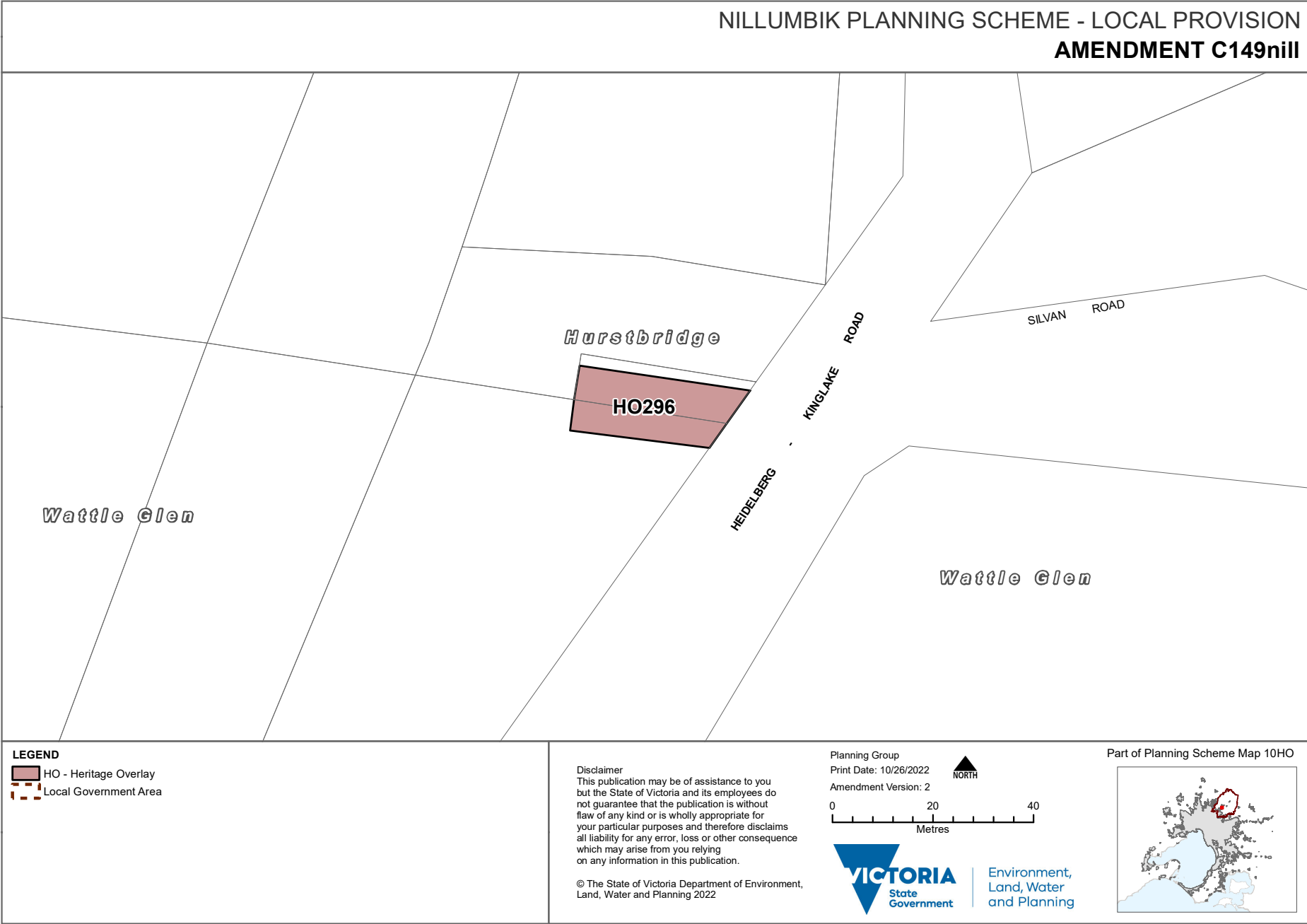


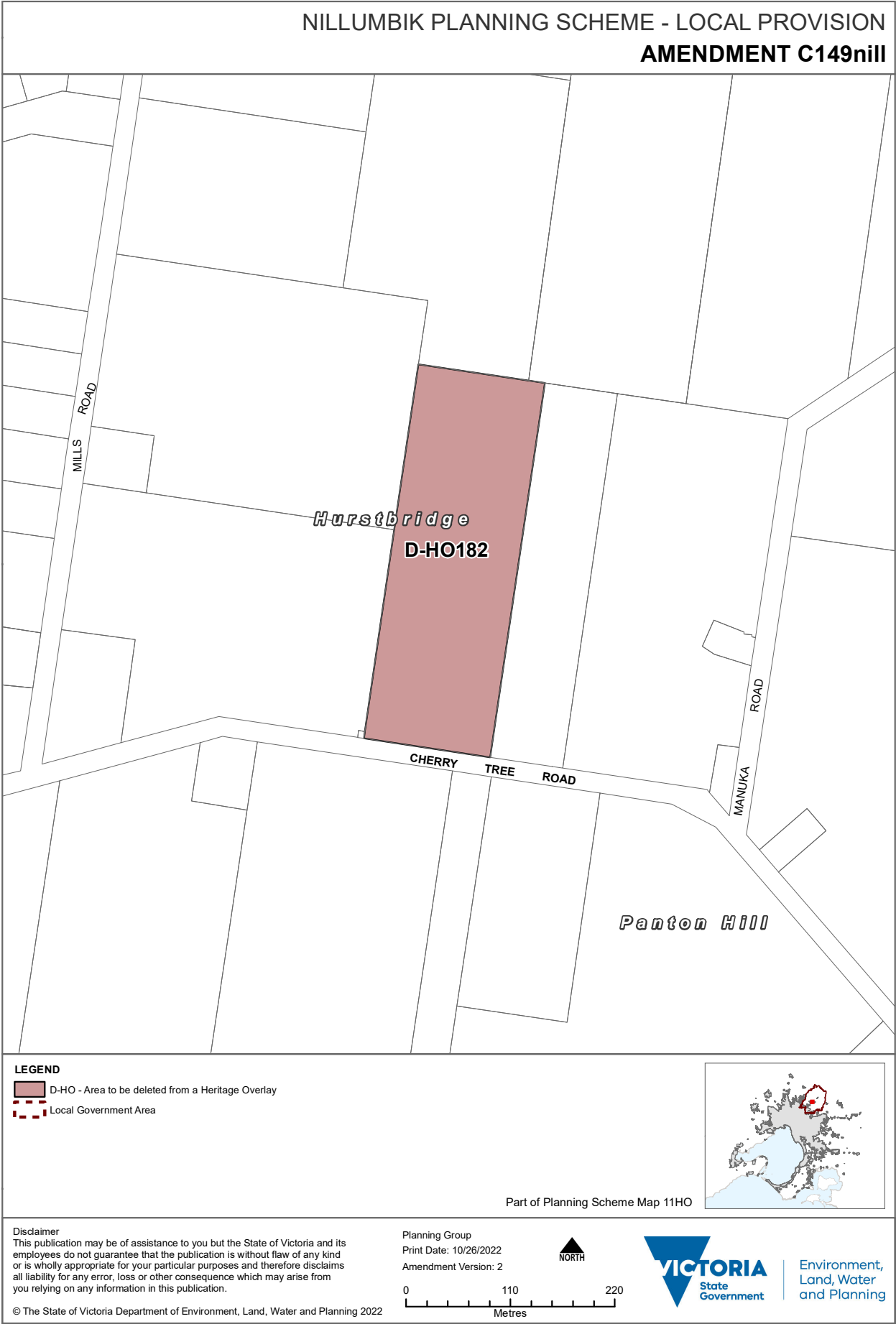


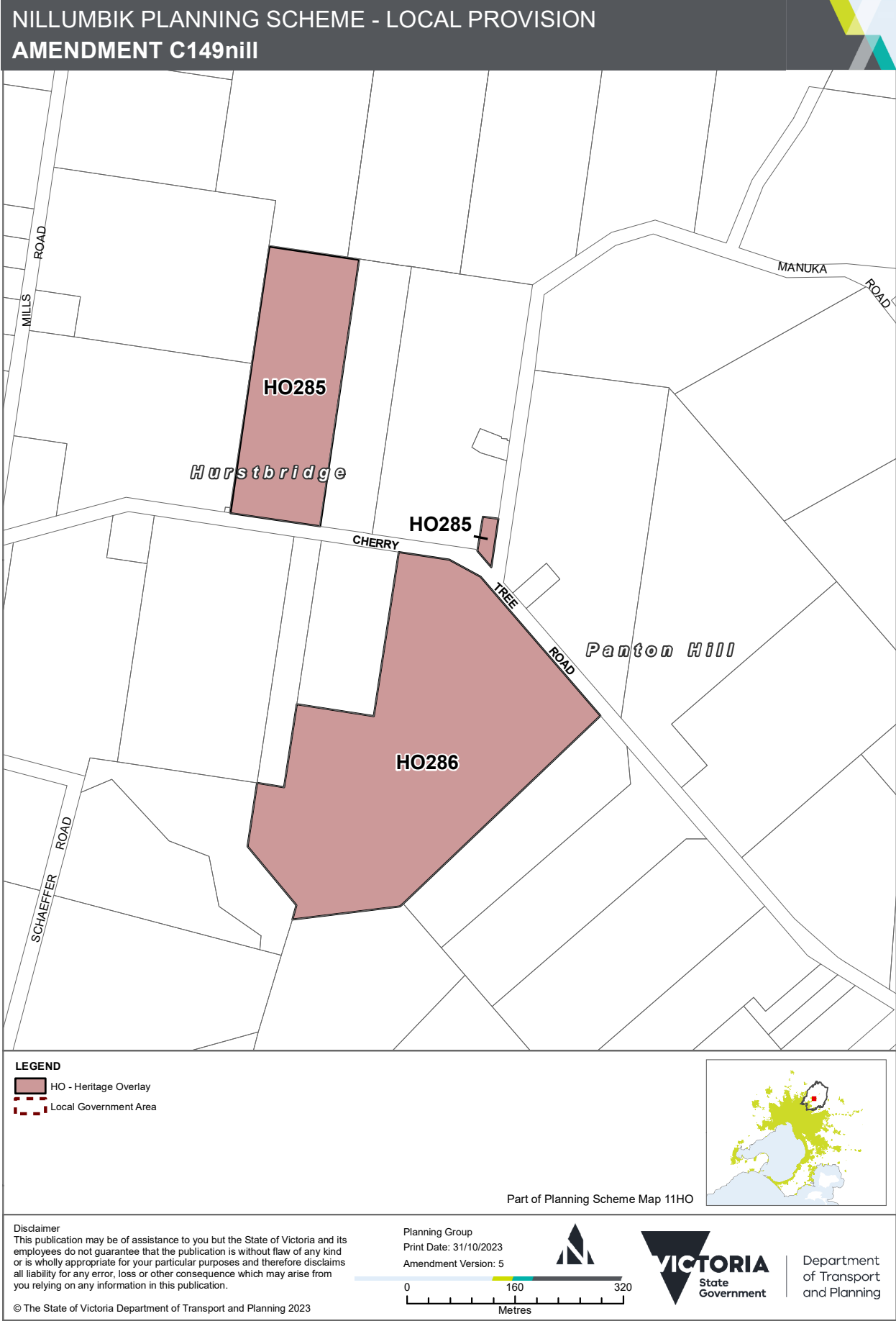


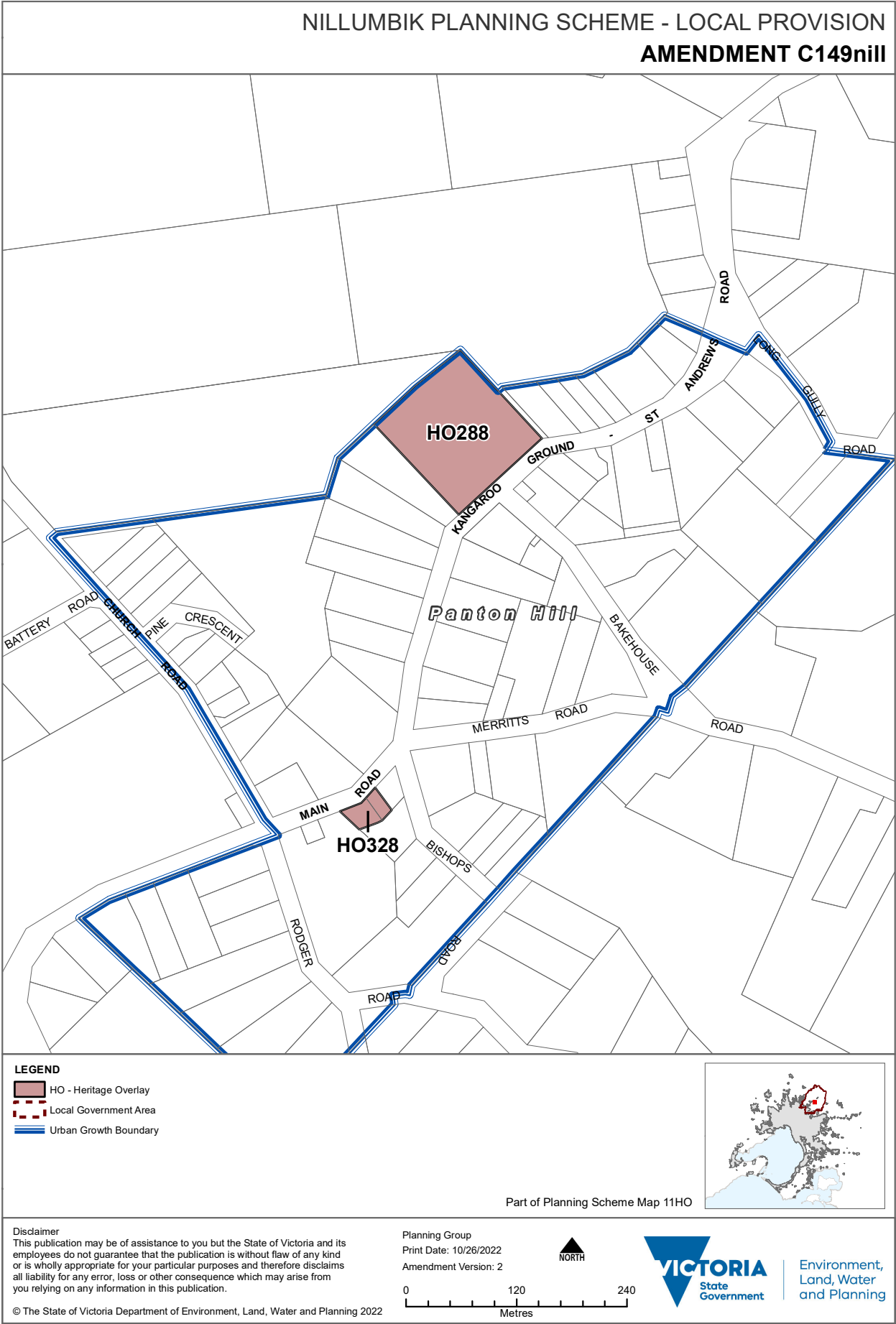


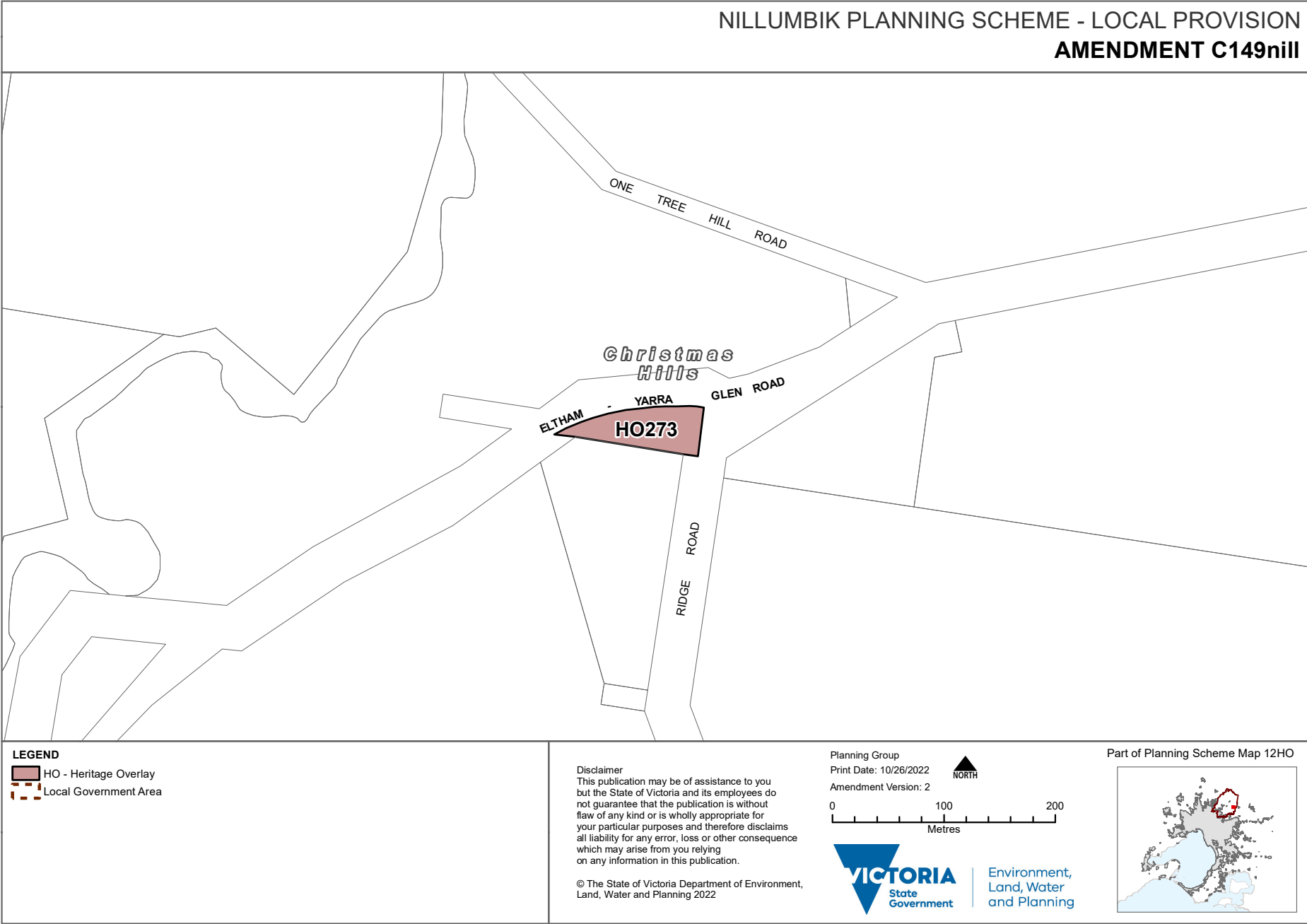


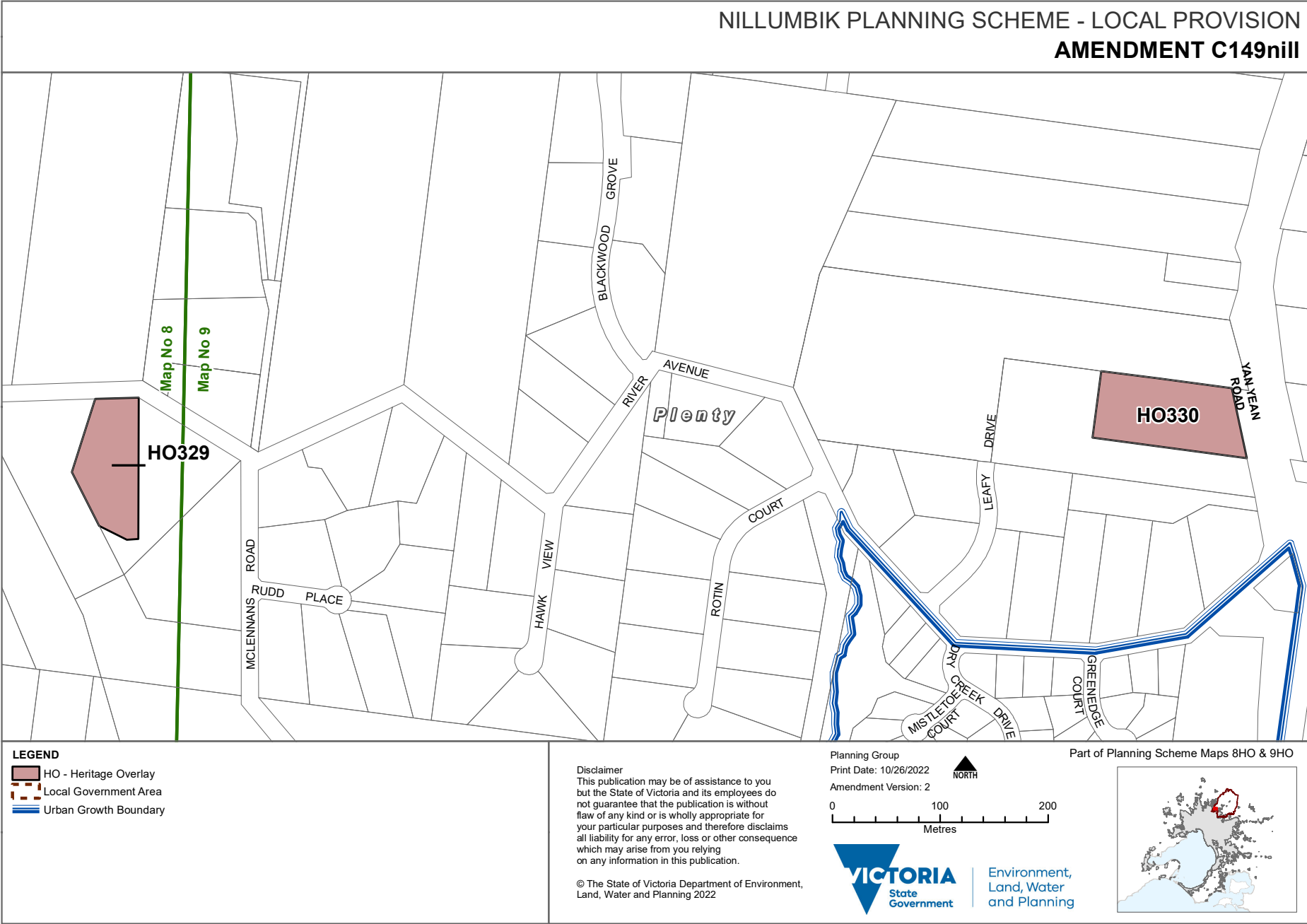


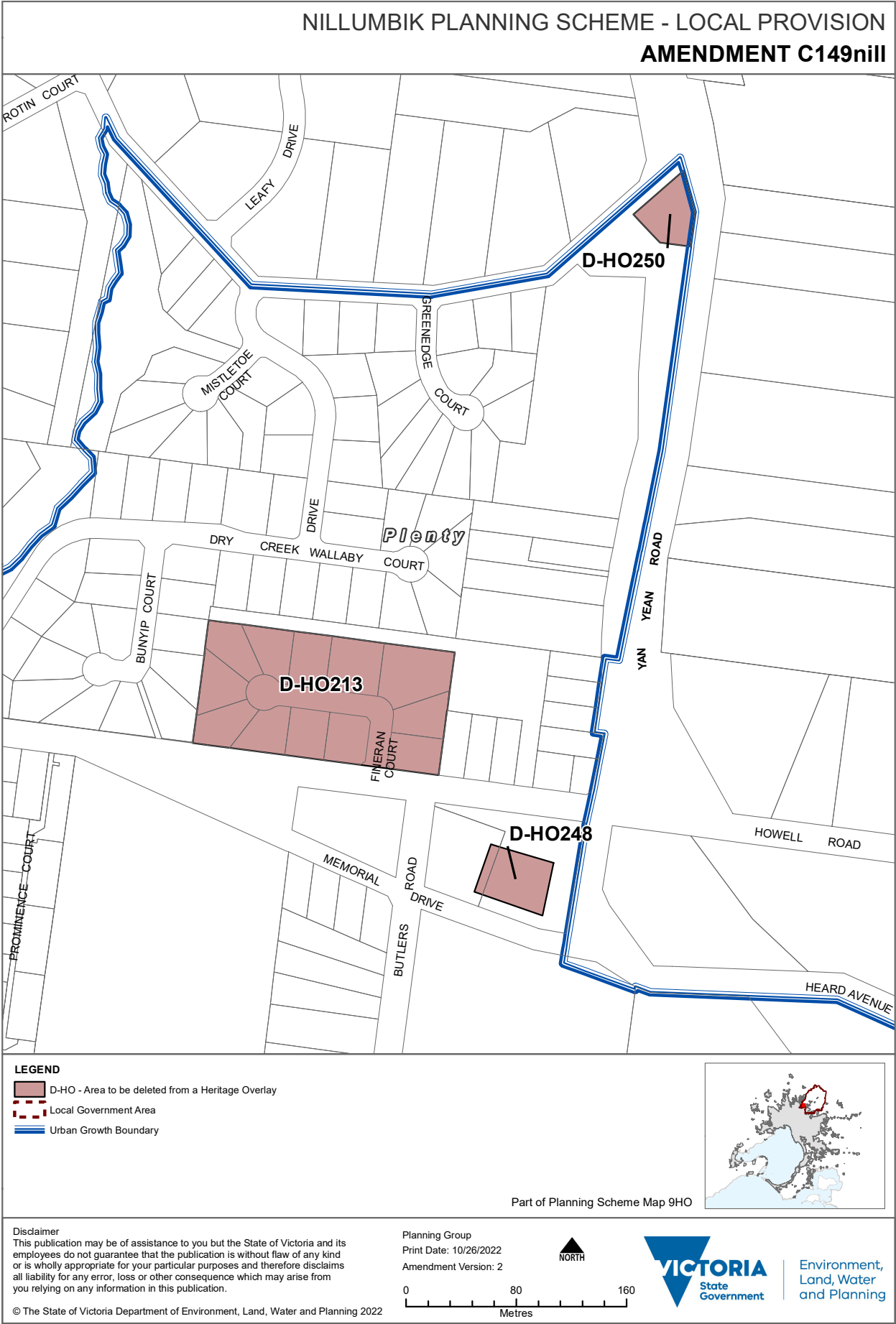


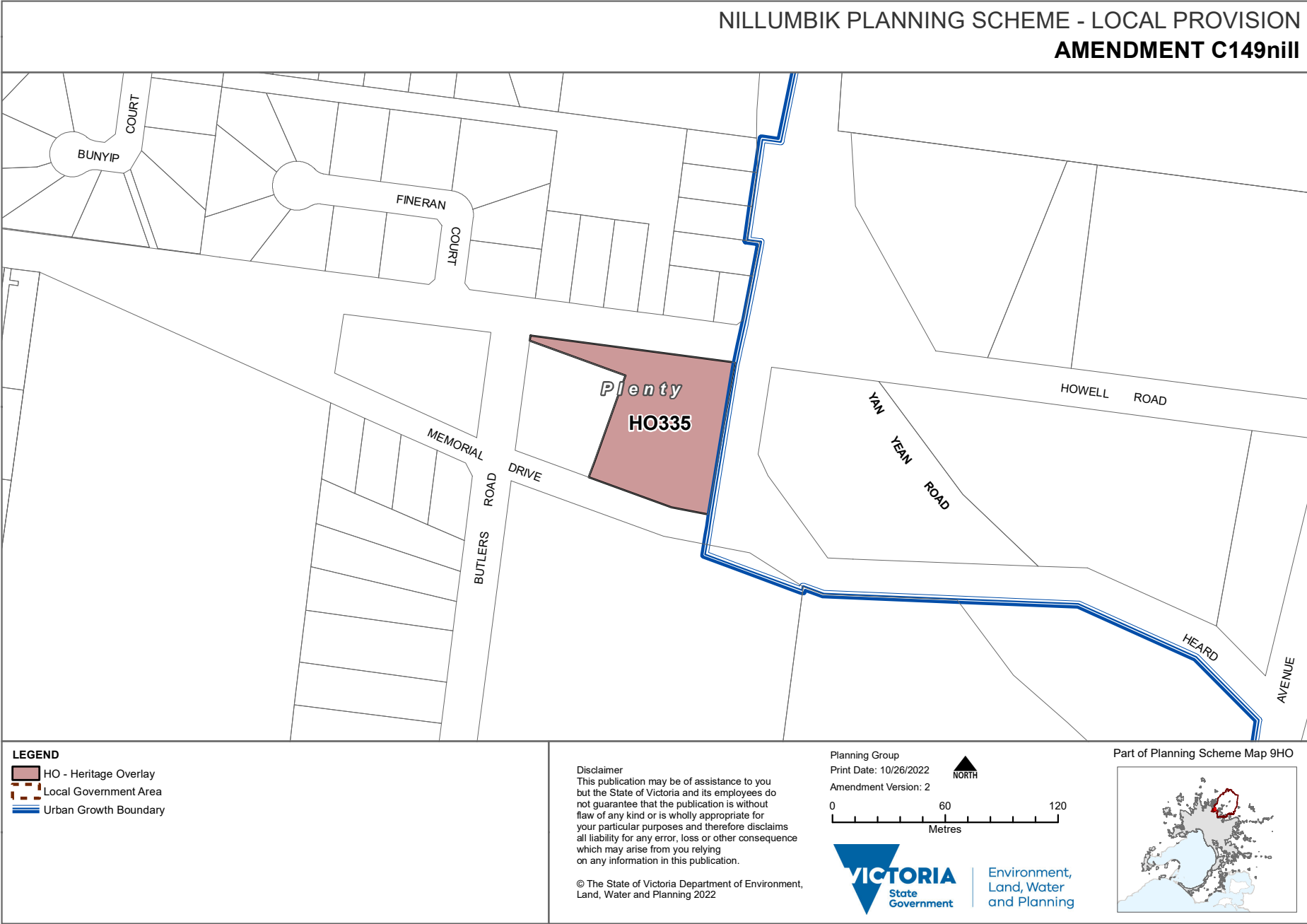


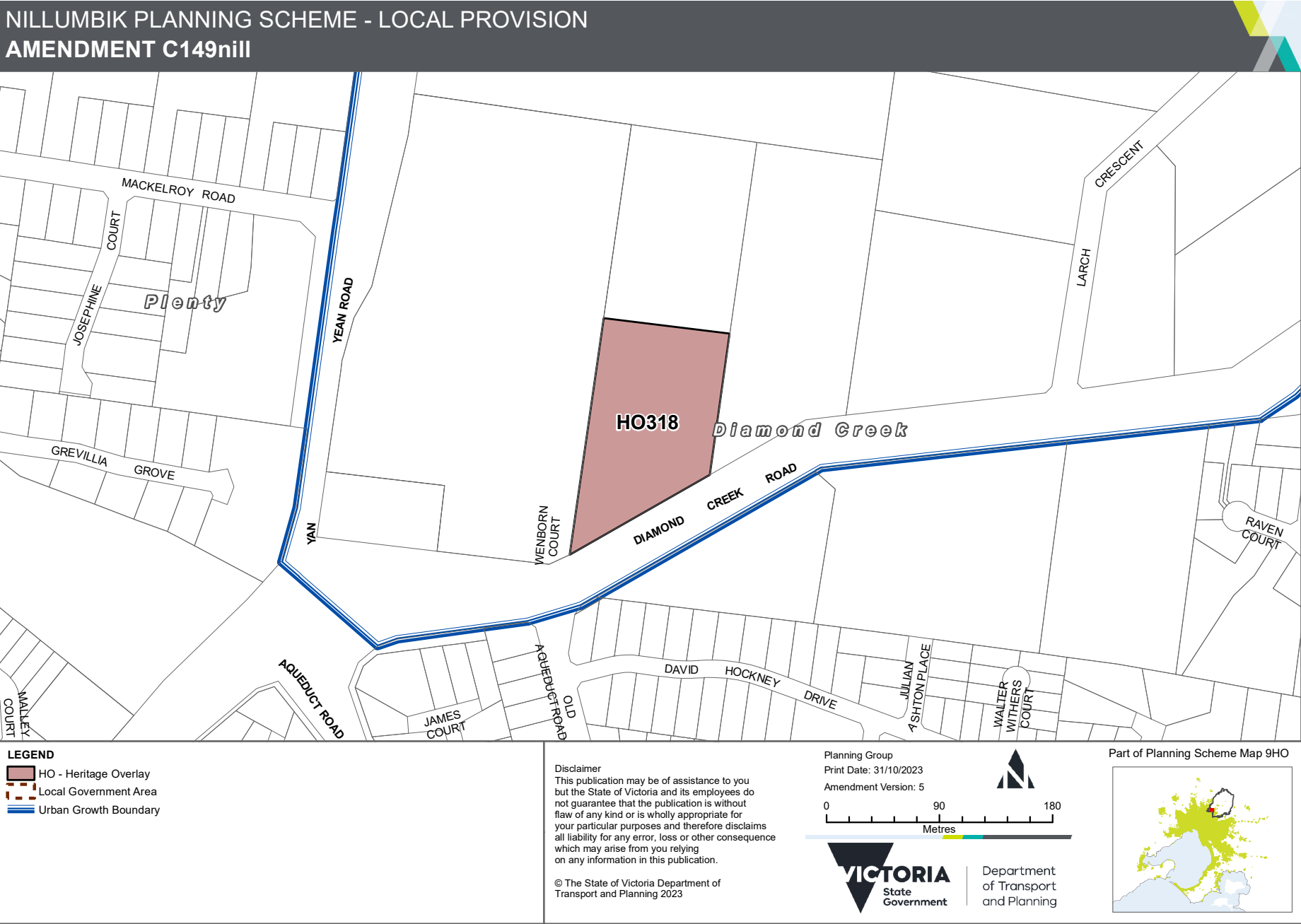


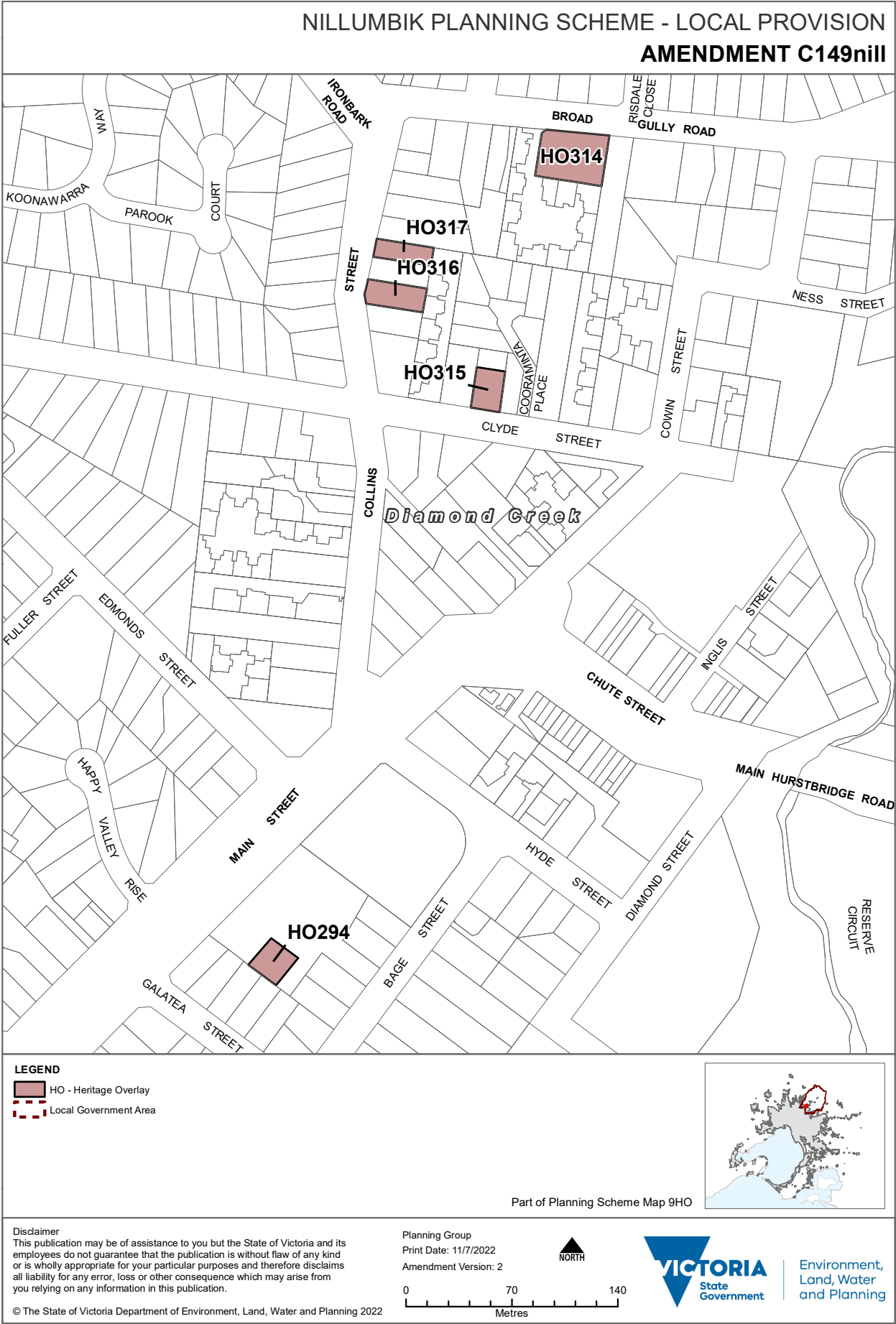


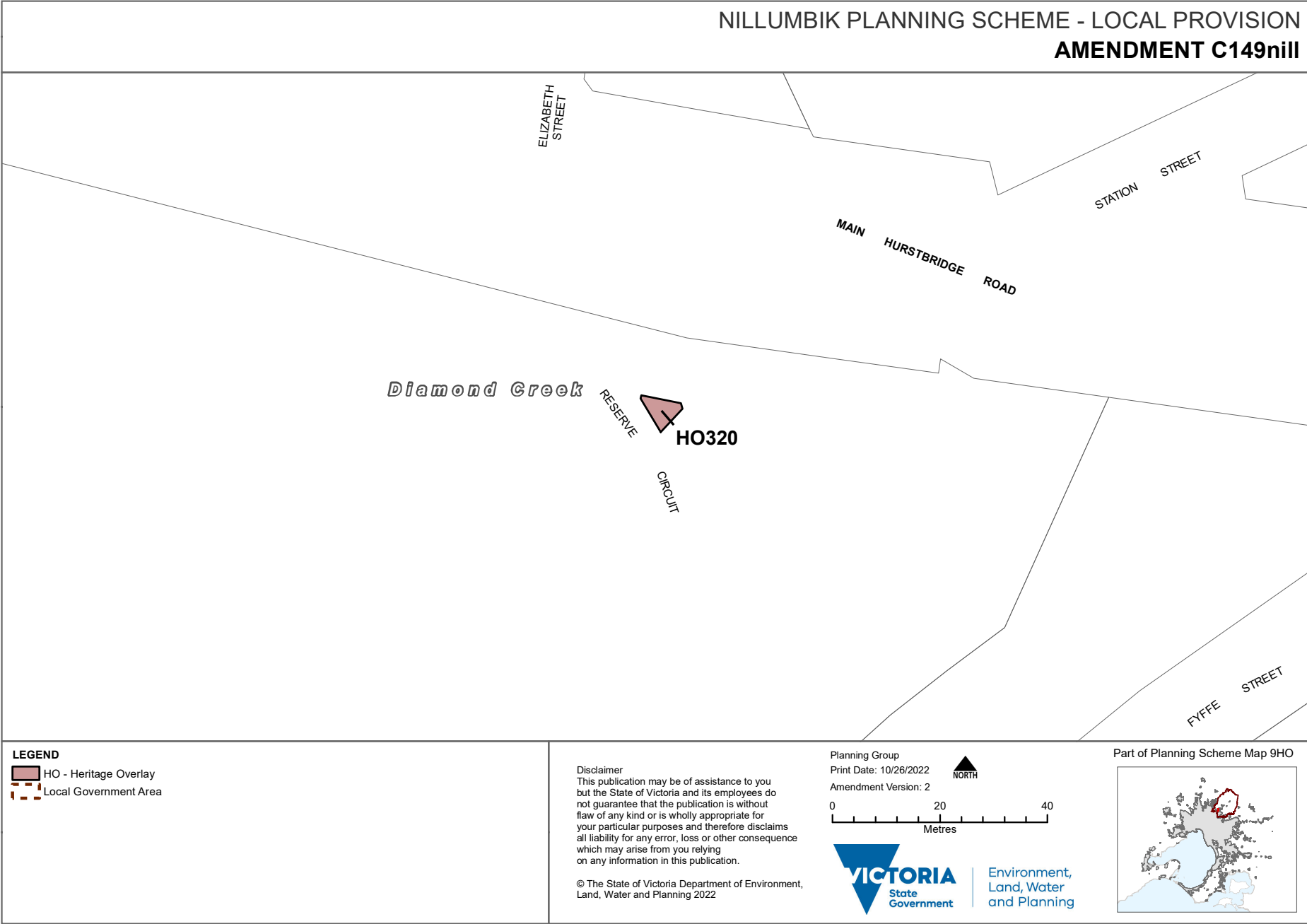


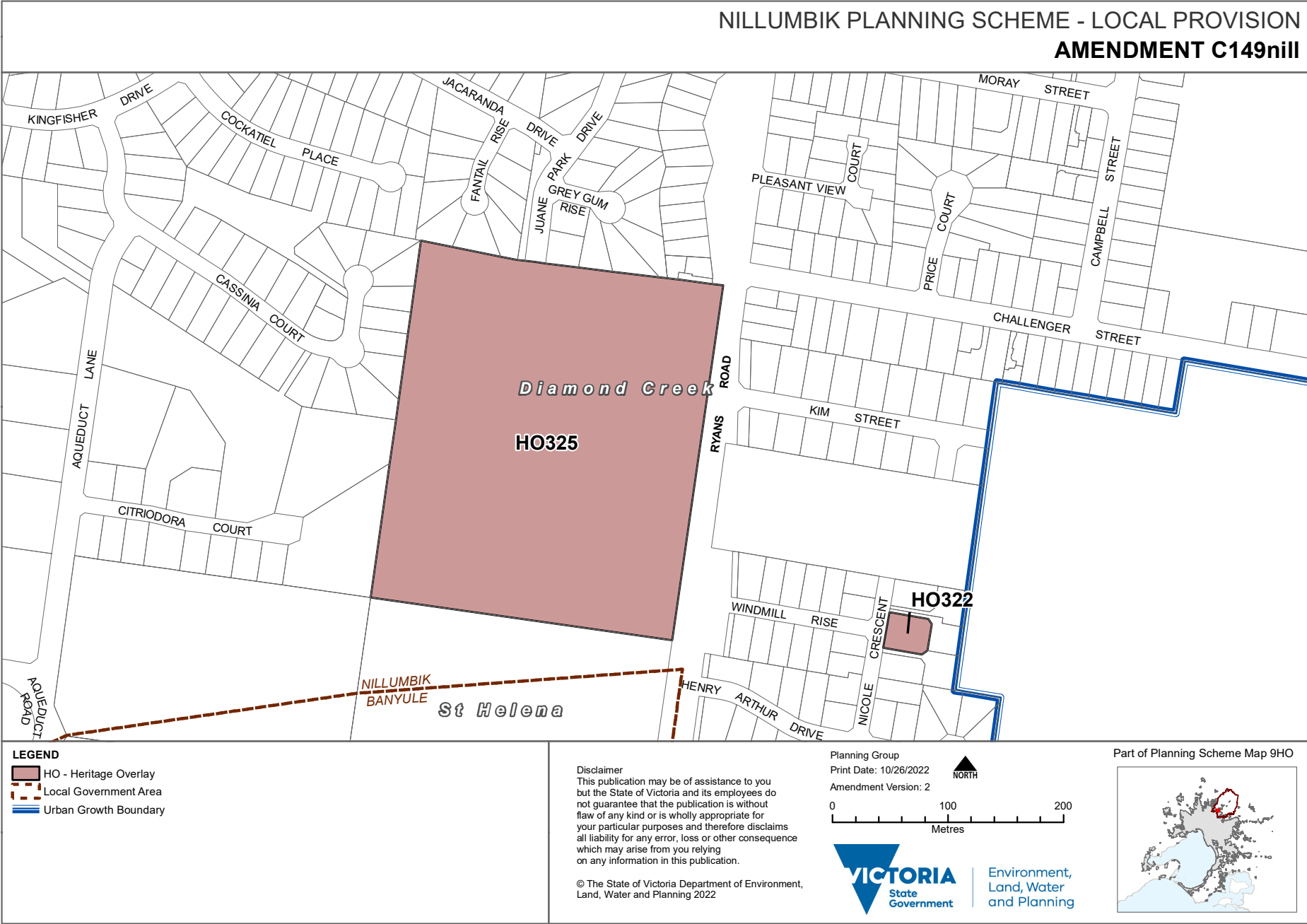


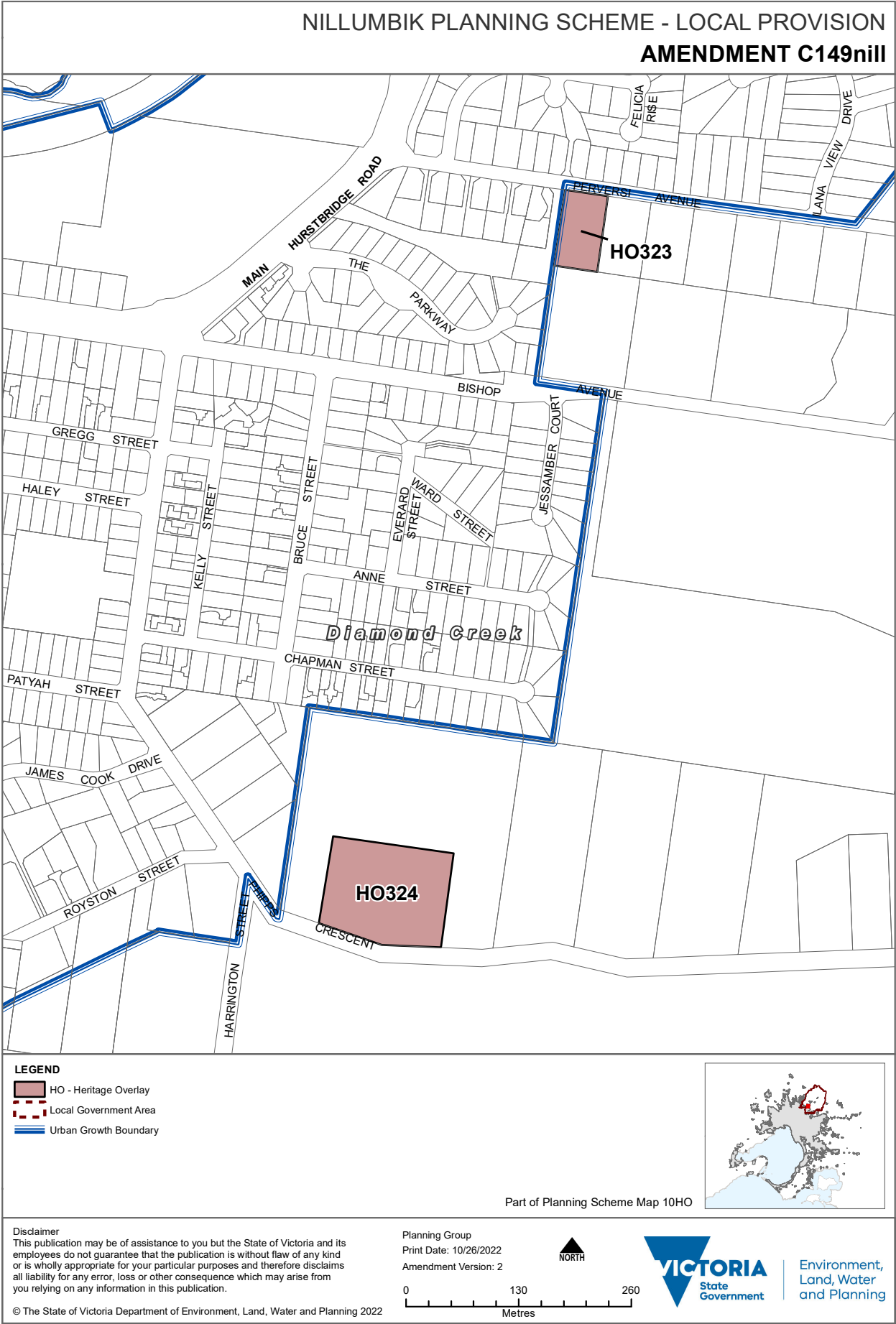


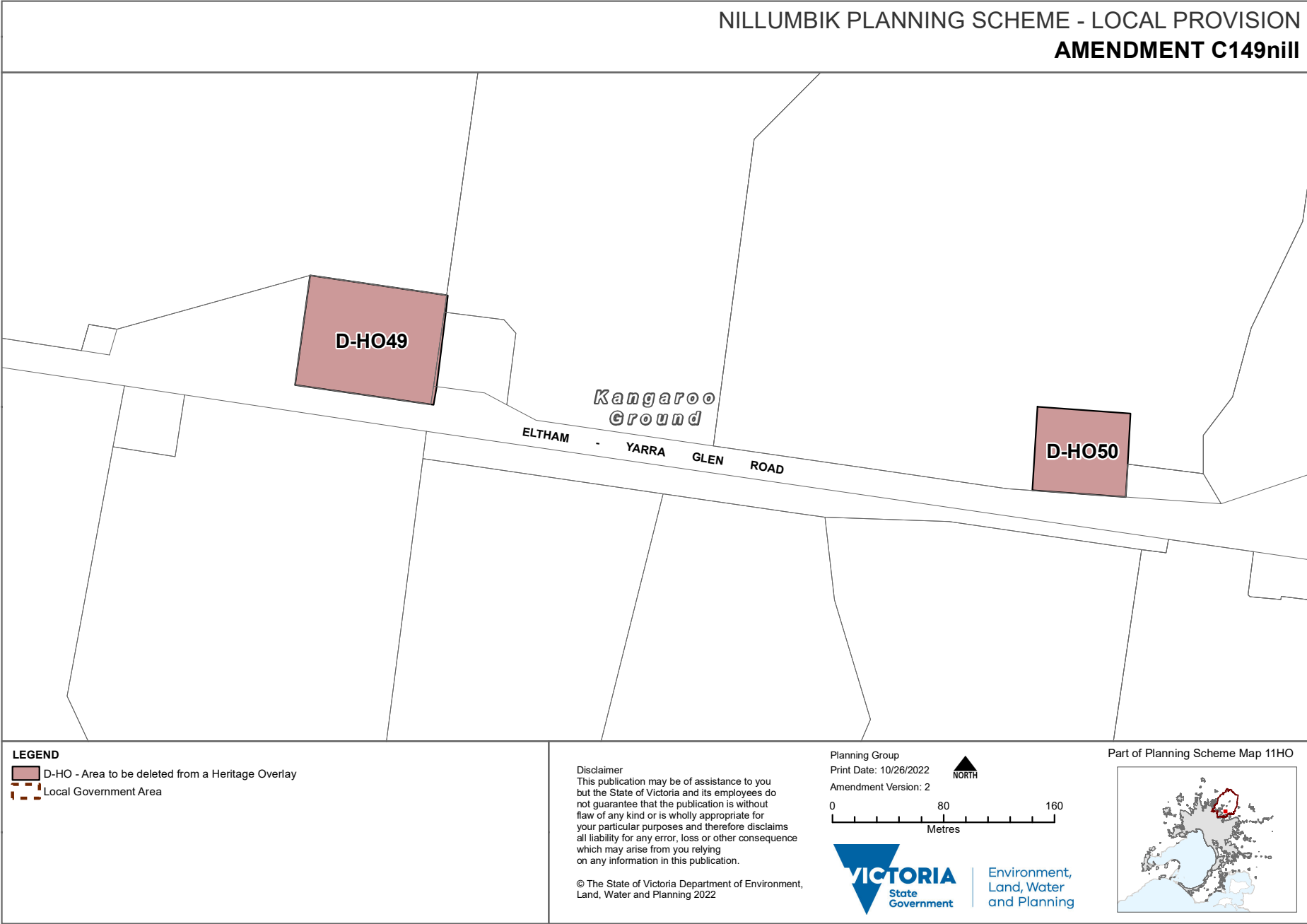


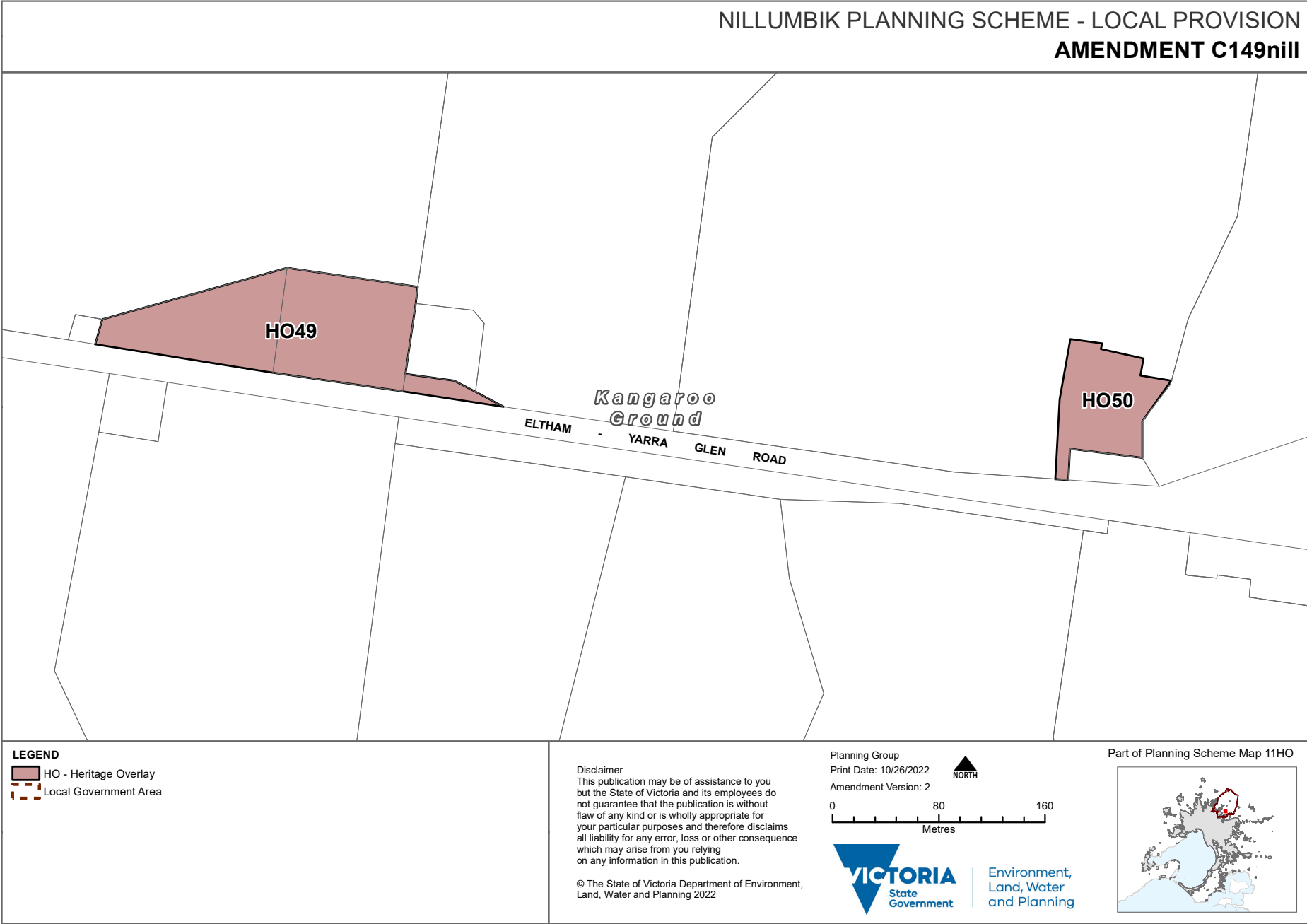


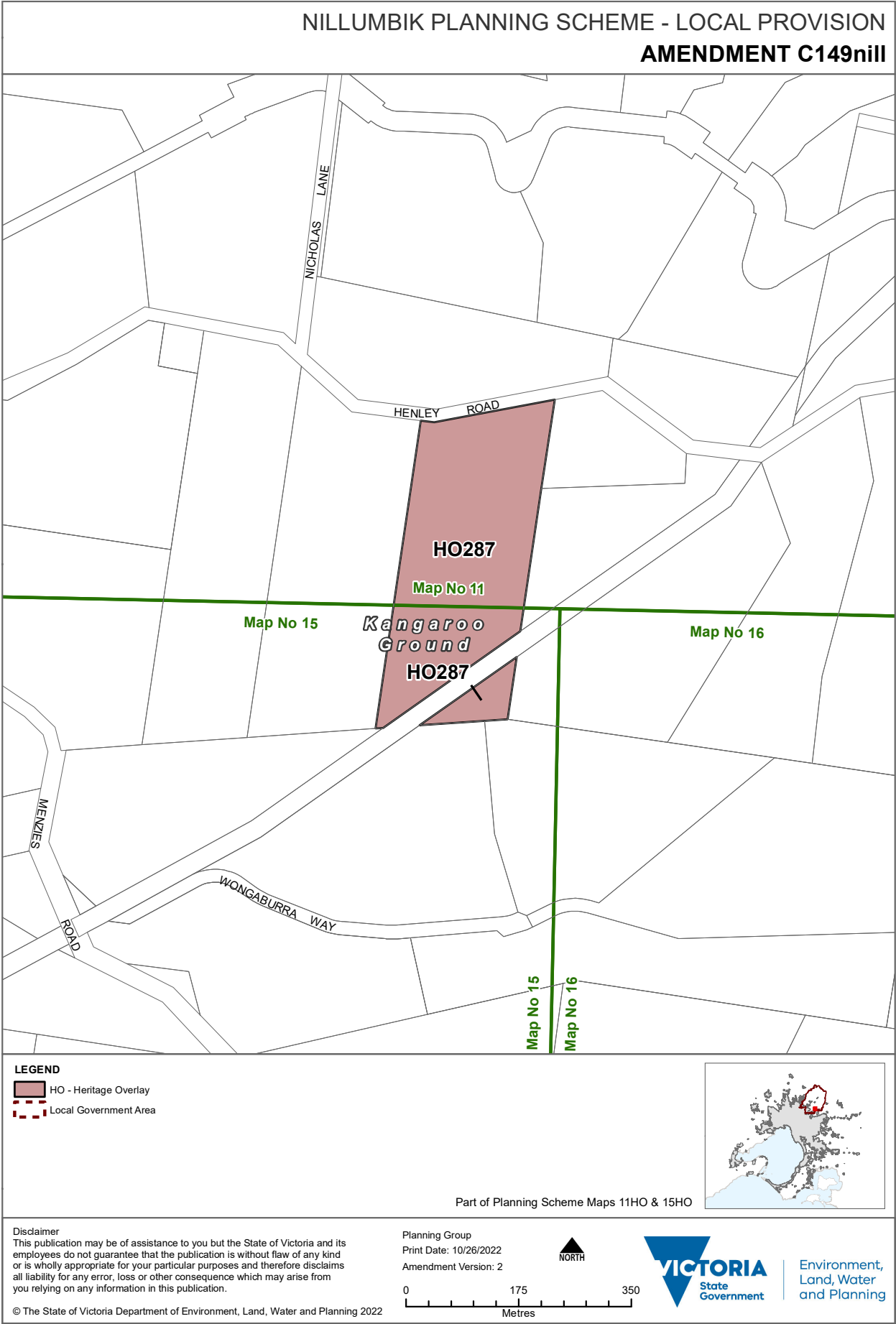






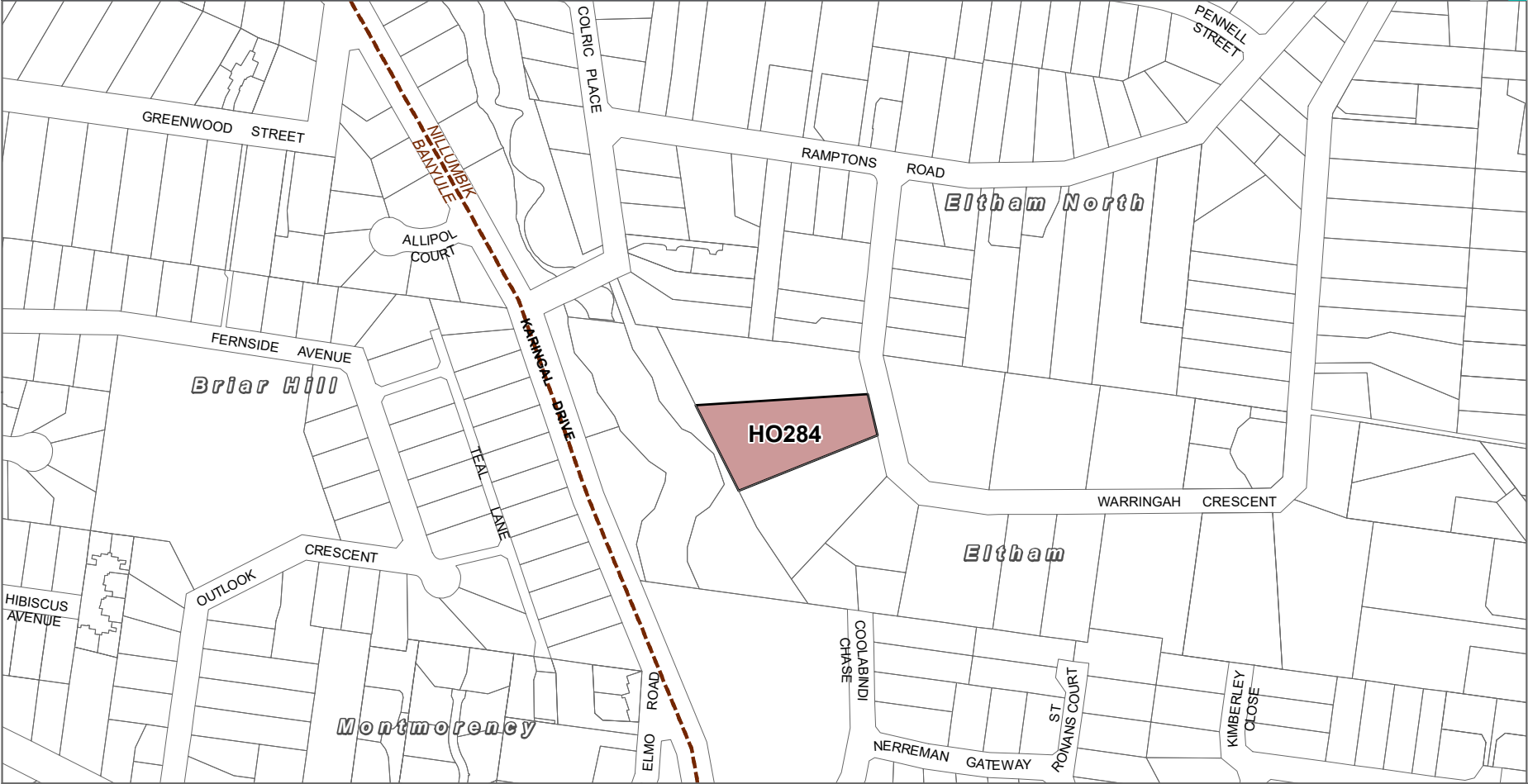








NILLUMBIK PLANNING SCHEME - LOCAL PROVISION
AMENDMENT C149nill



LEGEND
HO - Heritage Overlay
Local Government Area

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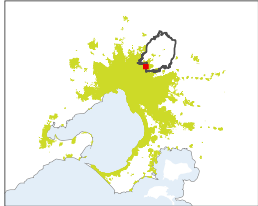
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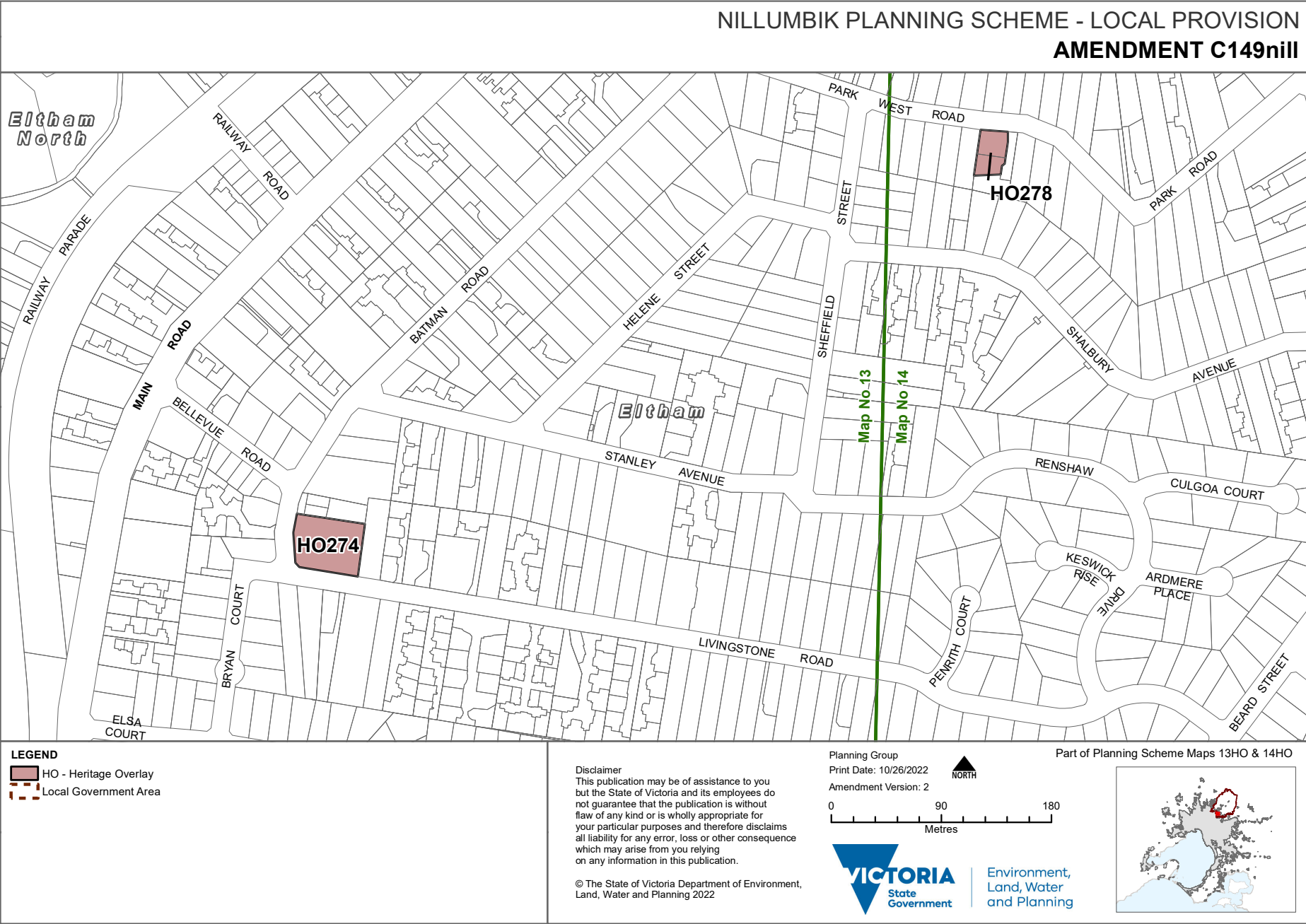
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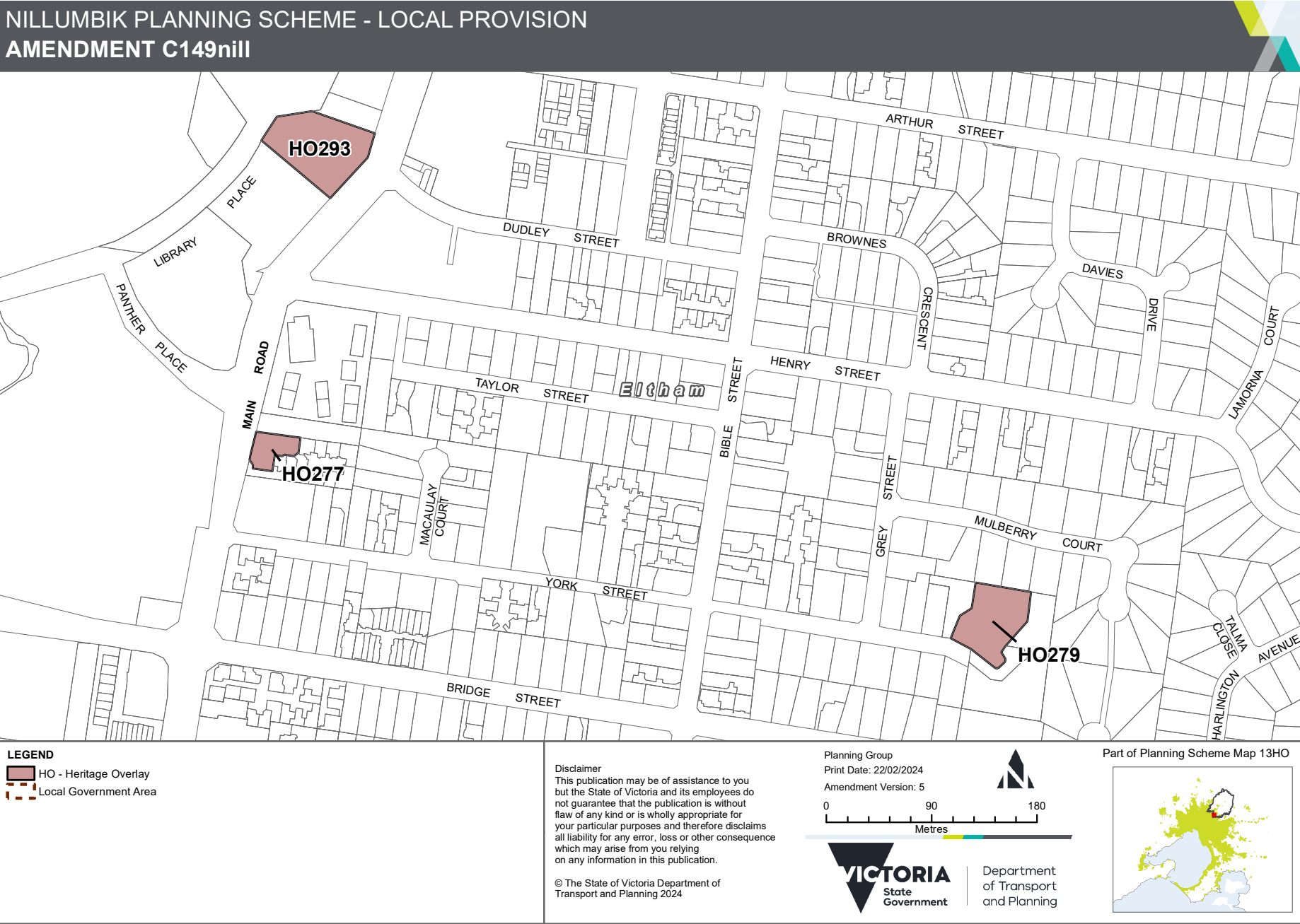
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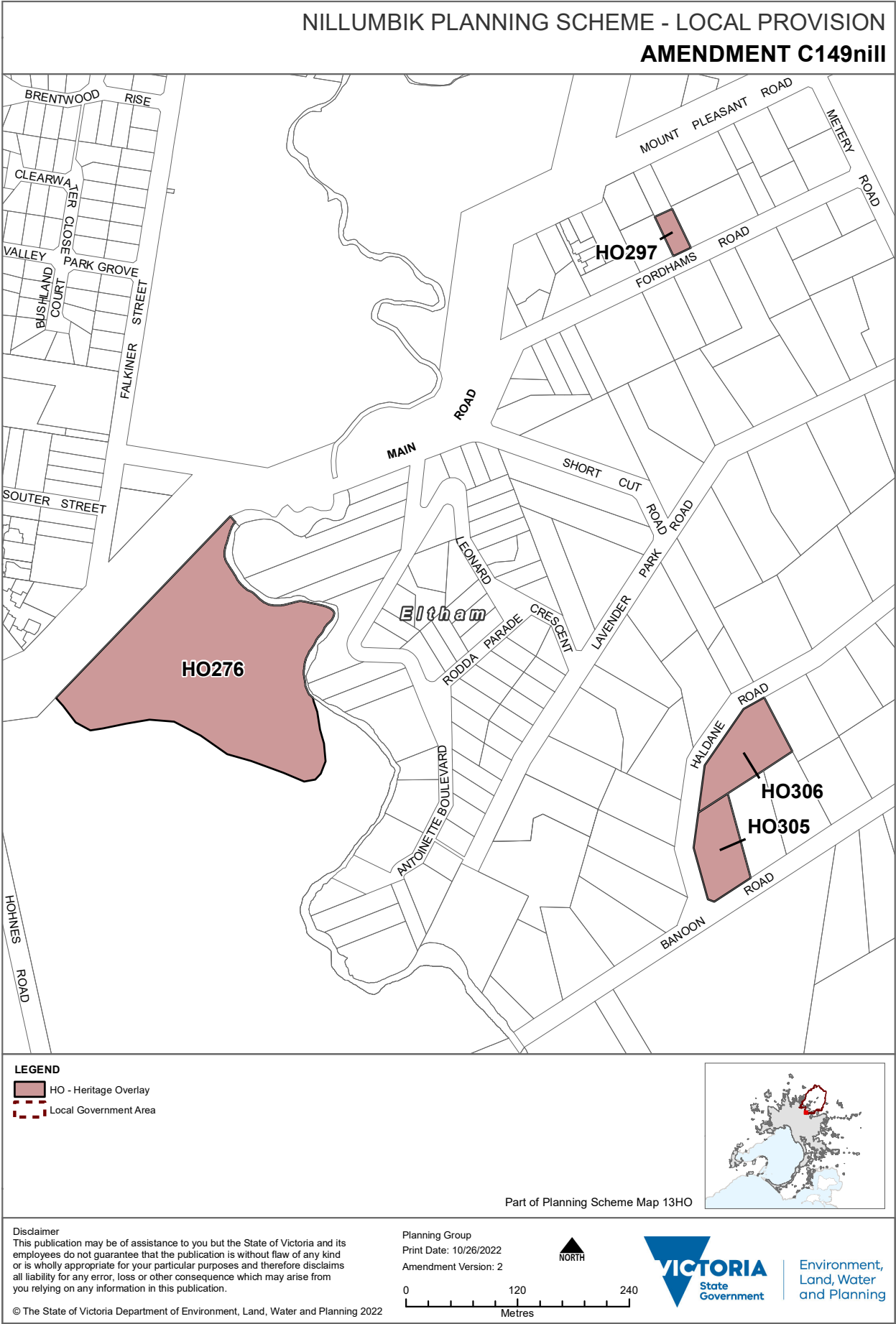
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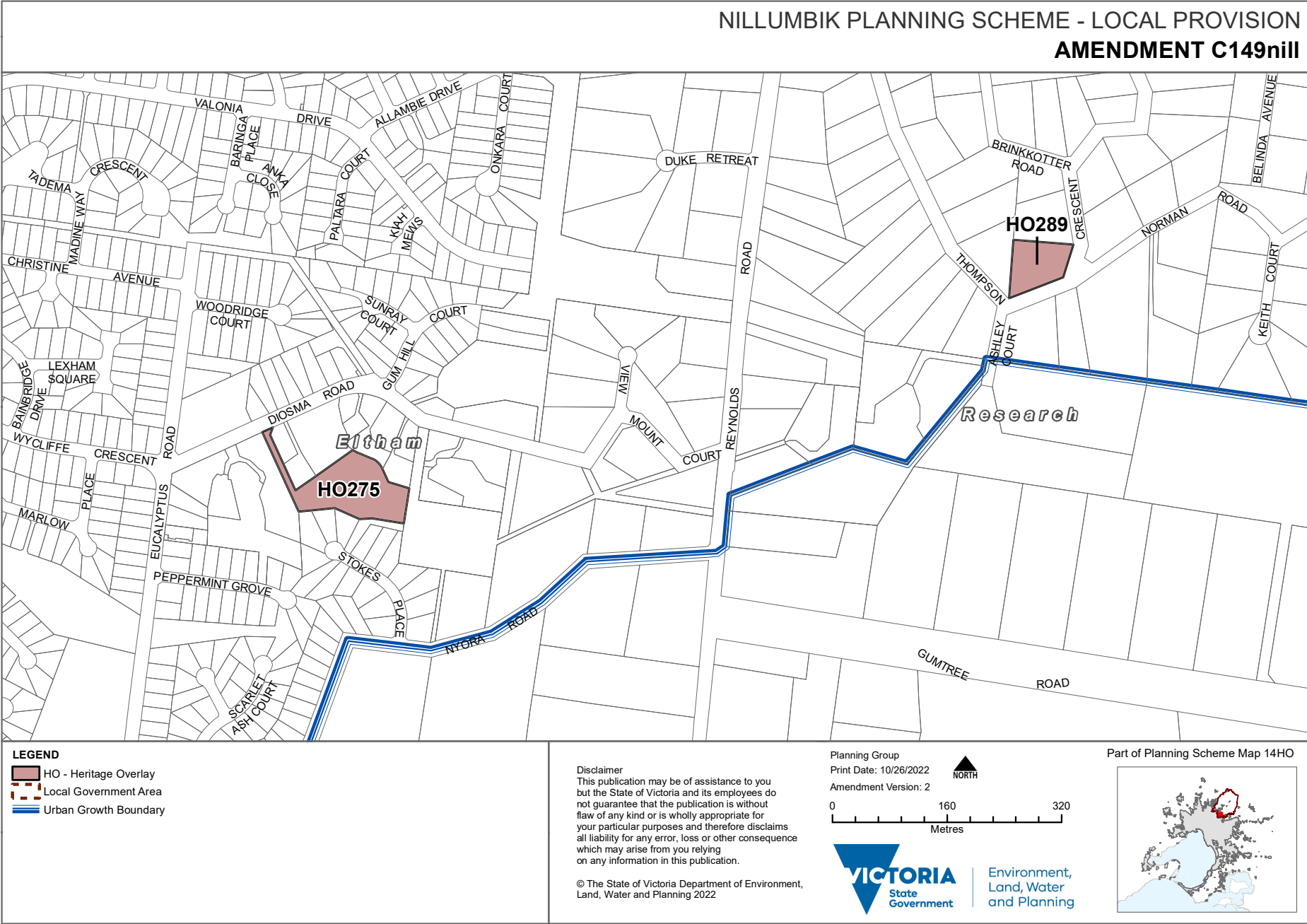
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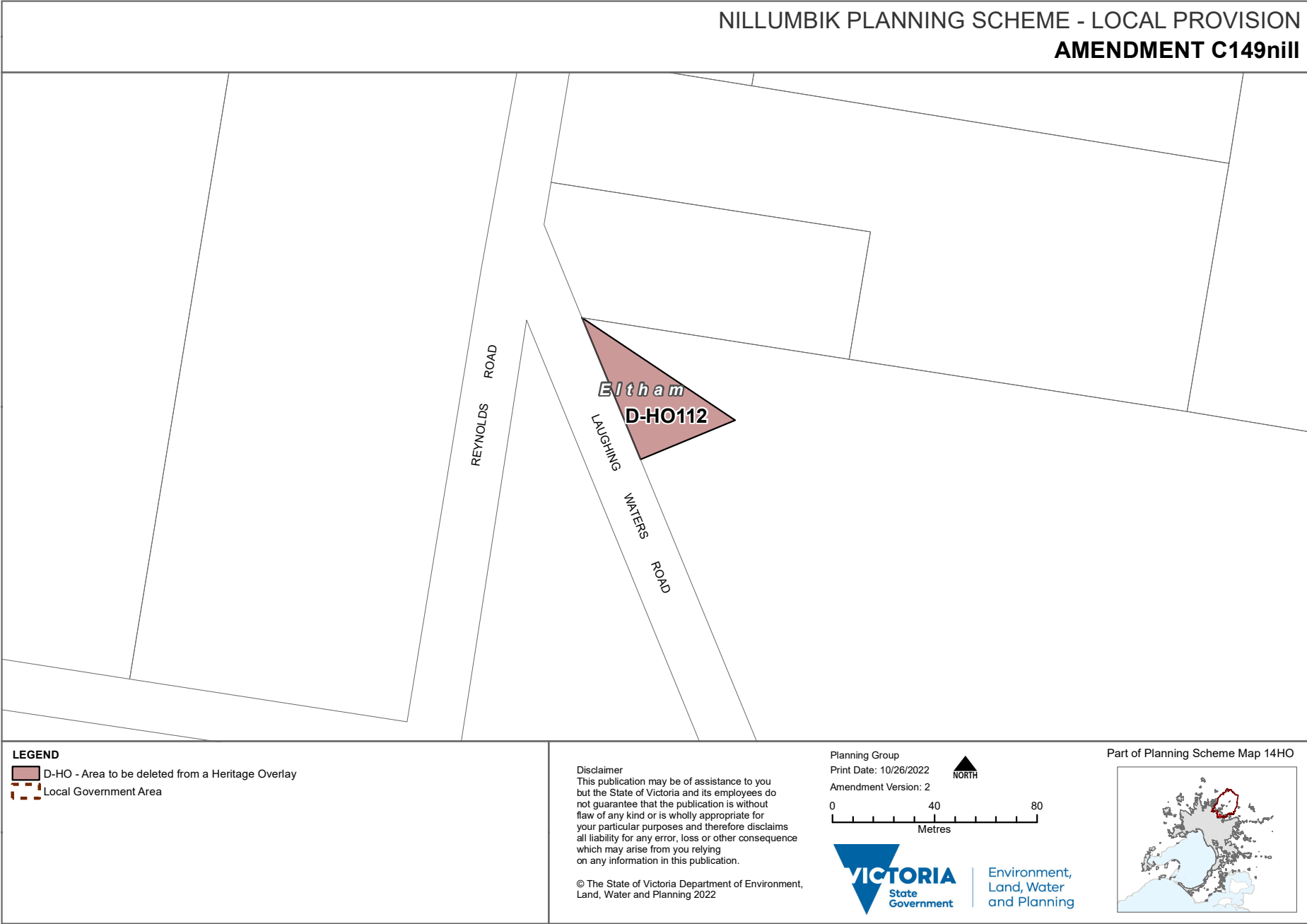


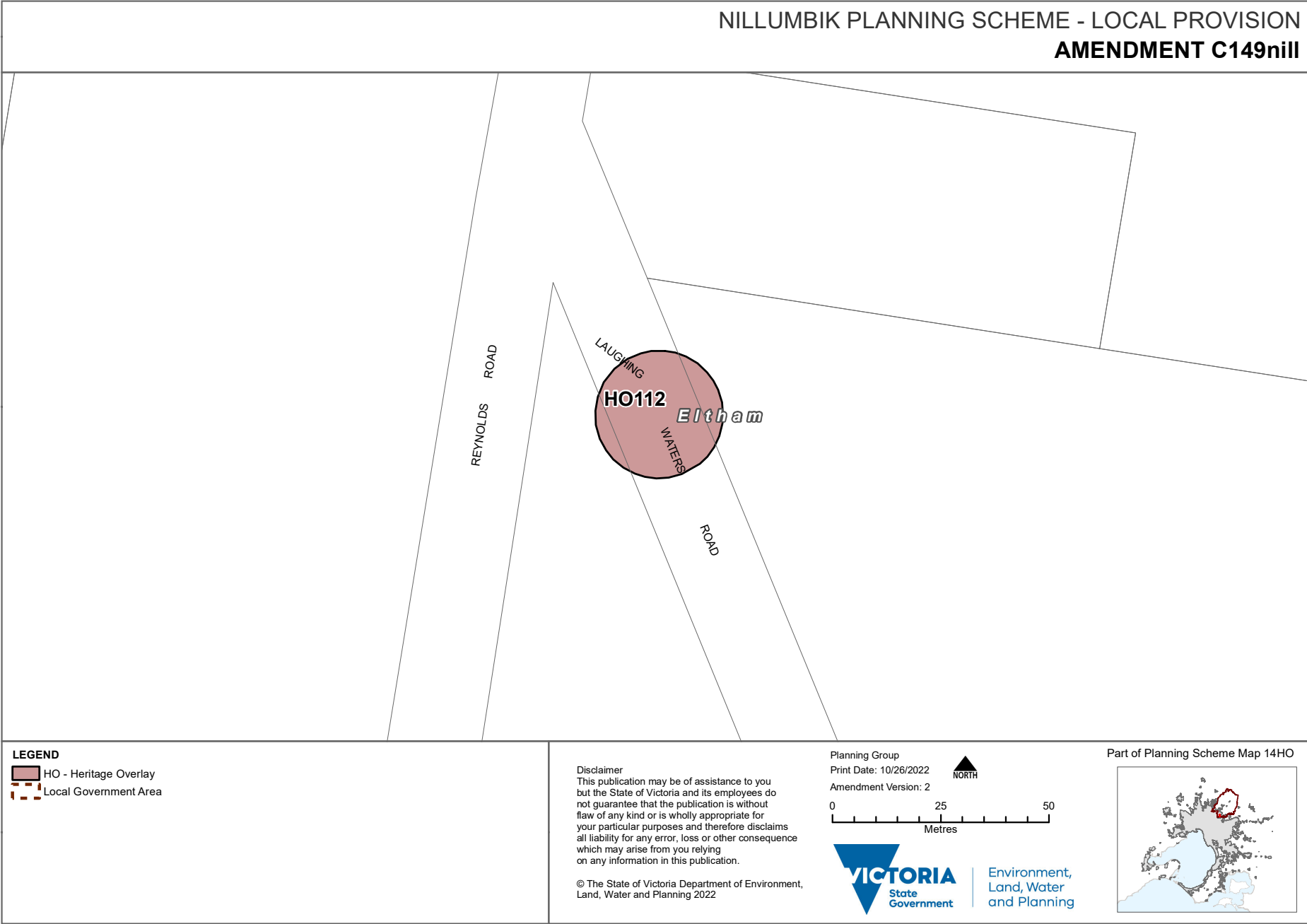


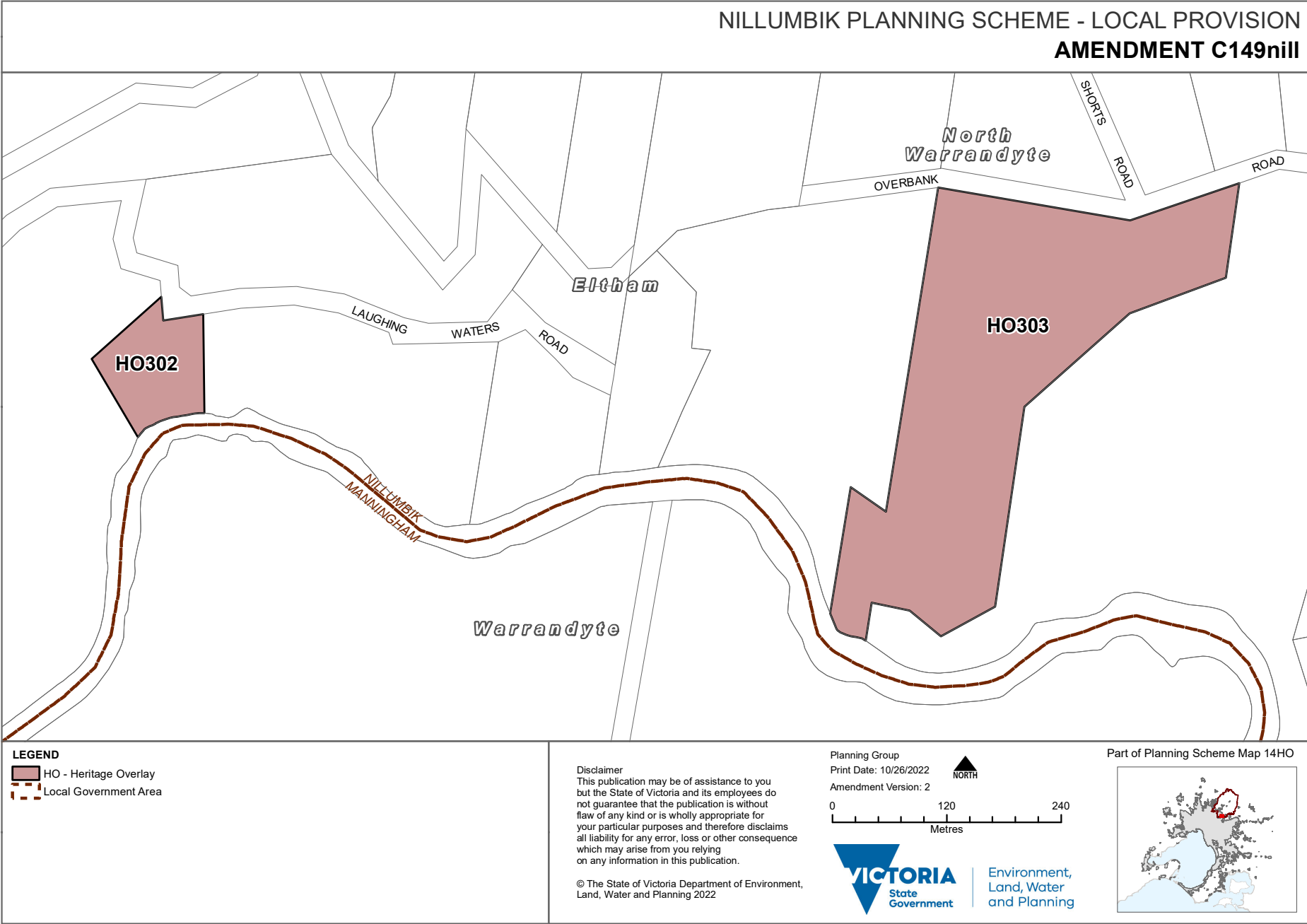


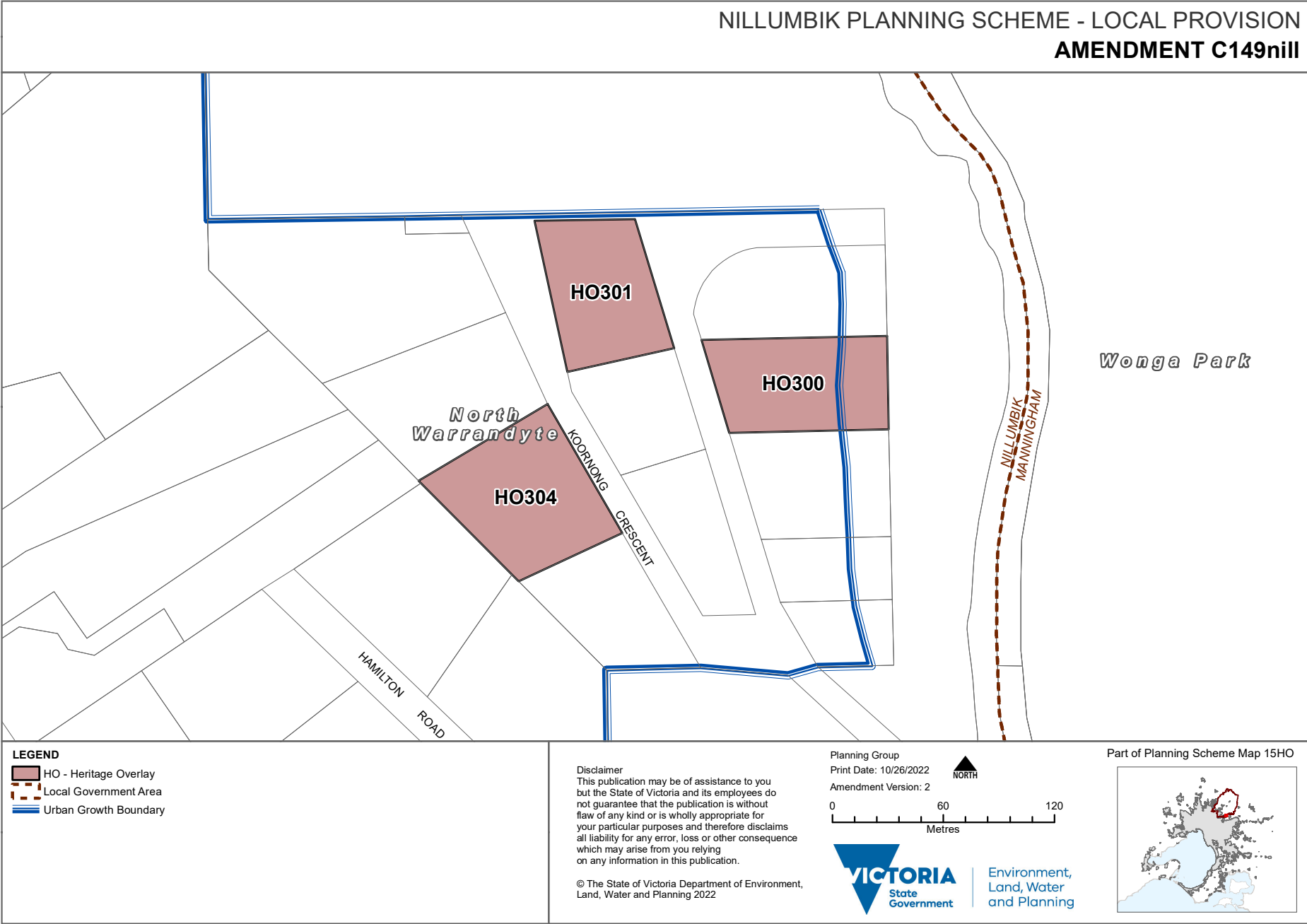


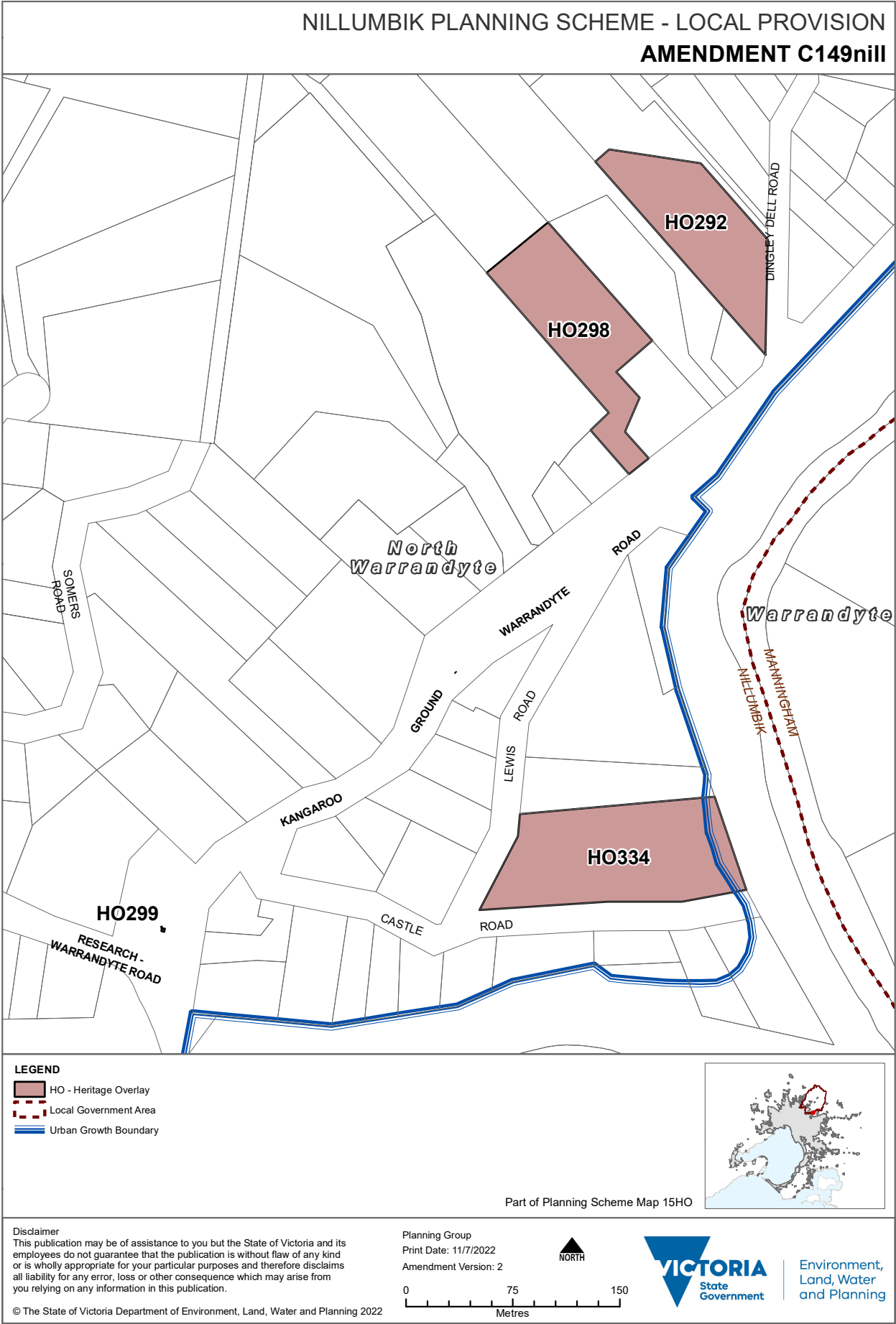


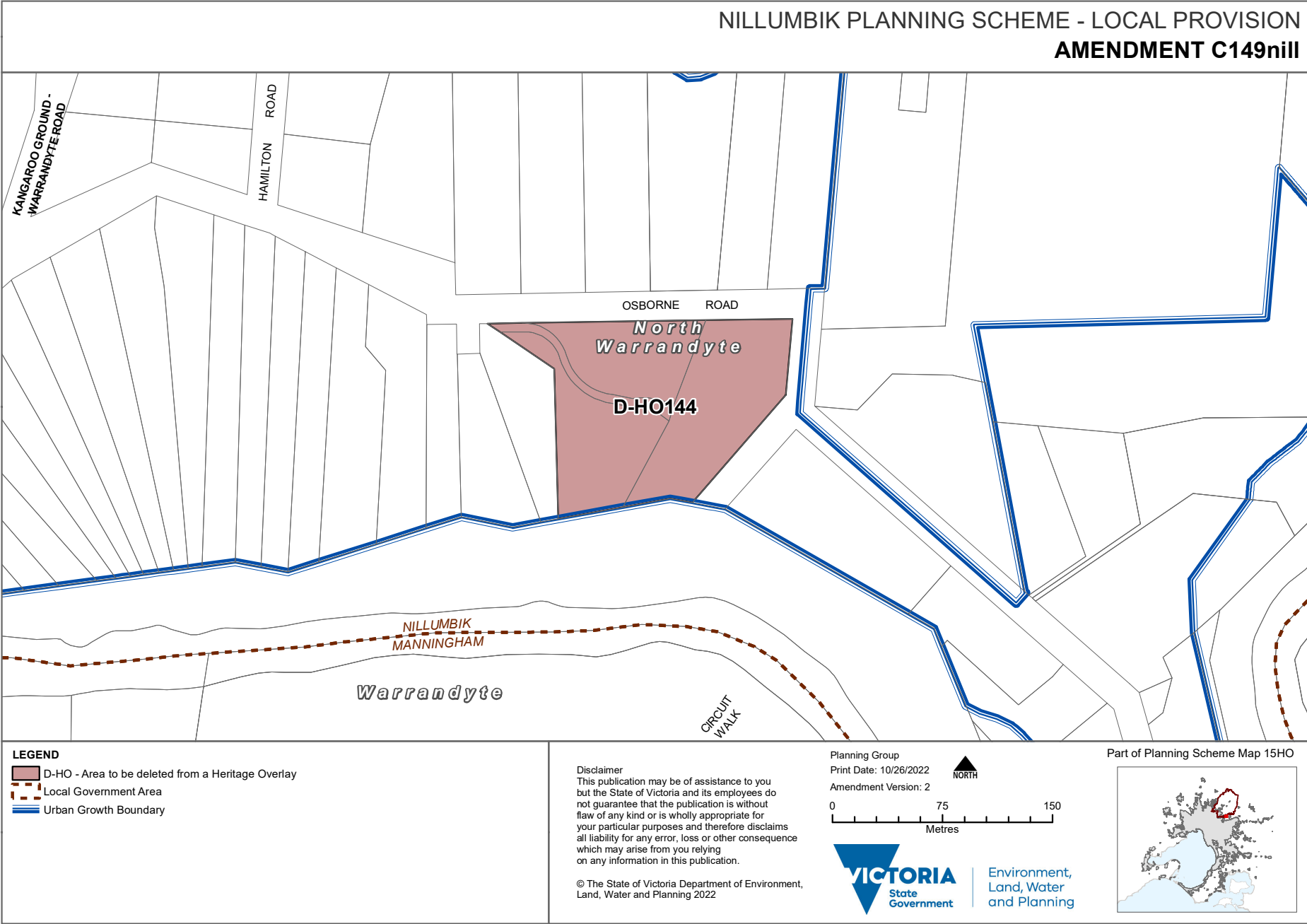


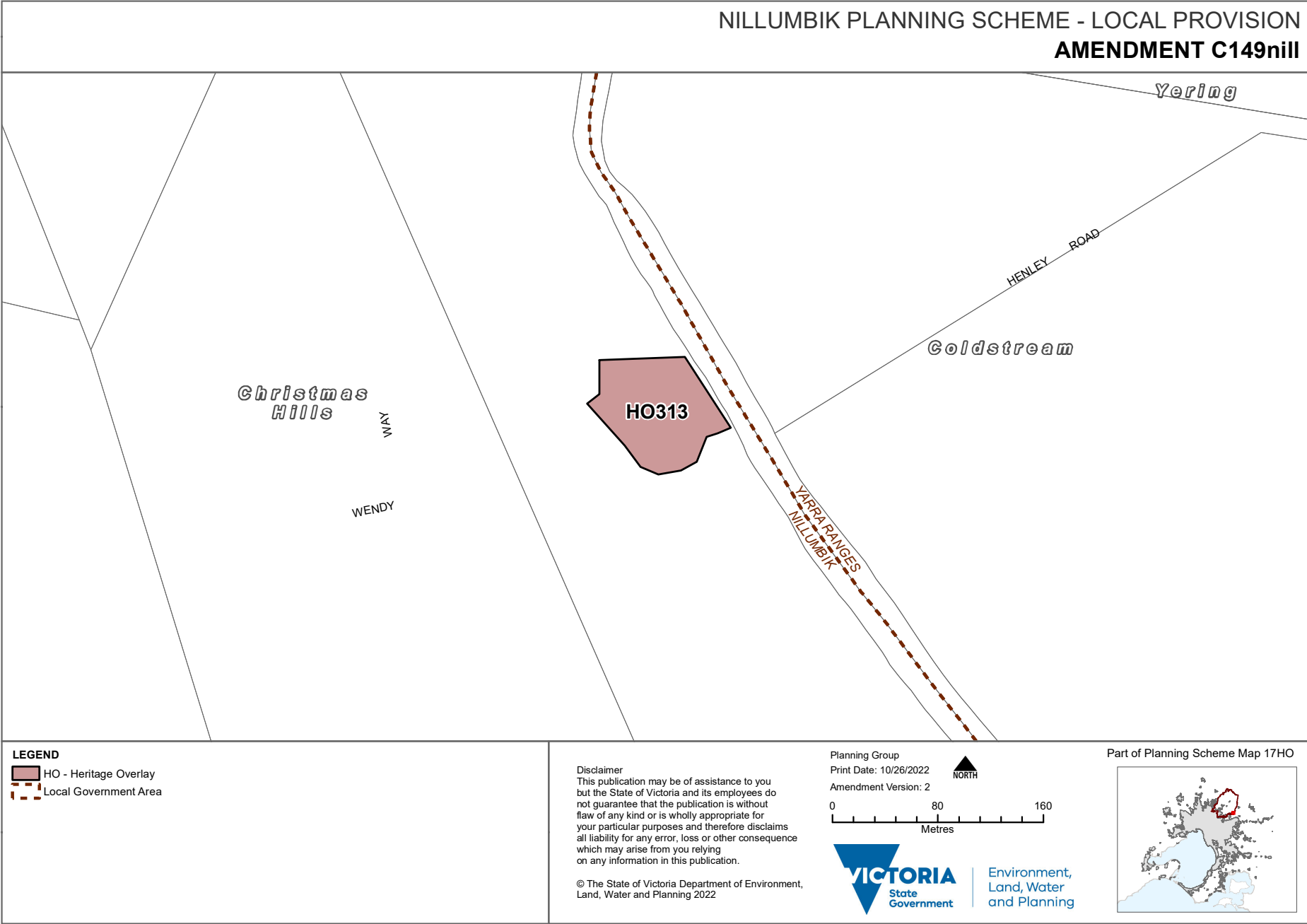


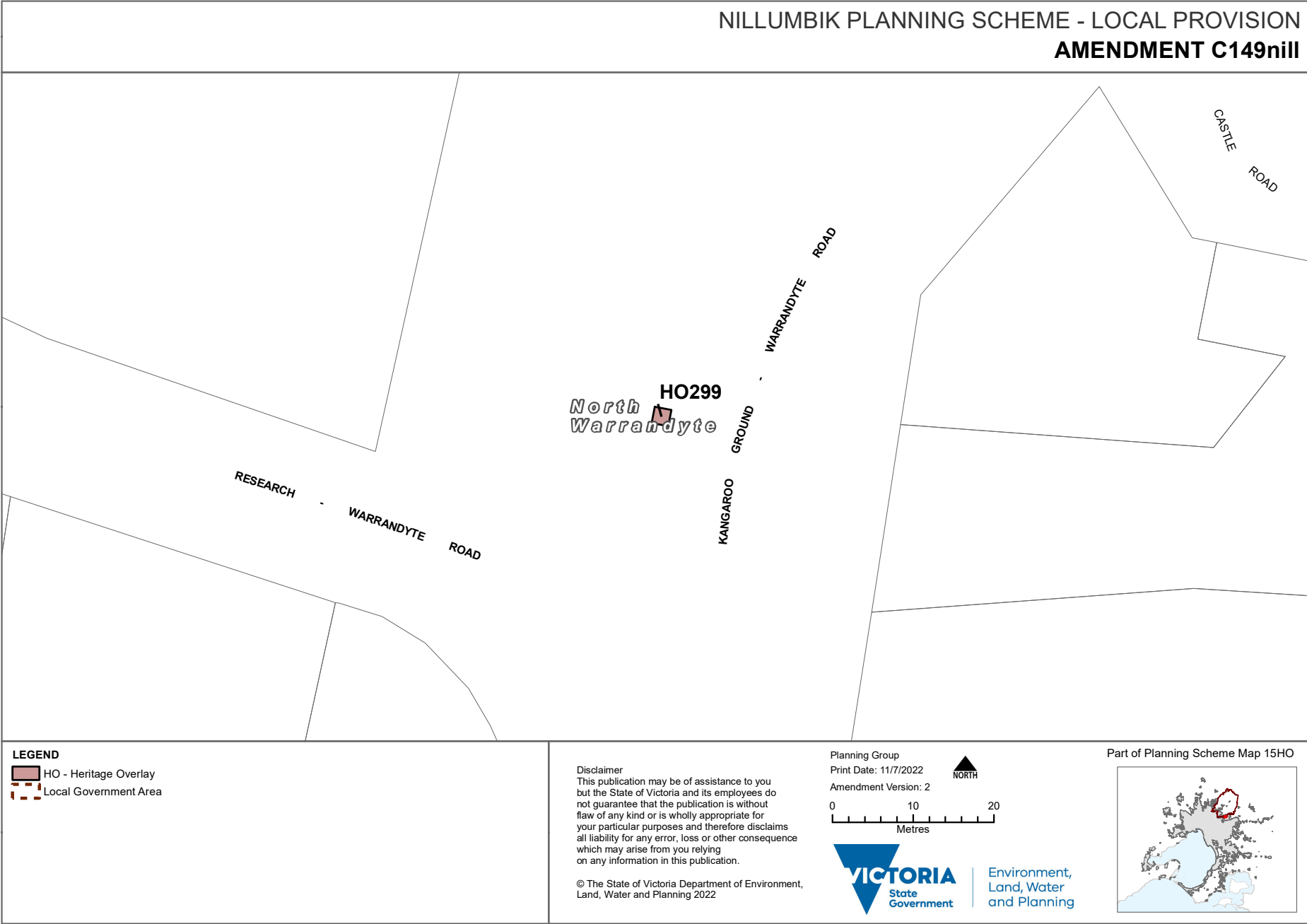












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S5 Instrument of Delegation to the Chief Executive Officer

Updated March 2024

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Instrument of Delegation

In exercise of the power conferred by section 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the **Nillumbik Shire Council** (Council) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

- 1. this Instrument of Delegation is authorised by a Resolution of Council passed on 26 March 2024;
- 2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

THE COMMON SEAL of NILLUMBIK)
SHIRE COUNCIL was affixed hereto)
On the day of March 2024)
On the authority of the Council and)
signed by:)

..... Councillor

..... Chief Executive Officer

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Local Government Act 2020			
Provision	Item Delegated	Delegate	Conditions and Limitations
11(1)	<p>SCHEDULE</p> <p>The power to</p> <ol style="list-style-type: none"> 1. determine any issue; 2. take any action; or 3. do any act or thing <p>arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.</p>	CEO	<p>The delegate must not determine the issue, take the action or do the act or thing</p> <ol style="list-style-type: none"> 1. if the issue, action, act or thing is an issue, action, act or thing which involves <ol style="list-style-type: none"> 1.1. entering into a contract exceeding the value of \$300,000. 1.2. making any expenditure that exceeds \$300,000. 1.3. appointing an Acting Chief Executive Officer for a period exceeding 28 days; 1.4. electing a Mayor or Deputy Mayor; 1.5. granting a reasonable request for leave under s 35 of the Act; 1.6. making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer; 1.7. approving or amending the Council Plan; 1.8. adopting or amending any policy that Council is required to adopt under the Act; 1.9. adopting or amending the Governance Rules; 1.10. appointing the chair or the members to a delegated committee; 1.11. making, amending or revoking a local law; 1.12. approving the Budget or Revised Budget; 1.13. approving the borrowing of money; 1.14. subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges; 2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution; 3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

Local Government Act 2020			
Provision	Item Delegated	Delegate	Conditions and Limitations
			<p>4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a</p> <p>4.1. policy; or</p> <p>4.2. strategy</p> <p>adopted by Council;</p> <p>5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or</p> <p>6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.</p>

S6 Instrument of Delegation to Members of Council Staff

Updated March 2024

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Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

Abbreviation	Position
CEO	Chief Executive Officer
COO	Chief Operating Officer
CSC	Community Safety Coordinator
CEMR	Coordinator Emergency Management and Recovery
CEWLM	Coordinator Environment Works and Land Management
CRDC	Coordinator Roads, Drains and Cleansing
DGCCS	Director Governance, Communications and Community Safety
DPES	Director Planning, Environment & Strategy
DWO	Domestic Wastewater Officer
EHC	Environmental Health Coordinator
EHO	Environmental Health Officer
HTO	Health Technical Officer
MCI	Manager Capital and Infrastructure
MCSMRM	Manager Community Safety (Municipal Recovery Manager)
MF	Manager Finance
MGP	Manager Governance and Property
MOC	Manager Operations Centre
MPEH	Manager Planning and Environmental Health
MSPE	Manager Strategic Planning and Environment
MBS	Municipal Building Surveyor (Manager Building Services)
ND	Not Delegated

Abbreviation	Position
PEHBSC	Planning & Environmental Health Business Support Coordinator
PIO	Planning Investigations Officer
PSO	Planning Support Officer
PUD	Principal Urban Designer
PP	Principal Planner
RFTL	Roads and Footpaths Team Leader
SEWPO	Senior Environmental Works Project Officer
SPAO	Senior Planning Advisory Officer
SPIO	Senior Planning Investigations Officer
SSP	Senior Statutory Planner
SStrP	Senior Strategic Planner
SUD	Senior Urban Designer
SP	Statutory Planner
SPC	Statutory Planning Coordinator
SPCIP	Statutory Planning Coordinator (Investigations and Planning)
StrP	Strategic Planner
SO	Subdivisions Officer
TLC	Team Leader Cleansing
TLRM	Team Leader Unsealed Roads Maintenance
TWL	Team Leader Waste Services Bin Maintenance Recycling and Recovery
TTC	Traffic and Transport Coordinator
TTTL	Traffic and Transport Team Leader
Position Groups	Positions
Directors	COO, DPES, DOC, DCP, DGCCS
Managers	MPEH, MBS, MCSMRM, ME, MCI, MRL, MHR, MIT, MCP, MF, MSPE, MOC, MCP _r , MCEBP, MGP

3. declares that:
- 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 26 March 2024; and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

THE COMMON SEAL of NILLUMBIK)
SHIRE COUNCIL was affixed hereto)
On the day of March 2024)
On the authority of the Council and)
signed by:)

..... Councillor

..... Chief Executive Officer

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SCHEDULE

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<i>Domestic Animals Act 1994</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	CSC, MCSMRM, DGCCS	Council may delegate this power to a Council authorised officer

<i>Food Act 1984</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	MPEH, EHO, DWO, HTO, EHC, DPES	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	MPEH, EHO, DWO, HTO, EHC, DPES	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	MPEH, EHC, DPES	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	MPEH, EHC, DPES	If s 19(1) applies

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	MPEH, EHC, DPES	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	MPEH, EHO, DWO, HTO, EHC, DPES	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	MPEH, EHC, DPES	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	MPEH, EHC, DPES	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19EA(3)	Function of receiving copy of revised food safety program	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	MPEH, EHC, DPES	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	MPEH, EHC, DPES	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39.
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	MPEH, EHO, DWO, EHC, DPES	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	MPEH, EHO, DWO, EHC, DPES	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
	Power to register or renew the registration of a food premises	MPEH, EHC, DPES	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 36A	Power to accept an application for registration or notification using online portal	MPEH, EHC, DPES	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	MPEH, EHC, DPES	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	MPEH, EHC, DPES	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	MPEH, EHC, DPES	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	MPEH, EHC, DPES	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	MPEH, EHO, DWO, HTO, EHC, DPES	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	MPEH, EHC, DPES	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	MPEH, EHC, DPES	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	MPEH, EHC, DPES	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	MPEH, EHC, DPES	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	MPEH, EHC, DPES	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	MPEH, EHC, DPES	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	MPEH, EHC, DPES	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	MPEH, EHC, DPES	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	MPEH, EHC, DPES	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40D(1)	Power to suspend or revoke the registration of food premises	MPEH, EHC, DPES	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	MPEH, EHC, DPES	
s 40F	Power to cancel registration of food premises	MPEH, EHC, DPES	Where Council is the registration authority
s 43	Duty to maintain records of registration	MPEH, EHC, DPES	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	MPEH, EHC, DPES	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	MPEH, EHC, DPES	Where Council is the registration authority
s 45AC	Power to bring proceedings	MPEH, EHC, DPES	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	MPEH, EHC, DPES	Where Council is the registration authority

<i>Heritage Act 2017</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO, MPEH, DPES, MSPE	<p>Must first obtain Executive Director's written consent</p> <p>Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation</p>

<i>Local Government Act 1989</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	MPEH, DPES, MSPE	If authorised by the Minister

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	MPEH, DPES, MSPE	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	MPEH, DPES, MSPE	
s 4I(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	MPEH, DPES, MSPE	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	MPEH, DPES, MSPE	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	MPEH, DPES, MSPE	
s 8A(5)	Function of receiving notice of the Minister's decision	MPEH, DPES, MSPE	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	MPEH, DPES, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	MPEH, DPES, MSPE	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	DPES, MSPE	
s 12B(1)	Duty to review planning scheme	DPES, MSPE	
s 12B(2)	Duty to review planning scheme at direction of Minister	DPES, MSPE	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DPES, MSPE	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	DPES, MSPE	
s 17(1)	Duty of giving copy amendment to the planning scheme	DPES, MSPE	
s 17(2)	Duty of giving copy s 173 agreement	DPES, MSPE	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DPES, MSPE	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DPES, MSPE	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DPES, MSPE	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DPES, MSPE	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DPES, MSPE	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DPES, MSPE	Until the end of 2 months after the amendment comes into operation or lapses

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21A(4)	Duty to publish notice	DPES, MSPE	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	DPES, MSPE	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	DPES, MSPE	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	DPES, MSPE	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DPES, MSPE	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DPES, MSPE	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	DPES, MSPE	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	DPES, MSPE	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DPES, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 28(1)	Duty to notify the Minister if abandoning an amendment	DPES, MSPE	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	DPES, MSPE	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	DPES, MSPE	
s 30(4)(a)	Duty to say if amendment has lapsed	DPES, MSPE	
s 30(4)(b)	Duty to provide information in writing upon request	DPES, MSPE	
s 32(2)	Duty to give more notice if required	DPES, MSPE	
s 33(1)	Duty to give more notice of changes to an amendment	DPES, MSPE	
s 36(2)	Duty to give notice of approval of amendment	DPES, MSPE	
s 38(5)	Duty to give notice of revocation of an amendment	DPES, MSPE	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DPES, MSPE	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(1)	Function of lodging copy of approved amendment	DPES, MSPE	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DPES, MSPE	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	DPES, MSPE	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	DPES, MSPE	Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	DPES	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	DPES, MSPE	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DPES, MSPE	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	DPES, MSPE	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	CEO, DPES	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DPES, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DPES, MSPE	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DPES, MSPE	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DPES, MSPE	
s 46GP	Function of receiving a notice under s 46GO	DPES, MSPE	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	DPES, MSPE	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	DPES, MSPE	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DPES, MSPE	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	DPES	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DPES, MSPE	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DPES, MSPE	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	DPES, MSPE	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DPES, MSPE	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	ND	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	DPES	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CEO, DPES	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DPES, MSPE	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DPES, MSPE	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	PEHBSC, SPCIP, MPEH, MCI, DPES, SPC, MSPE	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	PEHBSC, COO, SPCIP, MPEH, DPES, SPC, MSPE	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	COO, DPES, MF, MSPE	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(a)	Function of receiving the monetary component	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC, MSPE, DGCCS, MGP	<p>If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	DGCCS, MGP	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>
s 46GZA(1)	Duty to keep proper and separate accounts and records	DGCCS, MGP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	DPES, DGCCS, MGP	Where Council is a development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	DPES, DGCCS, MGP	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	MPEH, DPES, MSPE	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	MPEH, DPES, MSPE	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	MPEH, DPES, MSPE	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	COO, MPEH, DPES, MF	Where Council is the collecting agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	COO, MPEH, DPES, MF, DGCCS, MGP	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	COO, MPEH, DPES, MF	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	MPEH, DPES, MSPE	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	COO, MPEH, DPES, MF, MSPE, DGCCS, MGP	Where Council is the development agency under an approved infrastructure contributions plan
s.46GZF(3)	Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	DPES, DGCCS, MGP	Where Council is the development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZF(3)	Function of receiving proceeds of sale	COO, DPES, MF, DGCCS, MGP	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	COO, DPES, MF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	COO, DPES, MF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	COO, DPES, MF	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	MPEH, DPES, MSPE	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DPES, DGCCS, MGP	Where Council is a collecting agency or development agency

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	PEHBSC, COO, MPEH, DPES, MF, DGCCS, MGP	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	PEHBSC, SPCIP, MPEH, DPES, SPC	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 46Q(1)	Duty to keep proper accounts of levies paid	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	PEHBSC, SPCIP, MPEH, DPES, SPC	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	PEHBSC, COO, SPCIP, MPEH, DPES, MF, SPC	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	DPES, MSPE	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	PEHBSC, SPCIP, MPEH, DPES, SPC	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 46QD	Duty to prepare report and give a report to the Minister	MPEH, DPES, MSPE	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	DPES, MSPE	
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	DPES, MSPE	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	DPES, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	DPES, MSPE	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	DPES, MSPE	
s 47	Power to decide that an application for a planning permit does not comply with that Act	DPES, MSPE	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 50(4)	Duty to amend application	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50(5)	Power to refuse to amend application	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 50(6)	Duty to make note of amendment to application in register	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 50A(1)	Power to make amendment to application	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 50A(4)	Duty to note amendment to application in register	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 52(3)	Power to give any further notice of an application where appropriate	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(1)	Power to require the applicant to provide more information	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 54(1B)	Duty to specify the lapse date for an application	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 57A(5)	Power to refuse to amend application	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 57A(6)	Duty to note amendments to application in register	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57B(1)	Duty to determine whether and to whom notice should be given	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 57C(1)	Duty to give copy of amended application to referral authority	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 58	Duty to consider every application for a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 58A	Power to request advice from the Planning Application Committee	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 60	Duty to consider certain matters	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 60(1A)	Duty to consider certain matters	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO, PEHBSC, SPCIP, MPEH, DPES, SPC	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006 <hr/> In accordance with delegations issued by Council (or unless called in by a ward Councillor or Councillors)
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, PEHBSC, SPCIP, MPEH, DPES, SPC	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, PEHBSC, SPCIP, MPEH, DPES, SPC	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CEO, PEHBSC, SPCIP, MPEH, DPES, SPC	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO, PEHBSC, SPCIP, MPEH, DPES, SPC	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, PEHBSC, SPCIP, MPEH, DPES, SPC	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 62(2)	Power to include other conditions	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	This provision applies also to a decision to grant an amendment to a permit - see s 75

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64(3)	Duty not to issue a permit until after the specified period	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	This provision applies also to a decision to grant an amendment to a permit - see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69(1)	Function of receiving application for extension of time of permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 69(1A)	Function of receiving application for extension of time to complete development	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 69(2)	Power to extend time	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 71(1)	Power to correct certain mistakes	PEHBSC, SPCIP, MPEH, DPES, SPC	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 71(2)	Duty to note corrections in register	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 73	Power to decide to grant amendment subject to conditions	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 74	Duty to issue amended permit to applicant if no objectors	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 76D	Duty to comply with direction of Minister to issue amended permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 83	Function of being respondent to an appeal	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 83B	Duty to give or publish notice of application for review	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 84AB	Power to agree to confining a review by the Tribunal	PEHBSC, SPCIP, MPEH, PSO, PP, SPAO, DPES, SPC, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 86	Duty to issue a permit at order of Tribunal within 3 business days	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 91(2)	Duty to comply with the directions of VCAT	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 93(2)	Duty to give notice of VCAT order to stop development	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 95(3)	Function of referring certain applications to the Minister	PEHBSC, SPCIP, MPEH, DPES, SPC	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 95(4)	Duty to comply with an order or direction	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, PEHBSC, COO, SPCIP, MPEH, DPES, SPC	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, PEHBSC, COO, SPCIP, MPEH, DPES, SPC	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96F	Duty to consider the panel's report under s 96E	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 96H(3)	Power to give notice in compliance with Minister's direction	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 96J	Duty to issue permit as directed by the Minister	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 97C	Power to request Minister to decide the application	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97L	Duty to include Ministerial decisions in a register kept under s 49	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 97Q(4)	Duty to comply with directions of VCAT	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 101	Function of receiving claim for expenses in conjunction with claim	MPEH, DPES, MSPE	
s 103	Power to reject a claim for compensation in certain circumstances	MPEH, DPES, MSPE	
s.107(1)	Function of receiving claim for compensation	SPCIP, MPEH, DPES, SPC, MSPE	
s 107(3)	Power to agree to extend time for making claim	MPEH, DPES, MSPE	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	PEHBSC, SPCIP, MPEH, DPES, SPC, PIO, MSPE, SPIO	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 114(1)	Power to apply to the VCAT for an enforcement order	PEHBSC, SPCIP, MPEH, DPES, SPC, PIO, MSPE	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	PEHBSC, SPCIP, MPEH, DPES, SPC, PIO, MSPE	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	PEHBSC, SPCIP, MPEH, DPES, SPC, PIO, MSPE	
s 123(1)	Power to carry out work required by enforcement order and recover costs	PEHBSC, SPCIP, MPEH, DPES, SPC, PIO, MSPE	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	PEHBSC, COO, SPCIP, MPEH, DPES, SPC, MSPE, DGCCS, SPIO, MGP	Except Crown Land

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 129	Function of recovering penalties	PEHBSC, COO, SPCIP, MPEH, DPES, SPC, MSPE, SPIO	
s 130(5)	Power to allow person served with an infringement notice further time	PEHBSC, SPCIP, MPEH, DPES, SPC, PIO, SPIO	
s 149A(1)	Power to refer a matter to the VCAT for determination	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, PIO, MSPE, PUD	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, PIO, MSPE, PUD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	DPES, MSPE	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	PEHBSC, SPCIP, MPEH, SPAO, SPC, MSPE	
s 171(2)(g)	Power to grant and reserve easements	SPCIP, MPEH, DPES, SPC	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	COO, DPES, DGCCS, MGP	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	ND	Where Council is a collecting agency specified in an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	ND	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CEO, DPES	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 178	power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 178A(1)	Function of receiving application to amend or end an agreement	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	PEHBSC, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178A(5)	Power to propose to amend or end an agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178C(4)	Function of determining how to give notice under s 178C(2)	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	PEHBSC, SPCIP, MPEH, DPES, SPC	If no objections are made under s 178D Must consider matters in s 178B

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	PEHBSC, SPCIP, MPEH, DPES, SPC	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	PEHBSC, SPCIP, MPEH, DPES, SPC	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	PEHBSC, SPCIP, MPEH, DPES, SPC	After considering objections, submissions and matters in s 178B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	PEHBSC, SPCIP, MPEH, DPES, SPC	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	After considering objections, submissions and matters in s 178B

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 181	Duty to apply to the Registrar of Titles to record the agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 182	Power to enforce an agreement	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, SUD, DPES, SO, SPC, MSPE	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	PEHBSC, SPCIP, MPEH, DPES, SPC	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	PEHBSC, SPCIP, MPEH, DPES, SPC	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 184G(2)	Duty to comply with a direction of the Tribunal	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, SUD, DPES, SO, SPC, MSPE	
s 184G(3)	Duty to give notice as directed by the Tribunal	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
s 198(1)	Function to receive application for planning certificate	PEHBSC, SPCIP, MPEH, DPES, SPC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 199(1)	Duty to give planning certificate to applicant	PEHBSC, SPCIP, MPEH, DPES, SPC	
s 201(1)	Function of receiving application for declaration of underlying zoning	SPCIP, MPEH, DPES, SPC, MSPE	
s 201(3)	Duty to make declaration	SPCIP, MPEH, DPES, SPC, MSPE	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
	Power to give written authorisation in accordance with a provision of a planning scheme	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	

<i>Planning and Environment Act 1987</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	

<i>Residential Tenancies Act 1997</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	MCSMRM, EHC, DPES, CEMR, MSPE, DGCCS	
s 522(1)	Power to give a compliance notice to a person	MCSMRM, EHO, DWO, HTO, EHC, DPES, MSPE, DGCCS	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	COO, MPEH, MCSMRM, EHC, DPES, DGCCS, MGP	
s 525(4)	Duty to issue identity card to authorised officers	Directors, Managers	

<i>Residential Tenancies Act 1997</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 526(5)	Duty to keep record of entry by authorised officer under s 526	MPEH, MCSMRM, EHC, DPES, DGCCS	
s 526A(3)	Function of receiving report of inspection	COO, MPEH, MCSMRM, EHC, DPES, DGCCS, MGP	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	MPEH, MCSMRM, EHC, DPES, DGCCS, MGP	

<i>Road Management Act 2004</i>			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	COO, MCI, DPES, TTC	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	COO, DPES, SO, DGCCS, TTC, MGP, TTTL	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(9)(b)	Duty to advise Registrar	COO, DPES, SO, DGCCS, TTC, MGP, TTTL	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	COO, DPES, DGCCS, TTC, MGP	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	COO, MCI, DPES, DGCCS, TTC, MGP	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	COO, DPES, DGCCS, TTC, MGP	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	COO, MCI, DPES, DGCCS, TTC, MGP	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 12(5)	Duty to consider written submissions received within 28 days of notice	COO, MCI, DPES, DGCCS, TTC, MGP	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	COO, MCI, DPES, DGCCS, TTC, MGP	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	COO, MCI, DPES, DGCCS, TTC, MGP	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	COO, MCI, DPES, DGCCS, TTC, MGP	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	COO, MCI, DPES, DGCCS, TTC	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	COO, DPES, DGCCS, TTC	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	COO, DPES	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	COO, MCI, DPES, TTC	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	COO, MCI, DPES, TTC	
s 15(2)	Duty to include details of arrangement in public roads register	COO, MCI, DPES, TTC	
s 16(7)	Power to enter into an arrangement under s 15	COO, MCI, DPES, TTC	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(8)	Duty to enter details of determination in public roads register	COO, MCI, DPES, TTC	
s 17(2)	Duty to register public road in public roads register	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	COO, MCI, DPES, TTC	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	COO, MCI, DPES, TTC	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	COO, MCI, DPES, DGCCS, TTC, TTTL	
s 19(4)	Duty to specify details of discontinuance in public roads register	COO, MCI, DPES, TTC, TTTL	
s 19(5)	Duty to ensure public roads register is available for public inspection	COO, MCI, DPES, TTC, TTTL	
s 21	Function of replying to request for information or advice	COO, MCI, DPES, TTC, TTTL	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	COO, MCI, DPES, TTC	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	COO, DPES, TTC	
s 22(5)	Duty to give effect to a direction under s 22	COO, DPES, TTC	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(1)	Duty to inspect, maintain and repair a public road.	COO, MCI, SEWPO, MOC, TLRM, CRDC, CEWLM, RFTL	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	COO, MCI, SEWPO, MOC, TLRM, CRDC, CEWLM, RFTL	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	COO, MCI, SEWPO, MOC, CRDC, CEWLM	
s 42(1)	Power to declare a public road as a controlled access road	COO, MCI, DPES, TTC	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	COO, MCI, DPES, TTC	Power of coordinating road authority and sch 2 also applies

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	COO, MCI, DPES, TTC	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	COO, MCI, DPES, TTC	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	COO, MCI, DPES, TTC	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	COO, MCI, DPES, TTC	
s 49	Power to develop and publish a road management plan	COO, MCI, DPES, MOC, TTC	
s 51	Power to determine standards by incorporating the standards in a road management plan	COO, MCI, DPES, MOC, TTC	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	COO, MCI, DPES, MOC, TTC	
s 54(2)	Duty to give notice of proposal to make a road management plan	COO, MCI, DPES, MOC, TTC	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	COO, MCI, DPES, MOC, TTC	
s 54(6)	Power to amend road management plan	COO, MCI, DPES, MOC, TTC	
s 54(7)	Duty to incorporate the amendments into the road management plan	COO, MCI, DPES, MOC, TTC	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	COO, MCI, DPES, MOC, TTC	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 63(1)	Power to consent to conduct of works on road	COO, MCI, SEWPO, MOC, CEWLM	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	COO, MCI, DPES, SEWPO, MOC, TTC, CRDC, CEWLM	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	COO, MCI	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	COO, MCI, DPES, TTC, TTTL	Where Council is the coordinating road authority
s 67(3)	Power to request information	COO, MCI, DPES, TTC, TTTL	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 68(2)	Power to request information	COO, MCI, DPES, TTC, TTTL	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	COO, DPES, TTC	
s 72	Duty to issue an identity card to each authorised officer	COO, MCI, DPES, TTC	
s 85	Function of receiving report from authorised officer	COO, MCI, DPES, MOC, TTC	
s 86	Duty to keep register re s 85 matters	COO, MCI	
s 87(1)	Function of receiving complaints	COO, MCI, MOC	
s 87(2)	Duty to investigate complaint and provide report	COO, MCI, MOC	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	COO, MCI	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 112(2)	Power to recover damages in court	COO, MCI	
s 116	Power to cause or carry out inspection	COO, MCI, MOC, CRDC	
s 119(2)	Function of consulting with the Head, Transport for Victoria	COO, MCI, DPES, TTC	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	COO, MCI, MOC	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	COO, MCI, MOC	
s 121(1)	Power to enter into an agreement in respect of works	COO, MCI, SEWPO, MOC, CEWLM	
s 122(1)	Power to charge and recover fees	COO, MCI, DPES, TTC	
s 123(1)	Power to charge for any service	COO, MCI, DPES, TTC	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	COO, MCI, DPES, TTC	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	COO, MCI, DPES, TTC	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	COO, MCI, DPES, TTC	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	COO, MCI, DPES, TTC	
sch 2 cl 5	Duty to publish notice of declaration	COO, MCI, DPES, TTC	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	COO, MCI, DPES, TTC	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	COO, MCI, DPES, TTC	Where Council is the infrastructure manager or works manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	COO, MCI, DPES, TTC	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	COO, MCI, DPES, TTC	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	COO, MCI, MOC, TTC	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	COO, MCI, MOC, TTC	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	COO, MCI, MOC, TTC	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	COO, MCI, MOC, CRDC	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	COO, MCI, MOC	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	COO, MCI, MOC	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	COO, MCI, MOC	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	COO, MCI, MOC	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	COO, MCI, MOC, TTC	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	COO, MCI, MOC, TTC	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	COO, MCI, DPES, TTC, TTTL	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(8)	Power to include consents and conditions	COO, MCI, DPES, TTC, TTTL	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	COO, MCI, DPES, TTC, TTTL	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	COO, MCI, DPES, TTC	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	COO, MCI, DPES, TTC	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	COO, MCI, DPES, TTC	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	COO, MCI, DPES, TTC	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	COO, MCI, DPES, TTC	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DPES, MSPE	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	PEHBSC, SSP, SP, SPCIP, MPEH, PSO, PP, SPAO, SStrP, StrP, DPES, SO, SPC, MSPE, PUD	
r.25(a)	Duty to make copy of matter considered under section 60(1A)(g) in accordance with the public availability requirements	PEHBSC, SPCIP, MPEH, DPES, SPC	Where Council is the responsible authority
r.25(b)	Function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	PEHBSC, SPCIP, MPEH, DPES, SPC	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DPES, MSPE	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	PEHBSC, SPCIP, MPEH, DPES, SPC	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	PEHBSC, SPCIP, MPEH, DPES, SPC, MSPE	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	MPEH, EHC	
r 10	Function of receiving application for registration	MPEH, EHC	
r 11	Function of receiving application for renewal of registration	MPEH, EHC	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	MPEH, EHC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MPEH, EHC	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	MPEH, EHC	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MPEH, EHC	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	MPEH, EHC	
r 12(4) & (5)	Duty to issue certificate of registration	MPEH, EHC	
r 14(1)	Function of receiving notice of transfer of ownership	MPEH, EHO, DWO, EHC	
r 14(3)	Power to determine where notice of transfer is displayed	MPEH, EHO, DWO, EHC	
r 15(1)	Duty to transfer registration to new caravan park owner	MPEH, EHC	
r 15(2)	Duty to issue a certificate of transfer of registration	MPEH, EHC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15(3)	Power to determine where certificate of transfer of registration is displayed	MPEH, EHC	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	MPEH, EHC	
r 17	Duty to keep register of caravan parks	MPEH, EHC	
r 18(4)	Power to determine where the emergency contact person's details are displayed	MPEH, EHO, DWO, EHC	
r 18(6)	Power to determine where certain information is displayed	MPEH, EHO, DWO, EHC	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	MPEH, EHO, DWO, EHC	
r 22(2)	Duty to consult with relevant emergency services agencies	MPEH, EHO, DWO, EHC	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	MPEH, EHO, DWO, EHC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	MPEH, EHO, DWO, EHC	
r 25(3)	Duty to consult with relevant floodplain management authority	MPEH, EHO, DWO, EHC	
r 26	Duty to have regard to any report of the relevant fire authority	MPEH, EHO, DWO, EHC	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MPEH, EHO, DWO, EHC	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MPEH, EHO, DWO, EHC	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MPEH, EHO, DWO, EHC	
r 41(4)	Function of receiving installation certificate	MPEH, EHO, DWO, EHC	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MPEH, EHO, DWO, EHC	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	MPEH, EHO, DWO, EHC	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	COO, MCI, MOC, TTC	
r 9(2)	Duty to produce written report of review of road management plan and make report available	COO, MCI, MOC	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	COO, MCI, MOC	Where Council is the coordinating road authority
r.10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	COO, MCI, MOC	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 13(1)	Duty to publish notice of amendments to road management plan	COO, MCI, MOC	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	COO, MCI, MOC	
r 16(3)	Power to issue permit	COO, MCI, MOC, TTC	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	COO, MCI, MOC, TTC	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	COO, MBS, MCI, DPES, MOC	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	COO, MBS, MCI, DPES, MOC	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	COO, MBS, MCI, DPES, SEWPO, MOC, TWL, TLC, CRDC, CEWLM	Where Council is the responsible road authority

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	COO, MBS, MCI, DPES, MOC	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	COO, MBS, MCI, DPES, MOC	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	COO, MCI, DPES, TTC	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	COO, MCI, DPES, TTC	Where Council is the coordinating road authority

Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*)



In this Instrument '**officers**' means –

Renae Ahern
Dimitrios Athanas
Anthony Augunas
Briana Barnes
Emma Barrett
John Brennan
Megan Brittingham
Andrea de Boer
Siena Cairns
Stephanie Chen
Melody Du
Dean Eddy
Andrew Feeney
Aidan Francischelli
Eloise Gabriele
Guy Gardiner
Richard Glawitsch
Kamal Hasanoff
Mark Huntersmith
Simon Ilsley
Jennifer Kemp
Ben Kenyon
Sav Koletas
Jessica Ladlow
Stewart Mala
Sarah Mayman
Karen McPherson
Raymond Micallef
Robert Mitchelmore
Stella Morgan
Tim Oldfield
Leigh Northwood
Nicholas Ouzas
Serge Perna
Barry Pilliner
Katrina Ross
Sarah Shehata
Craig Smith
Marianne Sparks
Warren Tomlinson
Michael van Oosterwijck
George Vasilopoulos
Timothy Vickers
Harry Widdecome
Emrys Williams

By this Instrument of Appointment and Authorisation Nillumbik Shire Council –

1.

under section 147(4) of the *Planning and Environment Act 1987* – appoints the officers to be authorised officers for the purpose of the *Planning and Environment Act 1987* and the regulations made under that Act; and
2.

under section 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this Instrument.

It is declared that this Instrument –

- a)

comes into force immediately upon its execution;
- b)

remains in force until varied or revoked.

This instrument is authorised by a resolution of **Nillumbik Shire Council** on 26 March 2024.

THE COMMON SEAL of NILLUMBIK

)

SHIRE COUNCIL was affixed hereto

)

On the day of March 2024

)

On the authority of the Council and

)

signed by:

)

.....

Councillor

.....

Chief Executive Officer

Informal Meeting of Councillors Record

The Meeting commenced at 7:05pm

MEETING DETAILS:	Title:	Panton Hill bushland Reserve System User Group – Advisory Committee
	Date:	Thursday 15 th February 2024
	Location:	Panton Hill Living and Learning Centre
PRESENT:	Councillors:	Cr Karen Egan
	Council Staff:	Brad Tadday, Bridget Russell
	Other:	Lydia Heap, Mark Hood, Susy Penrose, Bob West, Peter Stewart (proxy for Cathy)
APOLOGIES:		Lee Hartman, Janice Crosswhite, Cathy Giles,

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
5	Minutes of previous meeting	No disclosures were made
6	Outstanding Action Items	No disclosures were made
7	Works update and planned works <ul style="list-style-type: none"> Threatened fauna monitoring and management Capital Works program 	No disclosures were made
8	Panton Hill Bushland Reserve System Management Plan progression	No disclosures were made
9	Interpretation Design Plan implementation Working Group Update.	No disclosures were made

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
10	Community Engagement: <ul style="list-style-type: none"> • Friends of Bunjil Reserve • Panton Hill Primary School • PH Living and Learning Centre • Nillumbio • Council Biodiversity events • Fauna monitoring • Engagement of adjoining property owners in LMIP • Other – Clintons Rd Reserve working bee 	No disclosures were made
11	Other Business – Catering for meeting not desired	No disclosures were made

The Meeting concluded at 8:25pm

RECORD COMPLETED BY:	Officer Name:	Brad Tadday
	Officer Title:	Environmental Works Officer

Informal Meeting of Councillors Record

The Meeting commenced at 7:00pm

MEETING DETAILS:	Title:	Arts and Cultural Advisory Committee
	Date:	Monday 19 February 2024
	Location:	Council Chambers and Via Zoom
PRESENT:	Councillors:	Cr. Paine
	Council Staff:	Nichole Johnson, Saleh Hadi, Sarah Hammond, Jacqueline Felstead, Ignacio Zamora.
	Other:	Leanne Ipsen, Rebecca Davies, Chris Cook, Terrie Waddell, Jean Verso, Chloe Mann, Cassie May, Sandra Miller, Yu Fang Chi, Sammaneh Pourshafighi, Alli Spoor, Elsa Ch'ng.
APOLOGIES:		Cr Perkins, Corrienne Nichols, Mel Paine, Simone Thomson.

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Matters Arising <ul style="list-style-type: none"> No matters arising. 	No disclosures were made
2	Updates <ul style="list-style-type: none"> Creative Infrastructure Framework Update Art Policies and Guidelines Review 	No disclosures were made
3	Officer Updates <ul style="list-style-type: none"> Eltham Library Community Gallery and Socials Arts Programs Arts Development Curator & Collections Management 	No disclosures were made
4	Member Updates <ul style="list-style-type: none"> Sammaneh Pourshafighi Chris Cook 	No disclosures were made
5	Other Business <ul style="list-style-type: none"> ACAC Community Assessment Panel Nillumbik Community Awards Acquisitions Nillumbik and Manningham Bulletin 	No disclosures were made
6	2024 Meetings	No disclosures were made

The Meeting concluded at 8.50 pm

RECORD COMPLETED BY:	Officer Name/Title:	Sarah Hammond, Arts Program Officer
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Informal Meeting of Councillors Record

The Meeting commenced at 2pm

MEETING DETAILS:	Title:	Living & Learning Nillumbik Advisory Committee
	Date:	Monday 19 February 2024
	Location:	Kitchen, Panton Hill Neighbourhood House
PRESENT:	Councillors:	Cr Geoff Paine
	Council Staff:	Natalie Bucknell, Vanessa Veldman, Erin Elderhurst, Hillary Duns-McKay, Cobie Vermeulen, Corrienne Nicholls, Fancy Chen, Kellie Grocock
	Other:	Committee Members - Deborah Donehue, Sabi Bueler, Lynne Ellis, Deanna Finn Observers – Kathryn Lamb, Ni Li
APOLOGIES:		Sarah Doherty, Bambi McLean

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Neighbourhood House update	None
2	Skills Hub update	None
3	Communications and Marketing update	None
4	Carers Hub update	None
5	Upcoming Events	None
6	North East Neighbourhood House Network Bus Tour (2 May 2024)	None
7	Recruiting additional Advisory Committee members	None

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
8	L&LN Advisory Committee involvement in planning and support	None
9	Nillumbik Literary Festival	None
10	Social Planet Client Management System	None
11	Invitation: Nillumbik Community Fund assessors	None

The Meeting concluded at 3:15pm

RECORD COMPLETED BY:	Officer Name:	Cobie Vermeulen
	Officer Title:	Executive Officer Living & Learning Nillumbik

Informal Meeting of Councillors Record

The Meeting commenced at 5.06pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 20 February 2024
	Location:	Virtual meeting
PRESENT:	Councillors:	Cr Frances Eyre, Cr Natalie Duffy, Cr Karen Egan, Cr Geoff Paine and Cr Ben Ramcharan
	Council Staff:	Carl Cowie, Vince Lombardi, Blaga Naumoski, Corrienne Nichols, Jeremy Livingston, Renae Ahern, Katia Croce, Nichole Johnson, Natalie Campion, Tracey Varley, Melika Sukunda, Meg Exell
	Other:	
APOLOGIES:		Cr Richard Stockman Cr Peter Perkins

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Youth Strategy 2022-2026 - Year 2 Reporting & Year 3 Implementation Plan	No disclosures were made
2	Committee of Management for Crown land at Watery Gully Reserve	No disclosures were made
3	Draft Leasing and Licensing Policy	No disclosures were made
4	Communications Strategy 2022-25 Year 2 Action Plan mid-year report	No disclosures were made
5	Consideration of Motions for the MAV State Council Meeting - 17 May 2024	No disclosures were made
6	National General Assembly of Local Government 2024 - Call for Motions	No disclosures were made
7	2024-2025 Draft Operating Budget	No disclosures were made

The Meeting concluded at 6.15pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Blaga Naumoski Director Governance Communications and Community Safety
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Informal Meeting of Councillors Record

The Meeting commenced at 7:15pm

MEETING DETAILS:	Title:	Environment & Sustainability Advisory Committee (ESAC)
	Date:	21 February 2024
	Location:	Council Chambers
PRESENT:	Councillors:	Ben Ramcharan
	Council Staff:	Warren Tomlinson, Kirsten Reedy, Tim Vickers
	Other:	ESAC: John Huf, Lynlee Tozer, Kahn Franke, Doug Evans, Anne-Marie King
APOLOGIES:		Alan Thatcher (resigned), Fieke van der Kamp (resigned), Vasundhara Kandpal, Malcolm Cock, Sue Rosenhain, Kate McCracken, Andrew McMahon, Cr. Geoff Paine.

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Biodiversity Strategy update	No disclosures were made
2	Draft Urban Canopy Strategy development	No disclosures were made

The Meeting concluded at 8:13pm

RECORD COMPLETED BY:	Officer Name:	Tim Vickers
	Officer Title:	Climate Change and Environment Officer

Informal Meeting of Councillors Record

The Meeting commenced at 5:04pm

MEETING DETAILS:	Title:	Council Meeting Pre-Meet
	Date:	Tuesday 27 February 2024
	Location:	Council Chamber
PRESENT:	Councillors:	Cr Frances Eyre, Cr Natalie Duffy, Cr Karen Egan, Cr Geoff Paine, and Cr Richard Stockman
	Council Staff:	Carl Cowie, Vince Lombardi, Blaga Naumoski, Corrienne Nichols, Jeremy Livingston, Katia Croce, Tracey Varley, Nichole Johnson, Jenny Vergers, Leigh Northwood, Steven Blight, Ayman William, Lawrence Seyers, Melika Sukunda
	Other:	
APOLOGIES:		Cr Peter Perkins, Cr Ben Ramcharan

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Future delivery of the TAC L2P Program	No disclosures were made
2	Land Management Incentive Program - Guidelines Update	No disclosures were made
3	Review of the Governance Rule - Election Period Policy	No disclosures were made
4	Environment and Sustainability Advisory Committee (ESAC)	No disclosures were made
5	Jalna Court Special Charge Scheme - Intention to Declare	No disclosures were made
6	Draft Budget 2024-2025	No disclosures were made
7	December Quarter Financial Report	No disclosures were made
8	Local Government Performance Reporting Framework - Mid-Year 2023-2024 Performance Report	No disclosures were made
9	Council Plan Quarterly Performance Report - 2023-2024 - Quarter 2	No disclosures were made
10	Instrument of Appointment and Authorisation (Planning and Environment Act 1987)	No disclosures were made
11	Informal Meetings of Councillors Records - 27 February 2024	No disclosures were made
12	Unused Government Road (Joslyn Drive, Research)	No disclosures were made

The Meeting concluded at 5:15pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Katia Croce Manager Governance and Property
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Informal Meeting of Councillors Record

The Meeting commenced at 5.03pm

MEETING DETAILS:	Title:	Councillor Briefing
	Date:	Tuesday 5 March 2024
	Location:	Virtual meeting
PRESENT:	Councillors:	Cr Peter Perkins, Cr Frances Eyre, Cr Natalie Duffy, Cr Karen Egan, Cr Geoff Paine, Cr Ben Ramcharan and Cr Richard Stockman
	Council Staff:	Carl Cowie, Blaga Naumoski, Corrienne Nichols, Jeremy Livingston, Renae Ahern, Leigh Northwood, Narelle Hart, Heath Gillett, Kirsten Reedy, Warren Tomilson, David Keep, Tracey Varley
	Other:	
APOLOGIES:		

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	CFA Facilities in the Green Wedge Options for Facilitating Signage through the Planning Scheme	No disclosures were made
2	Regional Assessment Service update	No disclosures were made
3	Draft Urban Tree Canopy Strategy and proposed community consultation	No disclosures were made
4	Amendment C149nill Heritage Review - Panel Report and Approva	No disclosures were made
5	CEO Update with Councillors	No disclosures were made

The Meeting concluded at 7.19pm

RECORD COMPLETED BY:	Officer Name: Officer Title:	Blaga Naumoski Director Governance Communications and Community Safety
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