

**Maribyrnong Planning Scheme Amendment C172mari  
West Footscray Inter-war and Post-war Heritage Precinct  
Study**

**Correction to the Panel Report**


*Planning and Environment Act 1987*

**23 March 2023**

*Planning and Environment Act 1987*

Correction to the Maribyrnong C172 Panel Report pursuant to section 25 of the PE Act  
West Footscray Inter-war and Post-war Heritage Precinct Study

**23 March 2023**



David Merrett, Chair



Lisa Riddle, Member



Professor Rob Adams AM, Member

# Contents

	<b>Page</b>
<b>1 Correction.....</b>	<b>1</b>
1.1 Issues raised .....	1
1.2 Panel response .....	1
1.3 Revisions.....	2
1.4 Notice to submitters.....	2
<b>Appendix A Email from Council</b>	

## Overview

### Amendment summary

The Amendment	Maribyrnong Planning Scheme Amendment C172mari
Common name	West Footscray Inter-war and Post-war Heritage Precinct Study
Brief description	Applies the Heritage Overlay and rezones land to the Neighbourhood Residential Zone
Subject land	Land in eight new heritage precincts located in West Footscray and surrounding parts of Footscray, Maidstone and Tottenham
Planning Authority	Maribyrnong City Council
Exhibition	28 February to 7 April 2022
Submissions	Number of Submissions: 199 Opposed: 166

### Panel process

The Panel	David Merrett (Chair), Lisa Riddle and Professor Rob Adams AM
Directions Hearing	By video, 13 October 2022
Panel Hearing	Planning Panels Victoria, 22, 23, 24, 28, 29 November and 9 December 2022
Citation	Maribyrnong Planning Scheme PSA C172mari [2022] PPV
Date of Panel Report	7 February 2023
Date of Panel Report Correction	23 March 2023

# 1 Correction

This report is to be read in conjunction with the Maribyrnong Planning Scheme Amendment C172mari Panel Report dated 7 February 2023.

## 1.1 Issue raised

Planning Panels Victoria received an email from Maribyrnong City Council on 20 March 2023, which is provided in Appendix A. In this email, Council raised the following issues:

- Recommendation 8 requires 24 Stanley Street, West Footscray to be re-classified as non-contributory.
- This is based on the Panel's discussion at page 55 which indicates the dwelling had been demolished.
- Council has provided a photo (Figure 1) confirming the dwelling had not been demolished, is of the inter-war era and should not be re-classified as non-contributory.
- Council has suggested the street name may be an error as the dwelling on 24 Hope Street, West Footscray, in the same precinct, has been demolished and Council recommended in a post exhibition change that it should be re-classified as non-contributory.

**Figure 1** 24 Stanley Street, West Footscray



Source: Maribyrnong City Council

## 1.2 Panel response

The Panel appointed to consider Maribyrnong Planning Scheme Amendment C172mari has reviewed these items and offers the following response:

- The Panel agrees with Council the dwelling on 24 Stanley Street, West Footscray should be classified as contributory. The photo provided by Council in Figure 1 confirms it is of significance to the Inter-war era.
- The recommendation and discussion on pages 55 and 56 of the Panel Report as it relates to 24 Stanley Street, West Footscray should be corrected to refer to 24 Hope Street, West Footscray.

### 1.3 Revisions

Having considered the above, the Panel recommends that the Panel Report dated 7 February 2023 be changed to:

1. **Amend the discussion at Section 5.6(ii) to delete reference to 24 Stanley Street, West Footscray and add the following in discussion for Hope Street:**
  - a) *The Panel agrees with Council that 24 Hope Street West Footscray should be re-classified as non-contributory as the dwelling has been demolished and the site is being redeveloped.*
2. **Amend the recommendation at Section 5.6(iii) and Recommendation 8 in the Executive Summary to replace 24 Stanley Street, West Footscray with 24 Hope Street, West Footscray.**

The Panel has prepared the Correction to the Maribyrnong Planning Scheme Amendment C172mari Panel Report dated 23 March 2023 that incorporates these changes.

### 1.4 Notice to submitters

As Council has made the Maribyrnong Planning Scheme Amendment C172mari Panel Report dated 7 February 2023 available to the Public, they are to write to all submitters and advise them of the Correction to the Maribyrnong Planning Scheme Amendment C172mari Panel Report dated 23 March 2023.

## Appendix A Email from Council

Planning Panels Victoria received an email from Council on 20 March 2023 which stated:

*"We are seeking clarification on the Panel's recommendation to reclassify 24 Stanley Street to non-contributory (Panel recommendation #8).*

*This recommendation appears to be based on the dwelling at this property having been demolished. In particular, Page 55 of the Panel's report states:*

*Stanley Street has mainly intact Inter-war housing with some Post-war housing and non-contributory places. During the inspection the Panel noticed the dwelling on 24 Stanley Street had been demolished. This property should be classified as non-contributory.*

*However, according to our site inspect this dwelling has not been demolished (refer to photograph attached taken this morning).*

*We note that Council proposed to the Panel that 24 Hope Street should be a reclassified as non-contributory. This is because the contributory dwelling on this property had been demolished and a redevelopment is currently underway (refer to NearMap aerial photographs attached). The Panel's report makes reference to this on pages 48 and 54 however it is not reflected in a Panel recommendation. It is suggested that Panel recommendation #8 should have referred to 24 **Hope** Street instead of 24 **Stanley** Street."*



**Maribyrnong Planning Scheme Amendment C172mari  
West Footscray Inter-war and Post-war Heritage Precinct  
Study**

**Panel Report**

*Planning and Environment Act 1987*

**7 February 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 or not to adopt the Amendment. [section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

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

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

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

### *Planning and Environment Act 1987*

Panel Report pursuant to section 25 of the PE Act

Maribyrnong Planning Scheme Amendment C172mari

**7 February 2023**



David Merrett, Chair



Lisa Riddle, Member



Professor Rob Adams AM, Member

# Contents

	<b>Page</b>
<b>1 Introduction.....</b>	<b>8</b>
1.1 The Amendment.....	8
1.2 Interim heritage controls .....	10
1.3 Background .....	11
1.4 The Heritage Study .....	12
1.5 Post exhibition changes .....	14
1.6 The Panel’s approach .....	15
<b>2 Planning context.....</b>	<b>17</b>
2.1 Planning policy framework.....	17
2.2 Other relevant planning strategies and policies .....	18
2.3 Planning scheme provisions .....	19
2.4 Ministerial Directions and Practice Notes.....	19
<b>3 Strategic matters .....</b>	<b>21</b>
3.1 The issues .....	21
3.2 Maribyrnong’s Thematic Environmental History.....	21
3.3 The Heritage Study methodology and approach.....	23
3.4 The use of the Neighbourhood Residential Zone .....	30
3.5 Policy support.....	31
<b>4 General issues.....</b>	<b>33</b>
4.1 Social and economic impacts .....	33
4.2 Public consultation and notification of the Amendment.....	34
4.3 Accuracy.....	36
4.4 Building condition .....	37
4.5 Development opportunity, building alterations and maintenance .....	37
4.6 Use of other planning provisions .....	38
4.7 Restriction on environmental improvements .....	39
4.8 Residential or housing precincts? .....	40
4.9 Use of street numbers on maps.....	41
4.10 Existing second storey additions – contributory or non-contributory? .....	41
4.11 Non-contributory places in a heritage precinct .....	42
4.12 Local heritage grants scheme.....	43
4.13 Relationship to interim heritage controls .....	43
<b>5 Bottomley’s Paddock Inter-war and Post-war Residential Precinct (H0211) .....</b>	<b>45</b>
5.1 Post exhibition changes .....	47
5.2 The issues .....	48
5.3 Threshold criteria.....	48
5.4 Comparative analysis .....	51
5.5 Napoleon and Wellington Streets .....	51
5.6 Hope, Barton, Stanley and View Streets .....	54

5.7	Palmerston Street.....	56
5.8	Wallace Street.....	57
5.9	Tucker Street.....	58
5.10	Molesworth Court.....	59
<b>6</b>	<b>Centennial and Duke Streets Inter-war and Post-war Residential precinct (H0212) .....</b>	<b>61</b>
6.1	Post exhibition changes.....	63
6.2	The issue.....	63
6.3	Evidence and submissions.....	63
6.4	Discussion and conclusion.....	64
6.5	Recommendations.....	65
<b>7</b>	<b>Hansen Inter-war Residential Precinct (H0213).....</b>	<b>66</b>
7.1	The issue.....	67
7.2	Evidence and submissions.....	67
7.3	Discussion and conclusion.....	67
<b>8</b>	<b>Laughton’s Post-war Residential Precinct (H0214).....</b>	<b>69</b>
8.1	Post exhibition changes.....	70
8.2	The issues.....	70
8.3	Evidence and submissions.....	70
8.4	Discussion.....	73
8.5	Conclusion.....	73
8.6	Recommendation.....	73
<b>9</b>	<b>Naismith and McCubbin Streets Inter-war Residential Precinct (H0215) .....</b>	<b>74</b>
9.1	The issues.....	76
9.2	Evidence and submissions.....	76
9.3	Discussion and conclusion.....	77
9.4	Recommendation.....	77
<b>10</b>	<b>Summerhill Road Inter-war and Post-war Residential Precinct (H0216) .....</b>	<b>78</b>
10.1	The issues.....	80
10.2	Evidence and submissions.....	80
10.3	Discussion.....	81
10.4	Conclusions and recommendations.....	82
<b>11</b>	<b>Tottenham Post-war Industrial Area Residential Precinct (H0217).....</b>	<b>84</b>
11.1	The issues.....	85
11.2	Evidence and submissions.....	86
11.3	Discussion.....	89
11.4	Conclusions and recommendations.....	92
<b>12</b>	<b>West Footscray Inter-war and Post-war Residential Precinct (H0218) .....</b>	<b>93</b>
12.1	Post exhibition changes.....	95
12.2	The issues.....	95
12.3	Evidence and submissions.....	96

12.4 Discussion .....	97
<b>13 The drafting of the heritage design guidelines .....</b>	<b>98</b>

**Appendix A Submitters to the Amendment**

**Appendix B Parties to the Panel Hearing**

**Appendix C Document list**

**Appendix D Panel-preferred versions of the heritage design guidelines**

**List of Tables**

	<b>Page</b>
Table 1 Post-exhibition changes.....	14

**List of Figures**

	<b>Page</b>
Figure 1 Eight heritage precincts .....	9
Figure 2 Streets that have potential heritage significance.....	12
Figure 3 34 streets the subject of the Heritage Study .....	13
Figure 4 3 Hope Street, West Footscray .....	41
Figure 5 20 Hope Street, West Footscray .....	41
Figure 6 Bottomley’s Paddock with proposed precincts areas overlaid .....	49
Figure 7 7 Napoleon Street, West Footscray.....	52
Figure 8 16 Napoleon Street, West Footscray .....	52
Figure 9 31 Wellington Street, West Footscray .....	52
Figure 10 61 Wellington Street, West Footscray .....	52
Figure 11 62 Wellington Street, West Footscray .....	52
Figure 12 68 Wellington Street, West Footscray .....	52
Figure 13 76 Wellington Street, West Footscray .....	53
Figure 14 4 View Street, West Footscray .....	55
Figure 15 8 View Street, West Footscray .....	55
Figure 16 3 Hope Street, West Footscray .....	55
Figure 17 17 Barton Street, West Footscray.....	55
Figure 18 13 Palmerston Street, West Footscray.....	56
Figure 19 16 Palmerston Street, West Footscray.....	57

Figure 20	35 Palmerston Street, West Footscray.....	57
Figure 21	16 Tucker Street, West Footscray.....	59
Figure 22	33 Tucker Street, West Footscray.....	59
Figure 23	2 Centennial Street, West Footscray.....	63
Figure 24	1 Duke Street, West Footscray.....	63
Figure 25	35 Creswick Street, Footscray.....	71
Figure 26	37 Creswick Street, Footscray.....	71
Figure 27	23 Creswick Street, Footscray.....	71
Figure 28	32 Commercial Road, Footscray.....	71
Figure 29	22 Commercial Road, Footscray.....	72
Figure 30	Laughton’s Foundry site redevelopment title.....	72
Figure 31	2 McCubbin Street, Footscray.....	77
Figure 32	29 Summerhill Road, Footscray.....	81
Figure 33	13 Gwelo Street, West Footscray.....	86
Figure 34	38 Gwelo Street, West Footscray.....	87
Figure 35	9 Sredna Street, West Footscray.....	88
Figure 36	11 Sredna Street, West Footscray.....	88
Figure 37	31 Sredna Street, West Footscray.....	88
Figure 38	173 Sunshine Road, West Footscray.....	91
Figure 39	PAO map for Tottenham.....	91

## Glossary and abbreviations

the Amendment	Maribyrnong Planning Scheme Amendment C172mari
Bottomley’s Paddock precinct	Bottomley’s Paddock Inter-war and Post-war Residential Precinct
Centennial and Duke precinct	Centennial and Duke Streets Inter-war and Post-war residential precinct
Council	Maribyrnong City Council
Feasibility Study	West Footscray Heritage Feasibility Study 2019
Hansen precinct	Hansen Inter-war residential precinct
HERCON	Heritage Conservation
Heritage Study	West Footscray Inter-war and Post-war Heritage Precinct Study 2021

Laughton's precinct	Laughton's Post-war residential precinct
Naismith and McCubbin precinct	Naismith and McCubbin Streets Inter-war residential precinct
Neighbourhood Plan	West Footscray Neighbourhood Plan 2018
NRZ	Neighbourhood Residential Zone
PAO	Public Acquisition Overlay
PE Act	<i>Planning and Environment Act 1987</i>
PPN01	Planning Practice Note <i>Applying the Heritage Overlay</i>
PPN91	Planning Practice Note <i>Using the Residential Zones</i>
Planning Scheme	Maribyrnong Planning Scheme
PPRZ	Public Park and Recreation Zone
Summerhill Road precinct	Summerhill Road Inter-war and Post-war residential precinct
Tottenham precinct	Tottenham Post-war residential precinct
VHR Guidelines	Victorian Heritage Register Criteria and Threshold Guidelines
West Footscray precinct	West Footscray Inter-war and Post-war residential precinct

## Overview

### Amendment summary

The Amendment	Maribyrnong Planning Scheme Amendment C172mari
Common name	West Footscray Inter-war and Post-war Heritage Precinct Study
Brief description	Applies the Heritage Overlay and rezones land to the Neighbourhood Residential Zone
Subject land	Land in eight new heritage precincts located in West Footscray and surrounding parts of Footscray, Maidstone and Tottenham
Planning Authority	Maribyrnong City Council
Authorisation	1 November 2021
Exhibition	28 February to 7 April 2022
Submissions	Number of Submissions: 199 Opposed: 166 Refer to Appendix A

### Panel process

The Panel	David Merrett (Chair), Lisa Riddle and Rob Adams
Directions Hearing	By video, 13 October 2022
Panel Hearing	Planning Panels Victoria, 22, 23, 24, 28, 29 November and 9 December 2022
Site inspections	Unaccompanied, 14 November 2022 and 8 December 2022
Parties to the Hearing	Refer to Appendix B
Citation	Maribyrnong Planning Scheme PSA C172mari [2022] PPV
Date of this report	7 February 2023



## Executive summary

The purpose of Maribyrnong Planning Scheme Amendment C172mari (the Amendment) is to implement the recommendations of the West Footscray Inter-war and Post-war Heritage Precinct Study 2021 (the Heritage Study) and replace interim heritage controls with permanent controls. The Amendment applies to properties in West Footscray, Maidstone, Footscray and Tottenham.

There are eight heritage precincts covering 923 properties. The precincts are:

- HO211 Bottomley's Paddock Inter-war and Post-war Residential Precinct (Bottomley's Paddock precinct)
- HO212 Centennial and Duke Streets Inter-war and Post-war Residential Precinct (Centennial and Duke precinct)
- HO213 Hansen Inter-war Residential Precinct (Hansen precinct)
- HO214 Laughton's Post-war Housing Precinct (Laughton's precinct)
- HO215 Naismith and McCubbin Streets Inter-war Housing Precinct (Naismith and McCubbin precinct)
- HO216 Summerhill Road Inter-war and Post-war Housing Precinct (Summerhill Road precinct)
- HO217 Tottenham Post-war Industrial Area Housing Precinct (Tottenham precinct)
- HO218 West Footscray Inter-war and Post-war Residential Precinct (West Footscray precinct).

Of the 923 properties impacted by the Amendment, 808 are considered contributory or 88 per cent. There are no properties categorised as individually significant. There are four Inter-war and Post-war precincts, two Inter-war precincts and two Post-war precincts.

Housing styles considered contributory include:

- inter-war bungalows
- post-war Austere dwellings
- post-war brick veneer dwellings
- Post-war migrant dwellings
- Post-war flats
- Housing Commission of Victoria dwellings.

There were 199 submissions with most (166) objecting to the Amendment. The key issues for submitters relate to the value of protecting Inter-war and Post-war architecture, concern about building condition, impediments to property maintenance and alterations, sustainability measures, property value and financial implications.

Procedural issues included the lack of consultation in the preparation of the Heritage Study due to the COVID-19 pandemic restrictions, a perception there was a lack of notice for the Amendment and that more could have been done by Council to ensure the very multi-cultural community had a better understanding of the Amendment.

The scale of the Amendment is a significant undertaking by Council for which it should be congratulated in protecting heritage in the municipality. This Amendment represents a trend towards the protection of post-war housing, which is one of the key eras of development in Maribyrnong, and particularly in the West Footscray area. The protection of this era of housing was the focus of most submitters.

The Panel finds that Council used a robust methodology that screened streets for their significance in a feasibility study and then focussed on the 34 streets the subject of this Amendment in the Heritage Study. The Panel, however, considers the credibility of the Heritage Study was impacted by a lack of broad consultation that could not occur during the pandemic restrictions. This resulted in errors that were corrected to a large degree through the Hearing.

The Amendment also rezones land to the Neighbourhood Residential Zone (NRZ) and identifies the precincts as 'limited change areas' on the housing framework plan. While not a focus of submitters, the Panel finds the rezoning of land is consistent with Council's approach to other heritage precincts and Planning Practice Note 91 *Using the residential zones*.

The Amendment is supported by and implements the relevant sections of the Planning Policy Framework and Municipal Strategic Statement. It is strategically justified and consistent with the relevant Ministerial Directions and Practice Notes. The Amendment should proceed subject to addressing the more specific issues raised in submissions. The Panel has categorised these into general or strategic matters and precinct-based issues.

### **General or strategic matters**

Several of the proposed precincts are deemed to be significant across both the inter-war and post-war eras, spanning some 40-60 years. The Panel considers this has caught more places of significance than otherwise would be the case if one era was considered. The Panels considers that while these places might be good examples of an area's growth, in some precincts they fail to demonstrate why or how they are important or significant to the era, which is the requirement of many of the HERCON criteria. The variety of housing styles across two eras and in some cases one era, the Panel finds, indicates a lack of integrity or consistency more so than a level of local heritage significance that meets the threshold for the application of the Heritage Overlay.

The Panel finds issues of building condition, development opportunity, building alterations, maintenance, property value and financial implications are not relevant when assessing the heritage significance of an individual place or a precinct. These matters can be considered at the permit application stage.

The Panel finds it is appropriate to apply the Heritage Overlay to non-contributory properties, but this should be reviewed for examples on the periphery of precincts.

### **Bottomley's Paddock precinct (HO211)**

The speculative and failed subdivision of Bottomley's Paddock is not of sufficient significance to meet the threshold for Heritage Conservation (HERCON) Criteria A. The statement of significance should refer specifically to the sub-precinct areas and its eras of development. There is no on-ground resemblance to this subdivision for land affected by this Amendment.

Wellington and Napoleon Streets have a variety of housing styles in the post-war era with generally no spatial relationship and have a considerable number of non-contributory properties. It lacks intactness as a precinct and does not have sufficient local heritage significance to justify the Heritage Overlay or the NRZ.

Hope, Barton, Stanley and View Streets are a block of 4 parallel streets and have a mix of Inter-war and Post-war housing. As a collective block of four streets the Panel finds it has relatively intact housing with very few non-contributory properties. The Panel finds it meets the threshold of local heritage significance for the application of the Heritage Overlay and be rezoned to the NRZ. 4 View Street and 24 Stanley Street should be re-classified as non-contributory.

Palmerston Street is a predominantly inter-war era street with intact housing of a dominant bungalow style. The Panel finds it meets the threshold of local heritage significance for the application of the Heritage Overlay and be rezoned to the NRZ. 5, 16 and 35 Palmerston should be re-classified as non-contributory.

Wallace Street has 31 properties with some extending in depth to Burns Street and Norfolk Street. The street has a high level of intactness, and the Panel finds it meets the threshold of local heritage significance for the application of the Heritage Overlay and be rezoned to the NRZ. 50A and 50B Norfolk Street should be removed from the Heritage Overlay and retain its current General Residential Zone. 19 Wallace Street should be re-classified as non-contributory.

Tucker Street abuts Johnson Reserve at its western end and contains 33 properties, of which four are non-contributory on its south side. The Panel finds it meets the threshold of local heritage significance for the application of the Heritage Overlay and should be rezoned to the NRZ.

Molesworth Court contains inter and post-war housing in two distinct halves and comprises 21 properties. The Panel finds it meets the threshold of local heritage significance for the application of the Heritage Overlay and should be rezoned to the NRZ. 15 Molesworth Court should be re-classified as non-contributory.

#### **Centennial and Duke precinct (HO212)**

Centennial Street and Duke Street contain 14 and 8 properties respectively and are non-contiguous. They have been considered together as a precinct due to the proximity of former quarries and their operators. The Panel finds this is common to many inner municipalities and is a weak association. The naming of Centennial Street after the 1888 centenary of European settlement and its purported relationship to Ted Whitten also lacks substance. As a precinct of two disparate streets the Panel finds it does not meet the threshold of local heritage significance for the application of the Heritage Overlay and the precinct should be abandoned.

#### **Hansen precinct (HO213)**

Hansen Street is an intact inter-war street with bungalow style housing. The Panel finds it meets the threshold of local heritage significance for the application of the Heritage Overlay and should be rezoned to the NRZ.

#### **Laughton's precinct (HO214)**

All properties in the Laughton's precinct are categorised as contributory as post-war migrant brick veneer houses (1969-1975). The Panel finds the former use of most of the land as a foundry is important in establishing the significance of the precinct and its link to the local history of industry in the area with all housing intact and of a consistent style. The Panel finds it meets the threshold of local heritage significance for the application of the Heritage Overlay and should be rezoned to the NRZ.

#### **Naismith and McCubbin precinct (HO215)**

Naismith Street is an inter-war street with intact bungalow housing. The Panel finds it meets the threshold of local heritage significance for the application of the Heritage Overlay and should be rezoned to the NRZ.

The Heritage Overlay is to be applied to one side of McCubbin Street covering eight properties. During the Hearing Council agreed three of these (Nos 8, 12 and 14) could be re-classified as non-contributory. The Panel finds the precinct is too small, too fragmented and only one side of the

street to be considered a precinct. The Panel finds the precinct does not meet the threshold for local heritage significance for the application of the Heritage Overlay.

### **Summerhill Road precinct (HO216)**

The Summerhill Road precinct contains 95 properties, 69 of which front onto Summerhill Road and 26 of which are in the adjoining street, Coral Avenue. It is an inter-war and post-war precinct.

The eastern side of Summerhill Road and the Coral Avenue properties are relatively intact, good examples of inter-war housing and appropriate for application of the Heritage Overlay.

The western side of Summerhill Road is more fragmented and inconsistent with a higher proportion of non-contributory properties. South of 26 Summerhill Road is too fragmented for the application of the Heritage Overlay, however the NRZ should be retained for this area to ensure appropriate development outcomes. 28 to 68 Summerhill Road should be removed from the precinct.

Properties fronting the four-way intersection of Summerhill Road, Dongola Road and Suffolk Street should be retained in the Heritage Overlay along with 8, 10, 16, 18 and 20 Summerhill Road.

### **Tottenham precinct (HO217)**

The Tottenham precinct is large and is surrounded by industrial areas to the west, south and east and the Tottenham railway station is located to its north. Of the 189 properties, 44 are non-contributory to the predominantly post-war era dwellings, with Inter-war dwellings predominantly along Dempster Street. All properties fronting the north-south streets of Aliwal, Bizana and Cala Streets are recent constructions and non-contributory.

The precinct is significant as an intact example of the movement of workers out of inner Melbourne to be closer to employment, principally in the surrounding industrial areas. The predominant housing style is post-war austere. The Panel finds the application of the Heritage Overlay is appropriate to the precinct east of Dempster Street but should be removed from:

- Sredna Street which is geographically separate and will be further isolated when Dempster Street is widened as evidenced by the Public Acquisition Overlay (PAO)
- The shops at 169, 171, 175 and 177 Sunshine Road (also affected by the PAO) with it being retained on 173 Sunshine Road specifically to protect the '1947 Hansen for Houses' sign which should be relocated locally once the shops are demolished.
- Some non-contributory properties at the periphery of the precinct.

### **West Footscray precinct (HO218)**

While the West Footscray precinct includes both inter-war and post-war era housing, the Panel finds the individual streets are dominated by one era of housing with a low level of non-contributory housing. The Panel finds it is highly intact, operates well as a precinct and it meets the threshold for local heritage significance for the application of the Heritage Overlay subject to the following:

- 18 Neil Street is a brown brick dwelling constructed in a 1980s form outside of the post-war era. It is identified as contributory but should be classified as non-contributory.
- 5 Neil Street is vacant and should be classified as non-contributory.
- 4 Rondell Avenue contains a set of six 1970s or 1980s single storey units which should be classified as non-contributory.

- 14 Rondell Avenue retains the cream brick veneer dwelling at the front of the site but has several units constructed to the rear outside of the era of significance. The units to the rear should be classified as non-contributory
- 1 First Avenue should be removed from the precinct as it is non-contributory and is at the periphery of the precinct.
- 3 First Avenue contains a set of double storey 1980s walk up flats that should be non-contributory. As it is located next to 1 First Street the Panel considers 1 and 3 First Street should be removed from the precinct.

### **Heritage Design Guidelines**

Each precinct has a set of heritage design guidelines that will be incorporated into the Maribyrnong Planning Scheme (the Planning Scheme). They mostly have common provisions and some precinct-specific provisions. Generally, the Panel finds the heritage design guidelines could be improved by:

- using consistent drafting of the same design guideline in each precinct
- clarifying when a guideline is specific to a contributory building
- use of diagrams to convey more clearly how appropriate forms of second storey additions should be considered - this should include a diagram for each of the predominant roof types and pitches in the precinct.

Appendix D contains the Panel-preferred versions of the heritage design guidelines.

### **Recommendations**

Based on the reasons set out in this Report, the Panel recommends that Maribyrnong Planning Scheme Amendment C172mari be adopted as exhibited subject to the following:

#### **General**

- 1. Amend Schedule 2 to the Neighbourhood Residential Zone to rename it ‘West Footscray neighbourhood residential areas.’**
- 2. Amend the Statements of Significance for the Laughton’s, Summerhill Road, Tottenham and Naismith and McCubbin precincts and all other descriptions in the Amendment documents to refer to them as ‘residential’ precincts.**
- 3. Amend all maps in the Statements of Significance and any other Amendment document by inserting street numbers for each property.**

#### **Heritage design guidelines**

- 4. Adopt the Council versions of the Heritage Design Guidelines for each precinct (Documents 56, 57, 58, 59, 60, 61, 62 and 63).**
- 5. Amend the heritage design guidelines to use consistent drafting across precincts, to clarify when a guideline is specific to a contributory property and use diagrams and revised text to clarify the intent of the second storey additions guidelines as shown in Appendix D.**

#### **Bottomley’s Paddock precinct (HO211)**

- 6. Amend the Bottomley’s Paddock precinct statement of significance to:**

- a) delete 'street patterns and speculative subdivision' as justification for the Heritage Overlay in respect of HERCON Criterion A and reflect this in all Amendment documents, where relevant
- b) refer to the following sub-precincts:
  - Palmerston Street Inter-war Residential Precinct
  - Tucker Street Inter-war Residential Precinct
  - Wallace Street Inter-war Residential Precinct
  - Molesworth Court Inter-war and Post-war Residential Precinct
  - Hope to View Streets Inter-war and Post-war Residential Precinct.
7. Delete the Neighbourhood Residential Zone and the Heritage Overlay from all properties in Napoleon Street and Wellington Street and reflect this in all Amendment documents, where relevant.
8. Re-classify 4 View Street and 24 Stanley Street, West Footscray as non-contributory places in all Amendment documents, where relevant.
9. Re-classify 5, 16 and 35 Palmerston Street, West Footscray as non-contributory places in all Amendment documents, where relevant.
10. Delete the Neighbourhood Residential Zone and Heritage Overlay from 50A and 50B Norfolk Street, Maidstone and reflect this in all Amendment documents, where relevant.
11. Re-classify 19 Wallace Street, West Footscray as a non-contributory place in all Amendment documents, where relevant.
12. Re-classify 16 and 34 Tucker Street, West Footscray as non-contributory places in all Amendment documents, where relevant.
13. Re-classify 15 Molesworth Court, West Footscray as a non-contributory place in all Amendment documents, where relevant.

**Centennial and Duke precinct (HO212)**

14. Delete the Neighbourhood Residential Zone and the Heritage Overlay from all properties in Duke Street and Centennial Street, West Footscray and reflect this in all Amendment documents, where relevant.

**Laughton's precinct (HO214)**

15. Adopt the post exhibition versions of the statement of significance and citation for the Laughton's precinct as contained in Appendices A and B of Ms Peters expert evidence statement.

**Naismith and McCubbin precinct (HO215)**

16. Delete the Neighbourhood Residential Zone and the Heritage Overlay from all properties in McCubbin Street, Footscray and reflect this in all Amendment documents, where relevant.

**Summerhill Road precinct (HO216)**

17. Delete the Heritage Overlay from 28, 28A, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52A, 52B, 54, 56, 58, 60, 62, 64, 66 and 68 Summerhill Road, West Footscray and reflect this in all Amendment documents, where relevant.

**Tottenham precinct (HO217)**

18. Delete the Heritage Overlay from 1-39 and 2-40 Sredna Street, West Footscray and reflect this in all Amendment documents, where relevant.
19. Delete the Heritage Overlay from 3A, 3B, 3C, 5, 6, 7 and 10 Bizana Street, 67, 71 and 73 Cala Street, 7A and 7B Aliwal Street and 169, 171, 175 and 177 Sunshine Road, West Footscray and reflect this in all Amendment documents, where relevant.
20. Amend the Tottenham precinct statement of significance to refer to the bas relief sign '1947 Hansen for Houses' as the only element of heritage significance for 173 Sunshine Road.

**West Footscray precinct (HO218)**

21. Delete the Heritage Overlay from 1 and 3 First Street, West Footscray and reflect this in all Amendment documents, where relevant.
22. Re-classify 5 and 18 Neil Street, 1-6/4 Rondell Avenue, West Footscray, units under construction on the rear south west portion of 6 Rondell Avenue, West Footscray, units at 14 Rondell Avenue, West Footscray (excluding the front dwelling) as non-contributory and reflect this in all Amendment documents, where relevant.

---

# 1 Introduction

## 1.1 The Amendment

### (i) Amendment description

The purpose of the Amendment is to implement the recommendations of the Heritage Study.

Specifically, the Amendment proposes to:

- apply the Heritage Overlay to the eight precincts in West Footscray and parts of Maidstone, Footscray and Tottenham on a permanent basis and delete the interim Heritage Overlay
- rezone residential land in the heritage precincts from General Residential Zone to NRZ and apply Schedule 2 with provisions to ensure new development respects heritage values and low scale character of the precincts
- rezone a public reserve at 39 Dempster Street, West Footscray, from the General Residential Zone to Public Park and Recreation Zone (PPRZ)
- amend the Housing Framework Plan map in Clause 21.07 (Housing) of the Municipal Strategic Statement to identify the precincts as 'limited change' areas
- amend the Schedule to Clause 72.04 to:
  - include statements of significance and heritage design guidelines for the new precincts as Incorporated Documents in the Planning Scheme
  - update the existing Incorporated Document '*Permit Exemptions in Heritage Precincts Incorporated Plan*' with a new version dated July 2021 that includes the new heritage precincts
- amend the Schedule to Clause 72.08 to include the Heritage Study as a Background Document to the planning scheme
- amend Planning Scheme Maps to include the:
  - Heritage Overlay on Maps 4HO, 5HO, 6HO, 7HO and 8HO
  - NRZ2 on Maps 4, 5, 6 and 8
  - NRZ2 and PPRZ on Map 7.

### (ii) The subject land

The Amendment applies to land shown in Figure 1. There are eight heritage precincts covering 923 properties. The precincts are:

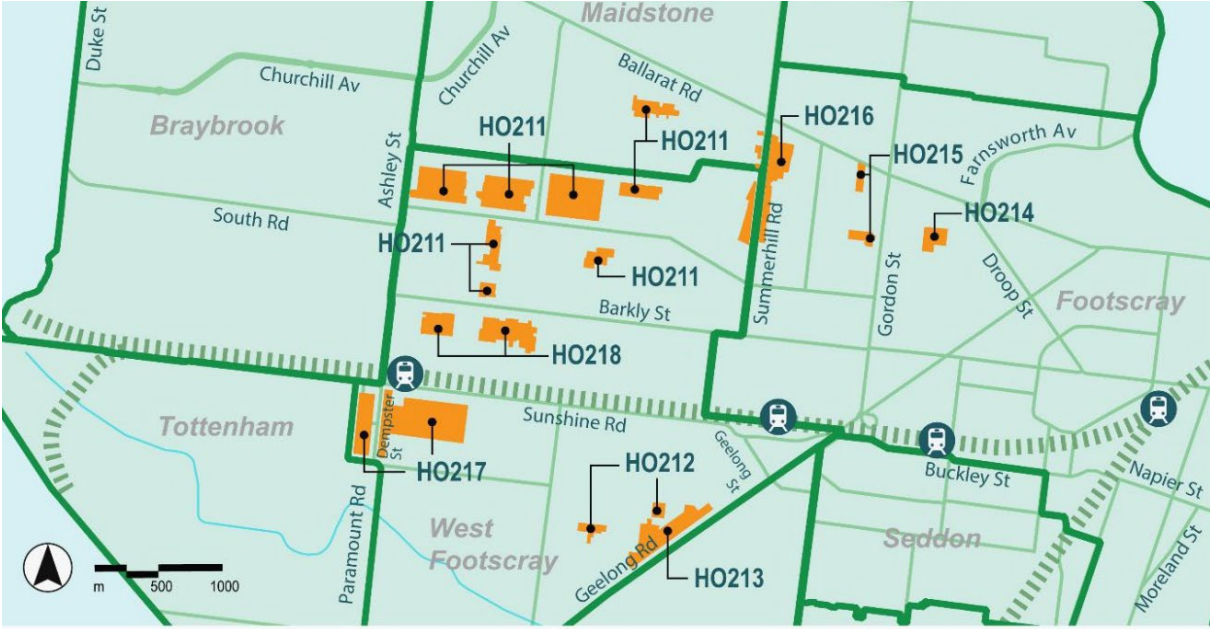
- HO211 Bottomley's Paddock Inter-war and Post-war Residential Precinct (Bottomley's Paddock precinct)
- HO212 Centennial and Duke Streets Inter-war and Post-war Residential Precinct (Centennial and Duke precinct)
- HO213 Hansen Inter-war Residential Precinct (Hansen precinct)
- HO214 Laughton's Post-war Housing Precinct (Laughton's precinct)
- HO215 Naismith and McCubbin Streets Inter-war Housing Precinct (Naismith and McCubbin precinct)
- HO216 Summerhill Road Inter-war and Post-war Housing Precinct (Summerhill Road precinct)
- HO217 Tottenham Post-war Industrial Area Housing Precinct (Tottenham precinct)
- HO218 West Footscray Inter-war and Post-war Residential Precinct (West Footscray precinct).



Of the 923 properties, 808 are considered contributory or 88 per cent. There are no properties categorised as individually significant.

There are four Inter-war and Post-war precincts, two Inter-war precincts and two Post-war precincts.

**Figure 1** Eight heritage precincts



Source: Council Part A submission, paragraph 5

**(iii) Amendment detail**

The Amendment contains a complex set of changes. Aside from the application of the Heritage Overlay these are detailed below.

**Neighbourhood Residential Zone**

All land, apart from public open space, where the Heritage Overlay is to be applied is to be rezoned to the NRZ (from the General Residential Zone). Council submitted that this was consistent with its approach to other heritage precincts and consistent with Planning Practice Note 91 *Using the residential zones* which considers the NRZ is:

Applied to areas where there is no anticipated change to the predominantly single and double storey character. Also to areas that have been identified as having specific neighbourhood, heritage, environmental or landscape character values that distinguish the land from other parts of the municipality or surrounding area. (Panel emphasis added)

**Statements of significance**

Any new heritage place is required to have a statement of significance incorporated into the Planning Scheme. The statements of significance are sourced from the citations contained in Appendix A of the Heritage Study. Each citation includes:

- a statement of significance
- a description summarising the nature of building fabric, architectural style, streetscape elements, fences and gardens
- a short history outlining any pertinent themes from the thematic history, subdivision and settlement patterns, and a brief history of the locality
- comparative precincts with thematic or historical links, or stylistic similarities
- recommendations for contributory or non-contributory places.

- 
- mapping of precinct boundaries

Further changes were made to most statements of significance after exhibition of the Amendment and during the Hearing.

### **The Heritage Study**

The Heritage Study is proposed to be a background. It sits outside the Planning Scheme and not an incorporated document.

### **Heritage Design Guidelines**

Each precinct will have heritage design guidelines incorporated into the Planning Scheme. Council submitted this was consistent with PPN01 which states:

Where detailed heritage design guidelines have been prepared for a heritage place, they may be incorporated into the planning scheme. The title of the incorporated document must be specified in the schedule to the overlay and must also be listed in the schedule to Clause 72.04.

The purpose of the heritage design guidelines is to give detailed guidance on demolition, new residential built form, garages, fencing and subdivision for mainly contributory but also non-contributory places.

Further changes were made to the design guidelines for each precinct during the Hearing. This is considered by the Panel in Chapter 13. The precinct chapters do not address the heritage design guidelines.

### **Permit exemptions**

The *Permit Exemptions in Heritage Precincts Incorporated Plan* is a document that is already in the planning scheme. This document was reviewed by Council and Lovell Chen. The Amendment proposes to amend it to refer to the eight new heritage precincts and tailors some of the exemptions to certain precincts.

## **1.2 Interim heritage controls**

On 21 September 2021 Council resolved to request the Minister for Planning to apply interim heritage controls through Amendment C173mari alongside its application of permanent controls under this Amendment (C172mari).

Amendment C173mari was approved on 10 December 2021. Council wrote to affected owners on 22 December 2021 advising of the interim controls and future exhibition process for permanent controls under this Amendment.

Amendment C175mari amended the interim controls on 6 June 2022 to exclude a further nine properties with existing planning permits.

The following 16 properties in this Amendment are not affected by the existing interim controls:

- 13, 15 and 27 Dempster Street
- 2 Duke Street
- 24 Hope Street
- 28, 47, 49, 76 and 80 Napoleon Street
- 1 and 30 Summerhill Road
- 17 and 25 Wallace Street
- 32 and 50 Wellington Street.

---

The interim heritage controls were due to expire on 10 December 2022. On the final day of the Hearing Council advised that Amendment C180mari was to be gazetted that day. It was approved on 9 December 2022 and extended the interim heritage controls to 27 November 2023.

## 1.3 Background

### (i) West Footscray Neighbourhood Plan

Council prepared the West Footscray Neighbourhood Plan (Neighbourhood Plan) in 2017-2018 and adopted it in 2019. Council advised that *“a key theme in community feedback to the draft WFNP concerned the retention of existing neighbourhood character and the lack of guidelines for heritage.”*

Council indicated that its *“response to feedback on neighbourhood character and heritage included the action to undertake a feasibility study to identify potential heritage areas in the West Footscray region.”*

This is discussed further in Chapter 3 (Strategic matters) as many submitters were concerned about the lack of community consultation for the Feasibility Study and Heritage Study that followed.

The Neighbourhood Plan was introduced as part of Amendment C162mari and is now awaiting Ministerial approval. The land affected is on Barkly Street and includes Whitten Oval but does not overlap with land affected by this Amendment.

### (ii) West Footscray Heritage Feasibility Study

RR Conservation and Design was engaged to prepare the West Footscray Heritage Feasibility Study (Feasibility Study). The Feasibility Study found that:

- existing heritage studies in Maribyrnong focused on Victorian, Edwardian and early Inter-war eras
- a gap was identified for the Inter-war and Post-war eras which represents a key phase of growth in Maribyrnong’s history
- existing planning policy for West Footscray was guided by housing and neighbourhood character policies with a lack of statutory protection for demolition of buildings.

Over 7,000 properties were reviewed across 190 streets. Streets were categorised into the following three groups (refer to Figure 2):

- Group 1 (recommend investigating further) – more than 50 per cent contributory properties, street contains groups of contributory properties and street has medium to high intactness
- Group 2 (consider investigating further) – less than 50 per cent contributory properties, street contains groups of contributory properties and street has medium level of intactness (restorable)
- Group 3 (no further investigation recommended) – less than 50 per cent contributory properties, groups of contributory properties within street are disturbed by non-contributory infills and street has low level of intactness (beyond being easily restored).

**Figure 2** Streets that have potential heritage significance



Source: Council Part A submission, paragraph 34

The Feasibility Study supported the need for a heritage study of Group 1 and 2 streets. Council revised the Group 1 streets and refined it to 34 streets that were identified as having over 80 per cent of properties in each street with potential heritage significance. These streets were the subject of the Heritage Study project brief.

**1.4 The Heritage Study**

Heritage Alliance was engaged in 2019 to prepare the Heritage Study. The 34 streets forming its brief are shown in Figure 3.

**Figure 3 34 streets the subject of the Heritage Study**



Source: Council Part A submission, paragraph 40

Council advised in its Part A submission the following methodology was adopted:

Heritage Alliance assessed properties, streetscapes and infrastructure of Inter-war and Post-war periods in the identified 34 streets to be conserved for their heritage significance. The methodology included a heritage review process of field recording, heritage assessment and statutory recommendations, based on the Burra Charter: The Australia ICOMOS Charter for Places of Cultural Heritage Significance, 2013 (Burra Charter) and the Victorian Planning Provisions Practice Note No.1 “Applying the Heritage Overlay”, 2018 (PPN01).

Heritage Alliance applied threshold measures to determine each precincts’ level of significance and values to meet the criteria of the Burra Charter and PPN1. The assessment involved identifying each property and identifying whether it is contributory or non-contributory to the precinct’s historical importance and value. Contributory heritage places are places that have been identified as contributing to the heritage significance of a precinct. Non-contributory heritage places have no identifiable heritage significance but are included within the HO because development of the place may impact on the significance of the heritage precinct or adjacent contributory heritage places. The threshold measures are:

- Character - The building makes a positive contribution to the cultural heritage significance or character of the precinct, as it conforms to the typology of built fabric, or history of development of the precinct.
- Potential - The building has the potential to make a positive contribution to the precinct. This may also apply to buildings currently in poor condition, or that have been altered in a reversible way.



- Pattern - The size, proportions and setback of a house on the site helps to establish the pattern or rhythm of the street.
- Authenticity – a building must have a level of authenticity and integrity to be considered contributory. This is the amount of original design and fabric that remains.
- Continuity - A house from a later period in a mixed streetscape, with a range of styles of housing stock from different periods, may be part of a continuity of development, and may be considered contributory.
- Thematic representation - a house which is stylistically different but represents a particular historic theme for the municipality, may be considered contributory.

These threshold measures were drafted by Heritage Alliance. These are discussed further by the Panel in Chapter 3.

Even though some precincts contain non-contiguous parts they are grouped together because of the thematic and historic relationships or similarity in fabric.

Council adopted the Heritage Study on 21 September 2021.

## 1.5 Post exhibition changes

Council engaged Heritage Alliance to review submissions received to the exhibited Amendment. The Council response to these recommendations is outlined in Table 1.

**Table 1** Post-exhibition changes

Heritage Alliance recommendations	Council position
<b>Bottomley's Paddock precinct HO211</b>	
37-65 and 46-84 Napoleon Street – remove from precinct	Support
38 Napoleon Street – change to non-contributory	Support
16 Tucker Street – change to non-contributory	Support
17 Tucker Street – change to contributory	Not supported due to the need to re-exhibit Amendment
34 Tucker Street – change to non-contributory	Support
5 Palmerston Street – remove from precinct	Recently redeveloped site. Not supported but re-classify to non-contributory
Statement of significance – include Criterion B and importance of Housing Commission of Victoria houses	Not supported as this would require re-exhibition of the Amendment
<b>Centennial and Duke precinct HO212</b>	
2 Duke Street – change to non-contributory	Support
<b>Laughton's precinct HO214</b>	
Statement of significance – clarify detail for Anders Dapiran	Support

---

### **West Footscray precinct HO218**

6 Rondell Avenue – change rear of site to non-contributory but retain 6 and 8 Rondell Avenue as contributory	Support
--	---------

### **Heritage Design Guidelines**

Change all to control the replacement of original roof cladding with Colorbond roofing material	Support
---	---------

---

At the end of the Hearing Council advised of four further changes:

- remove 50A and 50B Norfolk Street from the Bottomley's Paddock precinct (HO211)
- re-classify 4 View Street in the Bottomley's paddock precinct to non-contributory
- re-classify 8, 12 and 14 McCubbin Street in the Naismith and McCubbin (HO215) precinct to non-contributory.

During the Hearing further changes were made to the heritage design guidelines. Chapter 13 addresses any further changes to the heritage design guidelines using these adopted versions as base documents.

## **1.6 The Panel's approach**

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 key issues for submitters relate to the value of protecting Inter-war and Post-war architecture, concern about building condition, impediments to property maintenance and alterations, sustainability measures, property value and financial implications. These can be categorised as:

- Lack of strategic justification/policy
- concerns over the Heritage Study methodology and assessment
- restrictions in the planning controls and private financial impacts
- provisions err against sustainability measures such a roof top solar systems
- adequacy of public consultation and processes
- general matters.

These submissions are unresolved.

The Panel considered all written submissions, both positive and negative, 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. While the Panel did not hear from submitters in support of the Amendment, it was clear there is cohort of the community that supports the Amendment. Conversely the parties to the Hearing have expressed concern with the Amendment and these matters are the focus of this Report.

The Panel 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 have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

The Panel, as has been presented in this Amendment, has taken a precinct-based approach. Many submitters focused on their own properties, particularly building condition and procedural issues, with a few having a wider perspective. The Panel heard from many landowners that were unrepresented, had trouble understanding the Amendment, did not have English as their first

---

language; and this was further complicated by the lack of broad consultation during the COVID-19 lockdowns. This led to matters of detail being the focus for many and not the strategic merits of the Amendment. The Panel has heard the concerns of the community and has taken all matters into account in the Report.

The Amendment comprises a broad set of changes including zone and overlay changes, incorporated documents, background document, Municipal Strategic Statement changes, new policy and heritage design guidelines. Where the Panel has recommended changes to the Amendment many of these would require changes to several elements of the Amendment. The Panel does not detail these in each recommendation but does recommend these be reflected in all Amendment documents, where relevant.

Regarding the Heritage Study, if the Panel recommends changes to the Amendment, it does not consider the Heritage Study should be updated to reflect these as it represents an important evolution of the Amendment to what is eventually approved.

This Report deals with the issues under the following headings:

- Planning context
- Strategic matters
- General issues
- Bottomley's Paddock Inter-war and Post-war Residential precinct
- Centennial and Duke Streets Inter-war and Post-war Residential Precinct
- Hansen Inter-war Residential Precinct
- Laughton's Post-war Residential Precinct
- Naismith and McCubbin Streets Inter-war Residential Precinct
- Summerhill Road Inter-war and Post-war Residential Precinct
- Tottenham Post-war Industrial Area Residential Precinct
- The drafting of the Heritage Design Guidelines.



---

## 2 Planning context

### 2.1 Planning policy framework

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

#### Victorian planning objectives

The Amendment will implement section 4(1)(d) of the *Planning and Environment Act 1987* (the Act) 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
- balance the present and future interests of all Victorians.

#### Planning Policy Framework

The Amendment supports:

- **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 of the heritage place.
  - Ensure an appropriate setting and context for heritage places is maintained or enhanced.

#### Clause 21 (the Municipal Strategic Statement)

The Amendment supports the Municipal Strategic Statement by:

- Clause 21.04-2 (Housing growth) which includes a strategy to *“limit change in established residential areas with heritage significance or identified residential character...”*
- Clause 21.06-1 (Urban design) which has an objective *“to encourage well designed residential development”* and a strategy to *“encourage development that respects the heritage values and identified character of neighbourhoods.”*
- Clause 21.06-3 (Heritage) which seeks to preserve and conserve heritage places and protect heritage places from adverse impacts. Relevant strategies include:
  - Protect areas and sites which are the best expression of the city’s major industrial, commercial and residential growth eras.
  - Ensure representation of all the different phases of the City’s development.
- Clause 21.07-1 (Housing) which has an objective to limit change in residential areas with heritage significance or an identified residential character. Relevant strategies include:

- 
- Maintain and enhance these areas and ensure that new development respects the existing heritage values and preferred neighbourhood character.
  - Ensure the scale, form and appearance of new housing is in keeping with the surrounding development and the heritage and preferred neighbourhood character values of the area.

### **Clause 22 (local planning policies)**

The Amendment supports local planning policies by:

- Clause 22.01 (Cultural heritage policy) has the following objectives:
  - To protect and conserve heritage places.
  - To protect heritage places from adverse impacts.
- Clause 22.05 (Preferred neighbourhood character statements) seeks to ensure new development respects and enhances the elements that contribute to the character of identified areas. The proposed heritage precincts overlap character areas under this clause, classified as 'Garden Court, 'Garden Suburban 4', 'Garden Suburban 5' and 'Inner Urban 1' areas.

The new Municipal Planning Strategy is to be introduced by Amendment C154mari.

## **2.2 Other relevant planning strategies and policies**

### **(i) Plan Melbourne**

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

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved. 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 4.4.4:** Protect Melbourne's heritage through telling its stories.

### **(ii) Local heritage plan**

The Maribyrnong Heritage Plan 2002 is currently under review. It contains the following relevant objectives:

- designate heritage places throughout the City worthy of protection and actively seek their legal protection
- protect significant heritage places from adverse impacts resulting from proposals for change
- continue the process of researching and documenting Maribyrnong's rich heritage.

### **(iii) Maribyrnong Housing Strategy**

Council reviewed the 2011 housing strategy in 2018, prior to the preparation of the Heritage Study. It has received authorisation to exhibit Amendment C154mari to implement the new housing strategy. It identifies 'limited change' housing areas where the NRZ applies to heritage

---

precincts. This is consistent with the approach taken in the Yarraville and Seddon residential heritage precincts.

#### **(iv) Significant tree register**

Amendment C163mari was approved on 10 February 2022 and introduced the Environmental Significance Overlay to protect trees on the Maribyrnong Significant Tree Register 2021.

It applies to the following land in the Tottenham Post-war Industrial Area Housing Precinct (HO217) of this Amendment:

- 33, 35 and 37 Fontein Street West Footscray
- 34 and 36 Gwelo Street West Footscray.

## **2.3 Planning scheme provisions**

### **(i) Neighbourhood Residential Zone**

The Amendment proposes to rezone the eight heritage precincts to the NRZ.

The purposes of the NRZ are:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To recognise areas of predominantly single and double storey residential development.
- To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

### **(ii) Heritage Overlay**

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.

The exhibited Amendment does not include internal controls, tree controls or prohibited use controls.

## **2.4 Ministerial Directions and Practice Notes**

### **Ministerial Directions**

---

The Explanatory Report discusses how the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction (The Form and Content of Planning Schemes pursuant to section 7(5) of The Act) – referred to as Ministerial Directions 7(5) in this Report.

That discussion is not repeated here.

### **Planning Practice Note 01 – Applying the Heritage Overlay (August 2018)**

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 refers to several 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).

Other relevant planning practice notes are:

- Planning Practice Note 13 *Incorporated and Background Documents* which provides guidance on when a document should be incorporated or be a background document and describes the role of each.
- Planning Practice Note 90 *Planning for housing* which provides information and guidance about how to plan for housing growth and protect neighbourhood character to ensure a balanced approach to managing residential development in planning schemes.
- Planning Practice Note *Using the Residential Zones* (PPN91) which provides information and guidance about how to use the residential zones to implement strategic work.

---

## 3 Strategic matters

### 3.1 The issues

The issues are whether the Amendment:

- has adopted an appropriate methodology and approach
- is supported by and implements the Planning Policy Framework
- is consistent with Ministerial Directions and relevant Practice Notes, including the use of the NRZ
- is generally strategically justified
- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

Relevant strategic matters include:

- Maribyrnong's Thematic Environmental History
- the Heritage Study methodology
- policy support.

### 3.2 Maribyrnong's Thematic Environmental History

The thematic environmental history of Maribyrnong was prepared in 2000 as a collection of themes that reflected key development phases in its history. The relevant themes for the eight precincts from the citations are:

#### **Bottomley's Paddock precinct HO211**

##### 4. Primary Production

###### 4.2 Farming [livestock]

##### 9. Planning and Developing Urban Settlements

###### 9.2 Private subdivisions and villages in the nineteenth century

###### 9.5 Twentieth century residential development

###### 9.6.4 Housing Commission of Victoria

###### 9.8 Providing shops and retail facilities

##### 10. Migration

#### **Centennial and Duke precinct HO212**

##### 5. Exploiting Natural Resources

###### 5.1 Basalt quarrying

##### 9. Planning and Developing Urban Settlements

###### 9.2 Private subdivisions and villages in the nineteenth century

###### 9.5 Twentieth century residential development

###### 9.7 Establishing services

#### **Hansen precinct HO213**

##### 9. Planning and Developing Urban Settlements

###### 9.5 Twentieth century residential development [inter-war period]

---

## 12. Cultural Development

### 12.2 Recreation

#### 12.2.1 Reserves and parks

### **Laughton's precinct HO214**

#### 7 An Industrial Centre

##### 7.3 Pushing outwards: 1930s-1960s

#### 9 Planning and developing urban settlements

##### 9.5 Twentieth century residential development

#### 10 Migration

### **Naismith and McCubbin precinct HO215**

#### 9 Planning and Developing Urban Settlements

##### 9.5 Twentieth century residential development

#### 14 Sickness and health

##### 14.1 Hospitals

### **Summerhill Road precinct HO216**

#### 5 Exploiting natural resources

##### 5.1 Basalt quarrying

#### 6 Establishing lines and networks of communication and transportation of goods and people (including early hotels)

##### 6.5 Tramways

#### 9 Planning and developing urban settlements

##### 9.5 Twentieth century residential development

### **Tottenham precinct HO217**

#### 6 Establishing lines and networks of communication and transportation of goods and people (including early hotels)

##### 6.3 Railways

#### 7 An Industrial Centre

##### 7.3 Pushing outwards: 1930s-1960s

#### 9 Planning and developing urban centres

##### 9.5 Twentieth century residential development

##### 9.8.2 Early shops at Braybrook and Maidstone and Maribyrnong

#### 10 Migration

### **West Footscray precinct HO218**

#### 9. Planning and Developing Urban Settlements

##### 9.5 Twentieth century residential development

#### 10. Migration

---

### 3.3 The Heritage Study methodology and approach

#### (i) Background

The Heritage Study is Project 2 and one of three Heritage Priority Projects. Project 1 is a heritage precinct update and Project 3 is the Maribyrnong Aboriginal Heritage Study Post-contact Heritage Assessments. Heritage Alliance were contracted to complete all three projects.

The Heritage Study was completed in three sections:

- statutory recommendations and findings
- Appendix A, precinct citations
- Appendix B, list of properties and maps for each precinct.

Following the preparation of the Feasibility Study by RR Conservation Design, Council asked Heritage Alliance *“to focus on instigating highly intact areas; specifically, 34 streets (incorporating 1100 properties) identified in the Feasibility Study to include over 80% of properties as potentially contributory for further investigation.”*

Council’s Part A submission noted<sup>1</sup>:

The methodology included a heritage review process of field recording, heritage assessment and statutory recommendations, based on the *Burra Charter: The Australia ICOMOS Charter for Places of Cultural Heritage Significance*, 2013 (Burra Charter) and the *Victorian Planning Provisions Practice Note No.1 “Applying the Heritage Overlay”*, 2018 (PPN01).

Ms Peters gave evidence for the Council and provided an overview of the Heritage Study methodology.

Heritage Alliance *“applied threshold measures to determine each precincts’ level of significance and values to meet the criteria of the Burra Charter and PPN01.”* These threshold measures were:

- Character - The building makes a positive contribution to the cultural heritage significance or character of the precinct, as it conforms to the typology of built fabric, or history of development of the precinct.
- Potential - The building has the potential to make a positive contribution to the precinct. This may also apply to buildings currently in poor condition, or that have been altered in a reversible way.
- Pattern - The size, proportions and setback of a house on the site helps to establish the pattern or rhythm of the street.
- Authenticity – a building must have a level of authenticity and integrity to be considered contributory. This is the amount of original design and fabric that remains.
- Continuity - A house from a later period in a mixed streetscape, with a range of styles of housing stock from different periods, may be part of a continuity of development, and may be considered contributory.
- Thematic representation - a house which is stylistically different but represents a particular historic theme for the municipality, may be considered contributory.

Field work was conducted by two heritage consultants, from the public realm and was delayed due to the COVID-19 pandemic lockdowns in Melbourne during 2020.

There are no properties categorised as significant. Each precinct comprises either contributory or a mix of contributory and non-contributory places.

---

<sup>1</sup> Paragraph 41

---

## (ii) Evidence and submissions

There were 45 submissions that questioned the methodology and approach of the Heritage Study.

General issues raised were the lack of justification, whether a precinct could comprise dispersed 'sub-precincts' and the use of the 80 per cent threshold for the selection of streets. Some submitters, based on their understanding of the threshold, provided examples of streets in precincts where the 80 per cent threshold had not been met and requested these streets be removed from the Heritage Overlay.

### The Neighbourhood Plan

In its Part A submission Council stated, *"a key theme in community feedback to the draft Neighbourhood Plan concerned the retention of existing neighbourhood character and the lack of guidelines for heritage."* In response to this issue Council prepared the Feasibility Study.

Many submitters considered the need for heritage guidelines is different from the need to protect heritage areas and this was not made clear during the Neighbourhood Plan process. Submitter 176 (22 Commercial Road, Footscray), and other submitters, considered the Neighbourhood Plan did not mention the need for the area to be investigated for its heritage significance with the only mention being *"the preparation of heritage guidelines to retain existing character of West Footscray."* Submitters generally could not understand how this translated into the need to protect the areas heritage.

### The 80 per cent 'threshold'

The owner of 14 Duke Street, West Footscray considered a wider view of other properties in Duke Street showed the threshold had not been met.

The owner of 2 McCubbin Street, Footscray submitted that McCubbin Street had 57 per cent of contributory places.

The owner of 53 Napoleon Street, West Footscray considered Napoleon Street did not meet the threshold.

There were other submitters that questioned the threshold benchmark.

Council explained how the 80 per cent threshold was used. The Feasibility Study identified 34 Group 1 streets that were recommended for further investigation as they *"included over 80 per cent contributory properties for further investigation."* In its Part B submission, Council advised<sup>2</sup>:

Council identified a threshold of 80% contributory properties in a street in order to focus on the areas with the highest level of intactness. The 80% does not represent a benchmark number of properties a precinct needs to meet in order to determine what land is proposed to be in or out of the Heritage Overlay.

Rather, Council used the 80% as a way of prioritising its resources towards an assessment of areas that were likely to have the highest level of significance due to the highest level of intactness. There may be other precincts within Maribyrnong that have heritage value that warrant further investigation, but this would need to be part of a subsequent project.

### Criteria and threshold measures

Council confirmed in its closing submission that the six threshold measures were developed by Ms Peters and were not drawn from a planning practice note or other policy. In her evidence statement Ms Peters confirmed *"these thresholds respond to the amount and nature of change and adaption present in the streets."*

---

<sup>2</sup> Paragraphs 68 and 69



---

Some submitters considered these threshold measures enabled any property to be considered for the Heritage Overlay. The owner of 38 Gwelo Street, Tottenham considered the threshold was set too low and that *“it lowers the bar on what is significant.”*

The owner of 2 Centennial Street, West Footscray provided a video submission from Dr Stephen Rowley of RCI Planning, the author of their submission to the exhibited Amendment. The submission was for land in the Centennial and Duke precinct. Dr Rowley, commenting on the HERCON criteria, submitted *“the threshold of significance has been set at such a low level that we would be over-applying the Heritage Overlay.”* In the written submission Dr Rowley submitted *“that the inclusion of Centennial Street as a heritage precinct places the threshold so low that vast swathes of inner-city Melbourne would meet this level of significance.”* An example Dr Rowley referred to was from the Centennial and Duke precinct citation that considered it represented the successive waves of development in the area. He critiqued this and stated, *“there needs to be some baseline of distinctiveness – that this is a distinctly interesting place or has a distinctly interesting or representative history.”*

Some submitters referred to the Victorian Heritage Register Criteria and Threshold Guidelines (the VHR Guidelines) in establishing a lack of significance for their places. The owner of 68 Wellington Street, West Footscray in the Bottomley’s Paddock precinct referred to Step1 (a basic test for satisfying Criterion A for example) and the exclusions.

Council and Ms Peters submitted that the VHR Guidelines were only relevant to state level significance, not local significance. Council did concede that some Panels<sup>3</sup> found they were of some relevance for local significance. In the Boroondara C31boro, the Panel commented that the guidelines are *“intended for assessing places of potential state significance so applying them at a local level may result in a distorted outcome.”*

#### Extent of precincts

Ms Peters said the protection of Post-war era places for their heritage significance was becoming more prevalent. She stated<sup>4</sup>:

Although most submitters appear to accept that Inter-war bungalows should be protected, many submitters have argued that the austerity of Post-war housing means it should not be preserved. This reflects a misunderstanding of heritage. Heritage values are not just about the quality of buildings, or about elaborate buildings designed by architects. Heritage is not about only the ‘best’ buildings, because if that is all that was preserved, only a fraction of the history of this State would be preserved. Arguments about ‘lowering the standard of the heritage overlay’ are common at planning panels. These arguments mostly come from people who overlook the historic value, the representativeness of places and the association of residential areas with the history of the development of the locality. Post-war buildings in West Footscray reflect the time, place, and community of people who made this suburb their home in the post-war period. The time at which these buildings were built is reflected in the style, materials, form and location of the housing and the restricted housing choices that the community had. There are a lot of houses from the post-war period in the City of Maribyrnong, but Council, guided by the *Feasibility Study*, chose 34 streets to be assessed in the Heritage Study and 8 precincts were proposed. These precincts contain representative examples of all the different housing types identified in West Footscray and which make up the distinctive character of the suburb. This is the history of West Footscray and should not be compared to other places where the perception is that ‘better’ buildings are included on (sic) the heritage overlay.

---

<sup>3</sup> Mornington Peninsula PSA C262morn Part 2, page30-32 and Glen Eira C182glen, pages 13-14

<sup>4</sup> Paragraph 46

---

Ms Peters considered the precinct-based assessment approach *“is the preferred approach of the City of Maribyrnong in other areas of the City, and it is the most efficient manner to undertake heritage assessment and preserve the largest number of places in intact streetscapes.”* She added:

The precincts are scattered because the consultants were trying to preserve as many of the Inter-war and post-war types as possible and some of the streets had similar histories of settlement or subdivision but were separated by streets with much lower levels of intactness.

She said *“precincts can also encompass a long period of history and include places built over a very long period of time and include multiple architectural styles.”*

The owner of 8 View Street, West Footscray questioned *“the fundamental concept of precincts that represent a particular period or style”* and the *“listing of streets allows for a variety of places to be preserved and for the heritage of the era to be appreciated in all its diversity in one place.”*

Mr Bartley, on behalf of the owner of 8 View Street, West Footscray, responded<sup>5</sup>:

This suggests it is not uniformity of style, or features, it is diversity (i.e. demonstrating the history of housing in an area) that is significant. How then do you judge what is contributory?

### Protection of post-war housing

Many submitters considered post-war housing should not be protected because there was a lot of it and is not valued by the community.

Ms Peters said:

This reflects a mis-understanding of heritage. Heritage values are not just about the quality of buildings, or about elaborate buildings designed by architects. Heritage is not about only the ‘best’ buildings, because if that is all that was preserved, only a fraction of the history of this State would be preserved. Arguments about ‘lowering the standard of the heritage overlay’ are common at planning panels. These arguments mostly come from people who overlook the historic value, the representativeness of places and the association of residential areas with the history of the development of the locality. Post-war buildings in West Footscray reflect the time, place, and community of people who made this suburb their home in the post-war period. The time at which these buildings were built is reflected in the style, materials, form and location of the housing and the restricted housing choices that the community had. There are a lot of houses from the post-war period in the City of Maribyrnong, but Council, guided by the *Feasibility Study*, chose 34 streets to be assessed in the Heritage Study and 8 precincts were proposed. These precincts contain representative examples of all the different housing types identified in West Footscray and which make up the distinctive character of the suburb. This is the history of West Footscray and should not be compared to other places where the perception is that ‘better’ buildings are included on the heritage overlay.

### **(iii) Discussion**

The Panel is satisfied that the methodology used by Heritage Alliance is generally consistent with guidance in PPN01, apart from the unfortunate lack of public consultation that was beyond Council’s control and is discussed in Chapter 4.

Applying the Heritage Overlay to nearly 1000 properties across 34 streets is a significant undertaking. Council should be congratulated for undertaking this task and using a consistent methodology to establish significance. The Feasibility Study was an important first step. It was used to validate and refine several areas to be investigated further (referred to as Group 1 streets). A total of 90 streets were identified as having potential heritage significance. The Heritage Study trimmed this further to 34 streets impacting the 923 properties which are the subject of this Amendment.

---

<sup>5</sup> Submitter 105 submission, page 4, paragraph 28

---

## Neighbourhood Plan

While a minor issue, the Panel does share some concern with submitters that Council considered the Neighbourhood Plan reported community concern *“about the need to protect the existing neighbourhood character and heritage areas of West Footscray.”*<sup>6</sup> It may be splitting hairs but what the Neighbourhood Plan did report was the need for *“heritage guidelines to retain existing character of West Footscray”*, not the need to protect heritage areas. For a lay community that has little understanding of planning, is very multicultural and where English may not be the first language, the use of clear unambiguous language is important. This was a constant message the Panel heard from the community. The language in the Neighbourhood Plan could have been clearer as to what was meant by heritage guidelines.

This is not a fatal flaw in the methodology, as what occurred after the Neighbourhood Plan is most important in the Panel’s mind.

## The 80 per cent threshold

The Panel heard from many submitters that the 80 per cent threshold was not met for certain streets. Council clarified its use as a tool to refine the 90 Group 1 streets to 34 streets that Heritage Alliance was commissioned to review.

As Council put it *“the 80 per cent does represent a benchmark number of properties a precinct needs to meet in order to determine what land is proposed to be in or out of the Heritage Overlay.”* In other words, it was not a tool that was used to determine local significance in the Heritage Study, its use was restricted to the Feasibility Study. The Panel agrees with Council that this tool enabled Council to focus on the streets that had the highest level of intactness.

## Criteria and threshold measures

While the Panel considers the general approach was appropriate, there was strong opposition to how a threshold of significance was established. The Panel shares some of this concern.

Whether a suitable threshold of significance has been attained for each precinct is addressed in Chapters 5 to 12. More generally the Panel provides the following consideration.

It is self-evident that all areas have a history. PPN91 states:

While all areas have a history or a heritage, not all areas are historically significant. Heritage significance is determined by recognised criteria set by Commonwealth, state and local agencies, with reference to the Burra Charter.

The statement of significance contains the justification for applying the Heritage Overlay. It describes ‘what is significant?’, ‘how is it significant?’ and ‘why is it significant?’. The link established with the HERCON criteria is provided in ‘why is it significant?’

The drafting of the HERCON criteria is important. In the Amendment the most frequently used criteria are A (historic significance), D (representativeness), E (aesthetic significance) and H (associative significance). The Panel considers there are five main issues:

- A level of ‘importance’ must be established, not just an example, as this is the descriptor for each of the criterion (apart from Criteria H which is ‘special association’).
- The only real tool PPN01 refers to is a comparative analysis that *“should draw on other similar places within the study area, including those previously in a heritage register or overlay.”* On this matter the Panel places greater weight on precincts that have met the

---

<sup>6</sup> Council Part B submission, page 26, paragraph 164

---

test already and are in the Heritage Overlay than other precincts which are the subject of this Amendment.

- There is no minimum number of criteria to meet the threshold of significance. If the Panel considers a threshold has not been met for one criterion, then the Heritage Overlay may still be justified from other criterion assessments.
- A precinct-based approach takes a more generalist approach than site specific considerations of significance. This places greater weight on ensuring what is to be protected is 'better than average' as it inevitably includes some properties that are non-contributory, in balancing this general approach.
- The six threshold measures developed by Heritage Alliance, while a response to the lack of guidance in PPN01 for local heritage significance, require more scrutiny.

The Panel agrees with Dr Rowley that an assessment for Criteria A must do more than just tell a story of the place's development; its importance must be established. In other words, it must be better than average; it cannot just be an example of Criteria A, for instance. This applies to assessments of Criterion D and E. The Panel's consideration is restricted to PPN01. The Panel accepts that a Step 1 assessment using the VHR Guidelines does also provide guidance but has not used them in its consideration.

The Panel generally accepts the establishment of the six threshold measures was a good approach to overcome the lack of guidance provided by PPN01. The Panel assumes that at least one, not all, of the threshold measures must be met to inform local significance. The Panel has reviewed these threshold measures and two measures deserve further scrutiny – 'character' and 'continuity'.

The Panel was consistently advised by Council, in response to whether other overlay controls were considered, that neighbourhood character is different from heritage. The Panel agrees. PPN01 states clearly the Heritage Overlay is not intended to operate as a neighbourhood character control. Yet the 'character' threshold measure is drafted as:

The building makes a positive contribution to the cultural heritage significance or character of the precinct, as it conforms to the typology of built fabric, or history of development of the precinct.

This seems to be both a heritage and neighbourhood character threshold measure. The Panel gives regard to this measure only for the heritage significance of the precinct, not its neighbourhood character contribution.

Regarding 'continuity', the Panel asked Council to clarify how a place constructed outside of the era of significance for the street could be considered as contributory. Council accepted, in a McCubbin Street example, that those properties outside of the era of significance could be listed as non-contributory but did not refer to the 'continuity' threshold measure in its closing submission. The Panel considers the 'continuity' threshold measure is of little assistance in establishing significance in the defined era of significance.

### Extent of precincts

Generally, the Panel considers the threshold measures are too broad and have the potential to consider too many places as contributory. This is particularly evident in precincts that span both the Inter and Post-war eras, such as Bottomley's Paddock and Summerhill Road. The era of significance spans some 40-50 years from 1920's to 1960's, and in some instances 1970's. The Panel appreciates Council's attempt at preserving some continuum of development across the decades as evidence of its growth. However, the danger in considering such a wide span of years is that too many properties are sought to be protected simply as examples of these eras. This is not a justification for the Heritage Overlay if it is simply protecting development as examples of an

---

area's growth. A level of importance must be established that shows why both Inter and Post-war eras inform the geographic extent of a precinct and that the places sought to be protected are better than average rather than merely a representation of styles over a period of time and not diminished by too many non-contributory properties.

For some precincts the impact is clear. The statement of significance for the Bottomley's Paddock precinct is 12 pages long and primarily made up of descriptions of what is significant for Inter-war housing (1915 – 1940), Post-war austere housing (1940-1950), Housing Commission of Victoria (late 1940's – early 1950's), Post-war brick veneer (1940-1965) and Post war migrant housing (1955-1975). The listings document what the Panel considers as an exhaustive list of typical elements of these types of housing, not the important elements that should be preserved. The Panel believes this approach has led, in some Inter and Post-war precincts, to an excessive application of the Heritage Overlay to housing that is just an example of the era of development without due consideration given to its importance and the impact on non-contributory properties.

By comparison the existing heritage precincts of Queensville Estate (HO8) and Angliss Housing Estate (HO1) target a decade of development only and do not span several eras. Using Bottomley's Paddock as an example, even though it is described as an Inter and Post-war precinct, some of the individual areas (six in total) are from one but not both eras. Napoleon and Wellington Streets is by itself a Post-war 'precinct', Tucker Street and Palmerston Street are Inter-war streets, but Molesworth Court and Hope/Barton/Stanley/View Streets are both Inter and Post-war streets. Bottomley's Paddock is discussed further in Chapter 5.

Another example, the West Footscray precinct, is different. It affects five generally contiguous streets, with four of the streets (Berthandra Court, Hartley and Rondell Avenue and First Street) dominated by a single era of development with most places deemed contributory. Neil Street has a mix of inter and post-war housing. Given the high degree of contributory properties and different eras of development in contiguous streets the Panel considers, as a precinct, there is a story to be told of the area's development collectively instead of individual streets. The West Footscray precinct is discussed further in Chapter 12.

The Panel notes that, when questioned about the length of the statements of significance, it was the evidence of Ms Peters that the statements of significance were not too long, and it was not unusual for heritage precincts to span several eras. These considerations are developed further in each precinct chapter.

### Protection of post-war housing

The nature of planning in Victoria is that it is not static and changes over time with new priorities, policy, opportunities and community values. The residential areas of today may be valued by the community for its heritage in the future. The community has a greater understanding why Edwardian, Victorian and Inter-war era places are valued and require protection. Visually these places represent clear forms of architecture of the era, despite many being considered undesirable and 'workers' cottages' of their era. Generally, the community understands this.

The protection of Post-war austere housing or 1960's brick dwellings is different. What could be described as bland forms of architecture nonetheless represent a form of architecture that tells a story of the municipality's growth. Ms Peters agreed with the Panel that this required a more nuanced understanding of heritage "*as it is not in your face.*"

The appreciation of heritage and its value changes over time. One submitter put it that a Mirvac residential estate could be the subject of heritage protection in the future if these areas of Post-war housing were protected. The Panel does not comment on this, however what is clear is that a

---

threshold must be met, guided by the Burra Charter and HERCON criteria using a comparative analysis as an assessment tool and Council and community values change over time.

#### **(iv) Conclusions**

The Panel concludes:

- The Heritage Study used a methodology that is consistent with the PPN01 but is impacted by the lack of informal public consultation due to COVID-19 restrictions. This impacted the level of community understanding and acceptance.
- A level of importance (HERCON Criteria A, D and E) and a special association (HERCON Criteria H) must be established to meet the threshold of significance. In plain English the heritage place must be 'better than average'.
- In the comparative analysis greater weight is given to those precincts within the Heritage Overlay and less weight to those the subject of this Amendment.
- The 'character' and 'continuity' threshold measures are of little assistance in establishing local significance.
- Some statements of significance list features typical of the housing of the era without establishing its importance.
- Precincts that refer to both Inter-war and Post-war housing are generally geographically too large and tend to capture too much housing as examples of development of the era without demonstrating its importance.
- The Neighbourhood Plan does not provide direct support for the Heritage Overlay; the Feasibility Study and Heritage Study do.
- The use of the 80 per cent threshold was restricted to the Feasibility Study and Council's preparation of the Heritage Study project brief. It was not used as a threshold tool in the Heritage Study.
- It is appropriate to consider post-war housing for heritage protection if a suitable threshold has been met.

### **3.4 The use of the Neighbourhood Residential Zone**

#### **(i) The issue**

The issues are whether the:

- heritage precincts should be rezoned to NR22
- NRZ should be retained if the Panel recommended the deletion of the Heritage Overlay.

#### **(ii) Submission and discussion**

Council has a consistent approach to its heritage precincts. Where the Heritage Overlay has been justified, the land is then rezoned to NRZ and identified as a limited change area on the housing framework plan. Council submitted this was supported by PPN91 which states the NRZ can be:

Applied to areas where there is no anticipated change to the predominantly single and double storey character. Also to areas that have been identified as having specific neighbourhood, heritage, environmental or landscape character values that distinguish the land from other parts of the municipality or surrounding area.

Existing heritage areas are identified on the housing framework plan as limited change areas.

The Panel agrees with this approach. However, the use of Schedule 2 to the zone requires further consideration. This schedule is titled 'heritage areas' and contain the objective 'to support

---

development which contributes to the heritage place.’ There is no other local content. Existing heritage precincts such as the Queensville Estate (HO8) have Schedule 1 applied which is titled ‘neighbourhood residential areas’ without an objective or other local content. The Panel was consistently advised by Council that heritage is not neighbourhood character, so it sees the title to NRZ2 as ‘heritage areas’ inappropriate. A simple approach would be to apply the existing NRZ1, but this would not include the neighbourhood character objective, or to rename the NRZ2 to West Footscray (or similar) neighbourhood residential areas. On balance the Panel supports the latter approach. At some future point Council will need to rationalise the schedules to the NRZ as no differentiating local content is to be applied.

If there was a recommendation to delete the Heritage Overlay, Council requested the NRZ should be retained as this would assist in controlling the scale of redevelopment of this land next to a heritage precinct. The Panel generally agrees with this approach even though there is a decoupling of the zone and overlay control. It will ensure appropriate consideration is given to adjacent scale and built form.

### **(iii) Conclusion and recommendation**

The Panel concludes the NRZ2 should be:

- applied to the new proposed heritage precincts
- renamed West Footscray neighbourhood residential areas.
- retained if the Heritage Overlay is to be removed from a property.

The Panel recommends:

**Amend Schedule 2 to the Neighbourhood Residential Zone to rename it ‘West Footscray neighbourhood residential areas.’**

## **3.5 Policy support**

### **(i) Submissions**

Council submitted that the Amendment is consistent with the objectives for planning at section 4<sup>7</sup> of the PE Act, the Planning Policy Framework, Ministerial Directions and Planning Practice Notes, in particular PPN01. This is outlined in Chapter 2 of this Report.

Some submitters considered the Amendment was inconsistent with other planning objectives such as urban consolidation, efficient development and housing affordability. Council considered that *“rather than being in conflict with the protection of heritage, these are all matters which must be given weight at various stages of the planning process.”*

Council submitted that each heritage citation and statement of significance:

- adopted the relevant HERCON criteria to establish a threshold of significance
- conducted a comparative analysis to substantiate the significance of each place
- adopted the required structure of ‘what is significant?’, ‘how is it significant?’ and ‘why is it significant?’

### **(ii) Discussion**

There is general policy support for protecting heritage places in the PE Act, Planning Policy Framework including Plan Melbourne 2017-2050 and local policy. Council’s heritage strategies are

---

<sup>7</sup> Objective 4(1)(d)

---

contained at Clause 21.06-3 and its cultural heritage policy is at Clause 22.01. A strategy to protect and conserve heritage places is “*ensure representation of all the different phases of the City’s development.*” This is an important strategy that supports the protection of Post-war residential areas considered under this Amendment.

Council’s approach generally aligns with PPN01, except for a lack of consultation during the preparation of the Heritage Study due to COVID-19 restrictions.

**(iii) Conclusions**

The Panel concludes the Amendment:

- is supported by the PE Act
- is consistent with the Planning Policy Framework, the Municipal Strategic Statement and local policy
- Ministerial Directions and Planning Practice Notes
- should proceed subject to addressing specific issues in the following chapters.



---

## 4 General issues

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

### 4.1 Social and economic impacts

#### (i) The issue

The issue is whether economic and social implications are relevant when assessing heritage significance.

#### (ii) Submissions

Many submitters referred to the personal social and economic (financial) impacts of the Amendment. This took the form of the additional costs required to address the Heritage Overlay in planning applications, loss of property value, heightened impact on personal wellbeing during the COVID-19 pandemic, distress caused by uncertainty and lack of clear information or lack of transitional measures so that landowners who had prepared plans for redevelopment could proceed to be assessed.

Council's position was that *"personal financial impacts are not relevant matters to take into account in the assessment of appropriate heritage controls."* Economic matters that can be considered are those that have community-wide impacts. Some submitters considered the breadth of the Amendment reflected its community-wide impacts and that 166 opposing submissions reflected this.

The owner of 35 and 37 Creswick Street, Footscray stated the Amendment applied to 3.2 per cent of the 85,000 homes in Maribyrnong which was a *"significant portion of the community."* The owner of 53 Napoleon Street, West Footscray relied on sales data in the area and the decision in *Georgilopolous v Valuer General – Victoria (2021) VCAT 1561* as evidence of the broad financial impact the Amendment would have. Council responded that this case related to *"an individual property and was not evidence of widespread financial impact throughout Maribyrnong."*

Council referred to other Panel reports<sup>8</sup> where this matter was addressed and considered:

While Council recognises the concerns of the submitter are concerns genuinely held by them, Council considers that the economic concerns raised by the submitters appear to be of a personal or property specific nature. This differs to the type of community wide social effects that are relevant to the Amendment.

In Moonee Valley C200moon the Panel wrote<sup>9</sup>:

The Panel acknowledges submitters' concerns about private financial impacts of the Heritage Overlay and that those concerns have caused them distress. But Planning Practice Note 1 and judicial authority cited by Council make it clear that the key issue for the Panel is the heritage significance of the properties. Private financial issues of a personal or property specific nature are not relevant at the planning amendment stage.

The requirement under the Act for planning authorities to consider social and economic impacts of planning scheme amendments is limited to community wide impacts. No submitter provided information about wider social or economic impacts of the Heritage Overlay even though it applies to a wide area, as shown by the Municipal Heritage Overlay map. The Panel therefore has no basis to assess those impacts.

---

<sup>8</sup> Moonee Valley C200moon, Mornington Peninsula C262morn

<sup>9</sup> Page 7

---

....  
The Panel concludes that property value and private financial implications are not relevant when deciding whether to apply the Heritage Overlay.

Council submitted the only matters that are relevant at the Amendment stage are the HERCON criteria and whether a suitable threshold has been met to justify local heritage significance. Other matters can be considered at the planning application stage.

The owner of 51 Napoleon Street, West Footscray referred to the suspension of demolition permits. Council confirmed this occurred under Section 29B of the Building Act 1993 which allows for the suspension of building permits once a request to the Minister for Planning to prepare a planning scheme amendment under section 20(4) of the PE Act. The interim heritage controls triggered this provision after Council made a request to the Minister for Planning on 1 October 2021.

### **(iii) Discussion and conclusion**

This issue has been consistently considered by many planning panels before and the Panel agrees with Council that it is only heritage issues that can be considered at the Amendment stage. While the Amendment considers a broad application of the Heritage Overlay in several precincts, it does not have a community-wide impact. The Panel notes there were many submissions that supported the Amendment which it has considered in its deliberations and there is a net community benefit in the protection of heritage places for current and future generations. Whether an appropriate threshold has been met is the key consideration.

PPN01 is the key policy guidance. The eight HERCON criteria all relate to heritage issues and do not consider personal economic impacts or social issues. Social and economic considerations must be considered but only at the broad community level, not personal level. Provided a suitable threshold has been met, the Panel considers this outweighs any personal economic impacts.

The Panel has discussed the unfortunate concurrence of the Heritage Study, the Amendment and the COVID-19 pandemic. The Panel heard from many submitters that the Heritage Study and Amendment exacerbated the health and wellbeing impacts of the pandemic, which the Panel acknowledges. However, this has not had an impact on the formal requirements of the PE Act and the processing of the Amendment. The Panel Hearing has provided an independent opportunity for issues to be ventilated.

The Panel agrees with Council that the suspension of demolition permits issued under the Building Act 1993 was legal and triggered by the request made to the Minister for Planning to prepare an amendment for the interim heritage controls.

## **4.2 Public consultation and notification of the Amendment**

### **(i) The issue**

The issue is whether the extent of public consultation for the Heritage Study and notification of the Amendment was appropriate.

### **(ii) Submissions**

Many submitters were concerned there was a lack of consultation before, during and after the exhibition of the Amendment. This included the preparation of the Neighbourhood Plan, the Feasibility Study, the Heritage Study, and the exhibition of the Amendment. Council noted that the preparation of the Heritage Study occurred during the COVID-19 pandemic and was

---

interrupted by the extensive Melbourne lockdowns. Council accepted that this did limit forms of communication such as walk-in sessions.

The Minister for Planning, at the request of Council, provided an exemption for the interim controls which meant notice and exhibition of Amendment C173 was not required. Council confirmed it had exhibited the Amendment in accordance with the PE Act requirements however did accept that due to the COVID-19 restrictions it was not able to convene public information sessions. Council officers were available for one-on-one meetings or phone discussions.

Some submitters suggested Council should have postponed the Heritage Study or introduction of the interim controls until after the COVID-19 pandemic was over. The owner of 10 Neil Street, West Footscray put it succinctly:

There have been very limited opportunities for residents to engage in conversation about the overlay; this would allow better mutual understanding between Council and residents about differing points of view and sharing information and experiences.

Council confirmed the draft Heritage Study was not the subject of broad community consultation due to COVID-19 lockdowns.

### **(iii) Discussion and conclusion**

The PE Act does not regulate how communication is conducted during strategic planning work. It is, however, accepted best practice that strategic planning work should involve community input to the best extent possible where the community is impacted. This is the case with the Heritage Study. The Panel accepts the COVID-19 pandemic meant no broad community consultation could occur and this was effectively out of Council's control. There is no doubt this led to a heightened level of criticism of the Heritage Study and its methodology, even a degree of scepticism. This was unfortunate but did not impact the integrity of the Amendment.

The Panel accepts that the exhibition of the Amendment met the formal requirements of the PE Act. In its Part A submission Council advised Amendment notification included:

- approximately 2800 letters and notices sent to affected/neighbouring owners and occupiers, prescribed ministers, public authorities and service agencies
- notice in the Maribyrnong Star Weekly newspaper on 2 March 2022 and the Government Gazette on 3 March 2022
- amendment documentation was available at the Footscray Town Hall and the West Footscray and Footscray libraries
- amendment documentation was provided online via Council's website and community engagement portal 'Your City Your Voice'
- amendment documentation was provided online via the DELWP website
- detailed information brochures about the Amendment and precincts were also sent to all affected owners and occupiers and included on Council's webpage.

Council's closing submission also detailed language support services that were offered in the information brochure sent to all properties.

The Panel accepts that lack of notice or exhibition of the interim heritage controls was required to avoid a rush of development activity, including demolition, prior to the introduction of the interim controls. It is also recognised that this exemption is a common occurrence for the introduction of interim heritage controls.

The Panel also accepts this placed some submitters in a difficult position as they were in advanced stages of preparing plans and in discussions with Council planners on development proposals for their land. This is a regrettable but inevitable outcome of interim heritage controls. Again, the

---

Panel considers that clear communication about the impacts and options for applicants in this situation is good practice.

**(iv) Conclusion**

The Panel concludes the:

- preparation of the Heritage Study was impacted by the lack of broad consultation due to the COVID-19 pandemic restrictions, but this did not affect the integrity of the Heritage Study.
- exhibition of the Amendment met the notification requirements of the PE Act.

### **4.3 Accuracy**

**(i) The issue**

The issue is whether the Amendment has a sufficiently high level of accuracy in referring to specific properties.

**(ii) Submissions**

Some submitters criticised Council for errors in the assessment of places. In response to a request at the Directions Hearing, the Panel directed that the field notes be circulated. Some submitters referred to these field notes in identifying errors. Council urged caution in the use of the field notes. In its covering letter accompanying the circulation of the notes, it stated:

However, please note that these spreadsheets are preliminary notes only, prepared by Heritage Alliance during initial field investigations. The content of the spreadsheets was not revised following further research that was undertaken after the preliminary field work was carried out.

Accordingly, the notes in the Excel spreadsheets are not a final record of Heritage Alliance's research and do not necessarily reflect the final outcomes expressed in the Heritage Study and the exhibited Amendment C172mari material.

Some submitters considered other land should have the Heritage Overlay applied. While other submitters considered previous heritage studies had not identified the need to protect Post-war places and the Heritage Overlay should be removed.

Council agreed that other places may have heritage significance that are not included in this Amendment. It expected there would be other heritage studies that could address these areas.

**(iii) Discussion and conclusion**

The Panel accepts that it is inevitable there will be some errors in the Amendment as it includes many properties. The Panel also notes that it is common practice that fieldwork for heritage studies involving large precincts is usually conducted from the street (or public realm) without entering private land or internal building inspections. Some submitters provided photos of cracked brickwork, poor foundations, lack of footings, internal plaster cracks and roofing issues which simply would not be obvious from the public realm.

One of the benefits that public information sessions would have provided is that many of the alleged errors and inaccuracies could have been addressed at that time and be resolved prior to the exhibition of the Amendment. It is unfortunate that this quality assurance opportunity was not able to occur. This has resulted in the Panel considering many submissions that raised errors during a process that should principally focus on the merits of the Amendment.

---

The Panel accepts there may well be other places in Maribyrnong that could meet the threshold for heritage significance. Many municipalities have a rolling program of heritage studies and reviews. In Maribyrnong, a previous heritage study resulted in the application of the Heritage Overlay to the Angliss Housing Estate (HO1) and the Queensville Estate (HO8) that are referred to in this Amendment for comparative analysis. These additional areas referred to by some submitters may be the subject of a future heritage study.

The Panel notes the preliminary nature of the Heritage Alliance field notes and considers that for this reason the field notes should not be used or referenced in the Council's assessment process.

## 4.4 Building condition

### (i) The issue

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

### (ii) Submissions

Many submitters considered that their properties should not be categorised as contributory or in the Heritage Overlay because of the building's poor condition or lack of structural integrity.

Council accepted that not all buildings covered by the Amendment are in perfect or even good condition. None of the HERCON criteria refer to the structural integrity of a building as a relevant issue. Council submitted that a building's condition can be considered as a relevant matter at the planning permit stage. In its Part B submission Council referred to *Advisory Committee Report on the Review of Heritage Provisions in Planning Schemes (August 2007)* that stated<sup>10</sup>:

Structural integrity or condition should not be a criterion in assessing heritage significance.

### (iii) Discussion and conclusion

The Panel agrees with Council that a building's structural integrity is not a relevant matter in determining heritage significance. It is however a relevant matter at the planning permit stage.

## 4.5 Development opportunity, building alterations and maintenance

### (i) The issue

The issue is whether development opportunity, building alterations and maintenance are relevant when assessing the heritage significance of an individual place or a precinct.

### (ii) Submissions

Many submitters provided examples of how the Heritage Overlay would restrict development proposals and, in some cases, not allow for the demolition of the properties. Some submitters considered the Heritage Overlay would restrict their ability to maintain properties. An example was provided of whether a replacement roof would be allowed. The owner of 10 Neil Street, West Footscray submitted "*heritage will be undermined when people can't afford to do basic home maintenance and homes fall further into disrepair.*"

Council accepted that the "*Heritage Overlay introduces another layer of control for property owners by imposing additional permit triggers to a future planning permit application.*" This is

---

<sup>10</sup> Paragraph 2.2.2

---

required to ensure places with heritage significance are managed appropriately. Similar to its response to structural integrity of buildings, Council submitted that development constraint issues are relevant at the planning application stage, not the Amendment stage. It referred to other panel reports<sup>11</sup> in concluding restricting development potential is not a justification for recommending against the application of the Heritage Overlay.

Council submitted *“while heritage will become an additional matter for consideration, the introduction of the Heritage Overlay does not preclude buildings, works or demolition of a property altogether.”* The heritage design guidelines provide guidance on buildings alterations and demolition. Council referred to the updated Permit Exemptions in the Heritage Overlay Incorporated Document that generally exempt alterations not seen from the street from a planning permit as an example of it balancing the need for further control on heritage places and allowing other alterations to occur without planning approval.

Council referred to Clause 43.01 (Heritage Overlay) of the Maribyrnong Planning Scheme which requires a permit for routine maintenance only if it *“changes the appearance of the heritage place or which are not undertaken to the same details, specifications and materials.”* Like-for-like repairs would not then require a permit. The roof example mentioned above would not require a permit if the same material, such as corrugated iron, was used. Council considered the *Permit Exemptions in the Heritage Overlay Incorporated Document* generally reflected the permit exemptions of Clause 43.01.

### **(iii) Discussion and conclusion**

The Panel considers Council has reached a reasonable balance between ensuring heritage places are managed appropriately and maintenance, as some alterations and minor works can occur without planning approval. The Panel does not refer to specific examples but accepts generally that impact on development opportunities are relevant to the permit application stage and some alterations and maintenance may not require a planning permit. The Heritage Overlay may introduce a new permit trigger but, in some cases, there may already be permit trigger for what is proposed via other controls such as a Design and Development Overlay. The overriding objective is to give Council the ability to regulate development that could impact a heritage place. Whether a threshold has been met for heritage significance is the focus of this Amendment and how a heritage place may be impacted by a development proposal is the subject of the permit application process.

The Panel concludes that development opportunity, building alterations and maintenance are not relevant when assessing the heritage significance of an individual place or a precinct.

## **4.6 Use of other planning provisions**

### **(i) The issue**

The issue is whether other planning controls were considered in place of the Heritage Overlay.

### **(ii) Submissions**

The Panel asked Council to explain whether other planning controls were considered for some areas, such as the Neighbourhood Character Overlay (NCO) instead of the Heritage Overlay.

---

<sup>11</sup> Boroondarra C274 Part 2, page 85 and Melbourne C387, page 25

---

Council submitted it was not the role of the NCO to protect heritage buildings, but it was its role to ensure new development was in keeping with the preferred neighbourhood character of the area.

The Feasibility Study considered the NCO further and concluded *“neighbourhood character overlays are not sufficient in protecting cultural heritage in the area.”* Council referred to PPN91 to highlight the differences between the NCO and the Heritage Overlay:

While all areas have a history or a heritage, not all areas are historically significant. Heritage significance is determined by recognised criteria set by Commonwealth, state and local agencies, with reference to the Burra Charter.

The Heritage Overlay (HO) should be used where the objective is to conserve the existing building or buildings.

The HO has different objectives from the NCO and is not intended to operate as a neighbourhood character control. However, heritage descriptors may also contribute to the neighbourhood character of an area.

Council concluded *“the objective is conservation. Rather than control of future neighbourhood character. Accordingly, the most appropriate control is the Heritage Overlay, not the NCO.”*

### **(iii) Discussion and conclusion**

The Panel agrees with Council that the Feasibility Study considered other planning controls, in particular the NCO, and found the Heritage Overlay was the most appropriate controls to manage heritage significance, which this the focus of this Amendment.

In this Report, the Panel has recommended some properties be removed from the Heritage Overlay. Council may wish to consider, if it supports the Panel recommendations, other planning controls such as the NCO or the Design and Development Overlay for places the Panel considered did not meet the required threshold of local heritage significance.

The Panel concludes the Heritage Overlay is the most appropriate planning control to protect the heritage significance of places.

## **4.7 Restriction on environmental improvements**

### **(i) The issue**

The issue is whether the Amendment unreasonably restricts environmental improvements to properties.

### **(ii) Submissions**

Some submitters considered heritage protection was incompatible with climate change mitigation objectives, such as installation of solar panels.

Council accepted that solar panels on a heritage place would require a permit. The heritage design guidelines contain policy that discourages solar panels on the front street facing part of the roof. If they are not located on that part of the roof that faces the street, then the heritage design guidelines would err towards the issue of permit. However, Council referred the approval of Amendment VC226 on 4 November 2022 that changed the Heritage Overlay provisions that confirmed a permit is required for:

A solar energy system attached to a building that primarily services the land on which it is situated if the system is visible from a street (other than a lane) or public park and if the schedule to this overlay specifies the heritage place as one where solar energy system controls apply.

The interim heritage controls apply the solar energy systems provisions in each precinct.



---

Council submitted that *“purported limits to energy efficiency improvements are not relevant to the Panel’s consideration of whether the heritage Overlay should be applied.”*

**(iii) Discussion and conclusion**

The Panel agrees with Council submission on this issue. Environmental awareness and the need to reduce greenhouse gas impacts pervades all aspects of life and commerce. The Panel strongly supports the installation of solar panels as one way of addressing this global issue. In most cases, apart from properties on the south side of an east/west street, it is likely a permit would issue subject to Council approval for solar panel installations. The Panel notes solar panels could still be seen from the street if they were located on sides of roofs, but the wording of the heritage design guidelines provides an appropriate policy position that restricts consideration to that part of the roof facing the street.

The Panel considered whether the policy support for solar panels not located on that part of the roof facing the street should be addressed as a permit exemption, and not a policy position. The Panel agrees with Council that *“if exemptions were to be provided in the schedule in the future, this would require a separate body of strategic work and assessment which is outside the scope of the Amendment.”*

The Panel encourages Council to investigate the potential of permit exemptions further as this would provide a more streamlined approval process that could be restricted to solar panel installations on the street facing roof only requiring a planning permit.

## **4.8 Residential or housing precincts?**

**(i) The issue**

The issue is whether the precincts should be described as housing or residential precincts.

**(ii) Submissions and discussion**

The Panel asked Council to clarify why the precincts are referred to either as a housing or residential precinct and whether a single descriptor should be used for consistency. The following precincts are referred to as ‘housing’ precincts:

- Laughton’s Post-war Housing Precinct HO214
- Naismith and McCubbin Inter-war Housing Precinct HO215
- Summerhill Road Inter-war and Post-war Housing Precinct HO216
- Tottenham Post-war Industrial Housing Precinct HO217.

The following precincts are referred to as ‘residential’ precincts:

- Bottomley’s Paddock Inter-war and Post-war Residential Precinct HO211
- Centennial and Duke Streets Inter-war and Post-war Residential Precinct HO212
- Hansen Inter-war Residential precinct HO213
- West Footscray Inter-war and Post-war Residential Precinct HO218

Council advised it was likely the result of different consultants doing the field work. Ms Peters preferred the use of residential precincts and Council agreed.

The Panel supports this.

**(iii) Conclusion and recommendation**

The Panel concludes the precincts should be described as residential precincts.



---

The Panel recommends:

**Amend the Statements of Significance for the Laughton’s, Summerhill Road, Tottenham and Naismith and McCubbin precincts and any other Amendment document to refer to all precincts as ‘residential’ precincts.**

## 4.9 Use of street numbers on maps

### (i) The issue

The issue is whether street numbers on maps in the Statement of Significance would assist.

### (ii) Submissions and discussion

The Panel asked Council to provide maps that used street numbers so navigation was easier for the reader. Council agreed that this would assist.

### (iii) Conclusions and recommendation

The Panel recommends:

**Amend all maps in the Statements of Significance and any other Amendment document by inserting street numbers for each property.**

## 4.10 Existing second storey additions – contributory or non-contributory?

### (i) The issue

The issue is whether places with a second storey extension should be contributory or non-contributory to the precinct.

### (ii) Submissions and discussion

Some submitters were confused how properties with a second storey rear extension have been assessed as either contributory or non-contributory, and provided examples of these.

The owner of 33 Tucker Street, West Footscray referred to 3 Hope Street in the Bottomley’s Paddock precinct which has a two storey rear addition to a contributory place (Figure 4) and to 20 Hope Street (Figure 5) which was considered non-contributory.

**Figure 4** 3 Hope Street, West Footscray



Source: Peters evidence statement

**Figure 5** 20 Hope Street, West Footscray



Source: Peters evidence statement

---

The owner of 33 Tucker Street, West Footscray considered 3 Hope Street should be non-contributory.

This matter is considered in Chapter 5 for the Bottomley's Paddock precinct. However broadly the Panel understands this level of confusion but notes there is no *'hard and fast rule'*. The Panel heard from Council that generally the further forward the second storey addition is, the greater its impact on the roof form and visual impact to the street, there is less likelihood of the building being considered as contributory.

Using the threshold measures Council considered 20 Hope Street was not reversible and visually dominant. Ms Peters' evidence that *"the second storey additions have made it difficult to recognise the inter-war bungalow features underneath the oversized second storey."* On this basis it was considered non-contributory.

The Panel has some difficulty with this approach. In both examples cited above the original form is clearly present; it presents as an old dwelling that has had a more recent extension. The implication for 20 Hope Street is clear; there would be an expectation that a non-contributory place could be demolished and replaced with a more modern structure with little or no character of the era of significance. The Panel questions whether this is a better outcome compared to the retention of a place which clearly retains some character of the era. Ultimately it is a balancing act which results in most of the housing in each precinct being considered contributory, thus supporting the purposes of the Heritage Overlay.

### **(iii) Conclusion**

The Panel concludes, as best as possible, there should be some consistency in classifying heritage places with rear second storey extensions.

## **4.11 Non-contributory places in a heritage precinct**

### **(i) The issue**

The issue is whether it is appropriate to apply the Heritage Overlay to non-contributory places within a heritage precinct.

### **(ii) Submissions**

Some submitters had a sliding scale of requests for their properties. The first request was the removal of the Heritage Overlay and the second was identifying the property as non-contributory if the first request was not supported. The first matter is addressed in the precinct chapters.

Council submitted that it was expected some properties would be classed as non-contributory in a broad precinct which is envisaged by PPN01. The design guidelines for each precinct would allow for the demolition of a non-contributory building but its replacement would need to be carefully considered to ensure its form and scale was appropriate and neighbouring contributory properties were protected.

Council cautioned the Panel in removing non-contributory properties from heritage precincts.

### **(iii) Discussion**

The Panel has two considerations on this issue.

---

The more general one is whether non-contributory properties should have the Heritage Overlay applied. Generally, this is supported. The removal of non-contributory properties well within a precinct boundary would create inliers with no heritage controls potentially surrounded by properties with heritage significance. The Panel considers this would undermine what is sought to be protected and it is appropriate to have control over a non-contributory property.

The second consideration is whether non-contributory properties on the periphery of precinct should have the Heritage Overlay applied. The Panel raised this on the last day of the Hearing as a matter it was considering and provided some examples in the Tottenham precinct. It noted Council seemed to retain the Heritage Overlay for peripheral non-contributory properties in some precincts (such as the Tottenham precinct) and in others its approach was to remove them from the Heritage Overlay (such as the Summerhill Road precinct). Using the Tottenham precinct as an example, it seemed that relatively recent development justified the non-contributory status. The likelihood of significant further development was therefore limited.

The Panel is generally comfortable where recent development has occurred that the application of the Heritage Overlay to non-contributory properties at the periphery of a precinct be reviewed. This is considered in the precinct chapters.

Whether the NRZ should be retained if the Panel recommended the deletion of the Heritage Overlay is considered in Chapter 3.4.

#### **(iv) Conclusion**

The Panel concludes the Heritage Overlay should be:

- retained for non-contributory properties well within a precinct boundary
- reviewed for non-contributory properties at the periphery of a precinct.

## **4.12 Local heritage grants scheme**

### **(i) The issue**

The issue is whether Council should establish a local heritage grants scheme.

### **(ii) Submission and discussion**

Some submitters referred to PPN01 which states:

When introducing the Heritage Overlay, a council should consider the resources required to administer the heritage controls and to provide assistance and advice to affected property owners. This might include providing community access to a heritage adviser or other technical or financial assistance.

Council is currently considering whether to introduce a local heritage grants scheme. It retains a heritage adviser service. The Panel does not have the ability to recommend its establishment as it is not within the ambit of the Amendment but notes many other Council have a local heritage grants scheme or low interest loans to support the community in addition to other methods it uses to help property owners.

## **4.13 Relationship to interim heritage controls**

The interim heritage controls introduced by Amendment C173mari apply to all areas covered by this Amendment, other than the 16 properties that were initially or subsequently (via Amendment C175mari) removed from the controls. These properties were removed from the interim controls as approvals for demolition or alterations had already been issued by the Council and the

---

introduction of the controls would otherwise have required an additional approval to have been obtained for demolition.

In some cases, the approvals issued prior to the introduction of the interim controls were for buildings that are considered contributory under this Amendment. It appears that some of the approvals that were obtained prior to the introduction of the interim controls have not been acted upon. The Panel understands that Council intends to apply the permanent heritage controls introduced with the approval of this Amendment to these properties, and that any future changes proposed to these properties will be considered under the provisions of this Amendment. In this case any approvals previously obtained will not necessarily be considered favourably for approval under the Heritage Overlay. This may be a matter that the Council considers conveying to those affected by this circumstance.

## 5 Bottomley's Paddock Inter-war and Post-war Residential Precinct (H0211)

### Exhibited statement of significance



### What is significant?

Bottomley's Paddock Inter-war and Post-war Residential Precinct has a high proportion of original Inter-war and Post-war dwellings which impart a homogenous suburban character to their streetscapes. The free-standing gabled or hip-roofed weatherboard bungalow with front verandah or porch in a garden setting with side drive represents the precinct's dominant house type. These are interspersed with a smaller number of brick variations of these houses as well as a corner shop-house, all modestly built in the popular styles that typify the bungalow as it evolved through the inter-war and post-war periods. A number of Housing Commission of Victoria houses exist in Wellington Street and these illustrate the post-war housing crisis and the new development of public housing in the area. The following elements contribute to the significance of the precinct:

#### Inter-war (c.1915-1940)

- Single storey, dominant single or double gable frontage perpendicular to the street and frequently asymmetrical in massing, or hipped roof with gable projecting on one side of the main roof.
- Occasional pyramidal hipped roof form.
- Gables typically decorated with strapping, roughcast render or patterned pressed metal, timber shingles, timber vent sometimes in gable apex.
- Roof clad with corrugated iron, unglazed or glazed terracotta tiles, or sheets of pressed metal simulated tiles, some with textured surface. Exposed rafters extending from eaves.
- Verandah is a feature of the house front, often recessed under the main gable or sloping roof, or under its own flat roof. Sometimes trimmed with timber fretwork. Supported by timber posts, face brick or rendered piers on half-walls, or cast concrete classical-inspired columns in full length or resting on piers. Geometric brick motifs on rendered half-walls.



- Late 1930s verandahs/porches and facades often include revivalist Spanish Mission, Old English or Classical features - pointed/curved arches, barley twist columns, patterned brickwork and other decorative elements.
- Windows are timber-framed with casement or sash openings, often tripartite in form with curved glazing bar to fixed middle pane, sometimes multi-panes or leadlight in upper lights, occasional front bow or bay window with shingled apron. Some with flat canopy or awning over windows. Occasional small picture window in diamond or square shape on house facade.
- Weatherboard walls, V- notched timber boards occasionally below window level and shingles below projecting bow windows.
- Weatherboard side walls with conite fabric imitating rendered façade (associated with late 1930s).
- Tall, square red brick chimneys are frequent, occasionally in pairs.
- Red brick or rendered walls (less common).
- Fences and gates are typically low in height: Woven wire or steel chain mesh on timber or pipe rails, or timber battens on timber frame. Low brick wall and wrought iron gates (associated with 1930s)
- Dual concrete driveway strips with lawn centre panels leading to a rear garage.
- Garden setting with consistent front and side setbacks.
- Californian bungalow house with stepped parapet shopfront attached on Palmerston Street corner with cantilever verandah and central entrance.

#### Post-war Austere houses (c.1940-c.1950)

- Single storey free-standing, asymmetrical L-shaped plan with hipped roof form. Typically double or triple-fronted. One example with 'waterfall' front with rounded instead of squared corners.
- Small porch in "L" alcove under slope of hipped roof or under separate concrete slab or timber flat hood. Metal pole, timber, wrought iron, or brick pier supports.
- Front doors often face to the side of the house.
- Roofs clad with glazed terracotta tiles, concrete tiles, corrugated iron or sheets of pressed metal simulated tiles, some with textured surface.
- Undecorated weatherboard walls, or dichromatic, variegated cream or clinker brickwork, tapestry brick detailing.
- Prominent chimneys in red or cream brick, some with curved tops.
- Timber framed tripartite sash windows, typically with transoms to emphasise horizontal, functional lines in favour of decorative curves. Some houses incorporate timber framed corner windows.
- Low front fences and driveway gates: Steel chain mesh on timber or pipe rails, timber batten on timber frame, low brick wall incorporating wrought iron trim, wrought iron gates.
- Dual concrete driveway strips with lawn centre panels leading to a rear, single garage, some in same brick as house.
- Garden setting with consistent front and side setbacks.

#### Housing Commission of Victoria houses (late 1940s - early 1950s)

- Single storey, free-standing, typically asymmetrical with transverse gable parallel to the street, some have small projecting gable to front.
- Unadorned weatherboard walls.
- Pitched roof clad with glazed terracotta tiles.
- Front slope of the roof incorporates a small enclosed porch at the front of the house.
- Timber framed sash windows, with transoms to emphasise horizontality. Timber framed corner windows.
- Prominent red brick chimney is a feature of the front or side elevation.
- Low front wire fence and driveway gates. Simple steel chain mesh or horizontal timber board fence.
- Side driveways.
- Garden setting with a larger setback from the front and side setbacks.

#### Post-war Brick Veneer (c.1940-c.1965)

- Single storey, in double, triple or quadruple-fronted variations of asymmetrical L-shaped plan.
- Hipped, medium-pitched glazed terracotta roofs.

- Verandahs slightly raised along the house front, sometimes with timber pergola or porch with concrete, curved flat hood. Concrete floor and steps, and occasionally tiled.
- Cream brickwork, or (later) salmon coloured (wire-cut) brickwork. Contrasting manganese brick string courses, window sills, and detailing variously around windows, chimneys, fence tops.
- Prominent chimneys, some with curved 'waterfall' tops or other shaped finishes.
- Large steel-framed, street-facing casement windows, including some as corner windows.
- Decorative wrought ironwork used for fence trims, gates, front veranda/porch railing and supports, and for details such as house numbers or names.
- Low brick front fence in matching brick colour with castellated top or manganese coping and slightly raised piers.
- Concrete driveways, or drives with concrete treads and lawn centre strips. Integrated, brick single-car garage sometimes attached to side of house.
- Consistent front and side set-backs.

#### Post-war Migrant houses (c.1955-c.1975)

- Hipped, medium-pitched glazed terracotta roofs. Double, triple and quadruple-fronted variations of asymmetrical L-shaped plan. • Brick fabric with terracotta roof tiles.
- Terrace or veranda, to front featuring paving/tiles.
- Large aluminium-framed windows.
- Classical references.
- Conspicuous use of concrete and/or terrazzo for gardens and patios.
- Prominent front fence in a variety of styles.

#### **How is it significant?**

Bottomley's Paddock Inter-war and Post-war Residential Precinct is a local historic, architectural (representativeness) and aesthetic significance to the City of Maribyrnong.

#### **Why is it significant?**

Bottomley's Paddock Inter-war and Post-war Residential Precinct is significant for illustrating two key phases in the development of West Footscray. Street names and street patterns dating from the 1850s and remnants of infrastructure throughout the precinct are historically important for documenting a series of failed speculative subdivisions for early residential estates. The precinct's streets of Inter-war and Post-war houses are significant for marking the important phase in Footscray's history when the suburb was fuelled by waves of industrial expansion, population growth, migration and a subsequent boom in residential construction. (Criterion A)

Bottomley's Paddock Inter-war and Post-war Residential Precinct reflects the popular ideal of the detached small suburban bungalow house in a garden setting and the rise in car ownership which became increasingly achievable in working class Footscray as the district expanded in the twentieth century. The bungalow style houses built by the Housing Commission of Victoria in Wellington Street are significant as they document the beginning of public housing provision in the area. (Criterion A)

Bottomley's Paddock Inter-war and Post-war Residential Precinct is significant for its largely homogenous streetscapes characterised by a variety of predominantly intact Inter-war and Post-war houses, which exhibit a representative range of styles, decorative features, materials and innovations within the clearly identifiable form of the suburban bungalow. The occurrence of several identical designs attests to many sharing the same builder or contractor. (Criterion D)

Bottomley's Paddock Inter-war and Post-war Residential Precinct's scattering of double and triple-fronted brick veneer houses built or modified by post-war migrants are representative of a visually definitive style which interprets an Australian vernacular architecture. (Criterion D)

Bottomley's Paddock Inter-war and Post-war Residential Precinct is aesthetically distinctive for the visual qualities of its streetscapes of bungalow style houses which is expressed in their setting and unity, scale, variety, texture, fabric and form complemented by nature strips and street trees. (Criterion E)

## **5.1 Post exhibition changes**

The following post exhibition changes were made:

- After Council considered the Amendment submissions it resolved to abandon the Heritage Overlay and the NRZ for the western part of Napoleon Street (Nos. 37-65 and

---

46-84). This was based upon the extent of demolition, redevelopment and new built form that had occurred in this part of Napoleon Street.

- Re-classify 38 Napoleon Street, 16 and 34 Tucker Street, 5 Palmerston Street, 24 Hope Street, 32 Wellington Street and 4 View Street to non-contributory.
- Update the Heritage Study to reflect these changes.

## 5.2 The issues

The issues are whether:

- the precinct meets the threshold for local heritage significance to justify the application of the Heritage Overlay
- the precinct boundary is appropriate.

It is an Inter-war and Post-war precinct so there is a mix of bungalows, austere housing, public housing, 1960's and 70's brick dwellings and more contemporary buildings. Although not referred to as sub-precincts, there are six notable smaller areas:

- Napoleon and Wellington Streets
- Hope, Barton, Stanley and View Streets
- Palmerston Street
- Molesworth Court
- Tucker Street
- Wallace Street.

The Panel discusses these 'sub-precincts' after threshold issues are addressed.

## 5.3 Threshold criteria

### (i) Evidence and submissions

The statement of significance for the Bottomley's Paddock precinct states the precinct meets the threshold for Criterion A, D and E.

Council submitted Criterion A was met on the following basis:

- street names and street patterns are historically important for documenting a series of failed subdivisions for early residential estates
- small detached suburban bungalows in a garden setting and housing commission in Wellington Street documents the beginning of public housing in the area.

It was the evidence of Ms Peters that the threshold for Criterion A was met as *"street names and street patterns dating from the 1850's document a series of failed speculative subdivisions for early residential estates."*

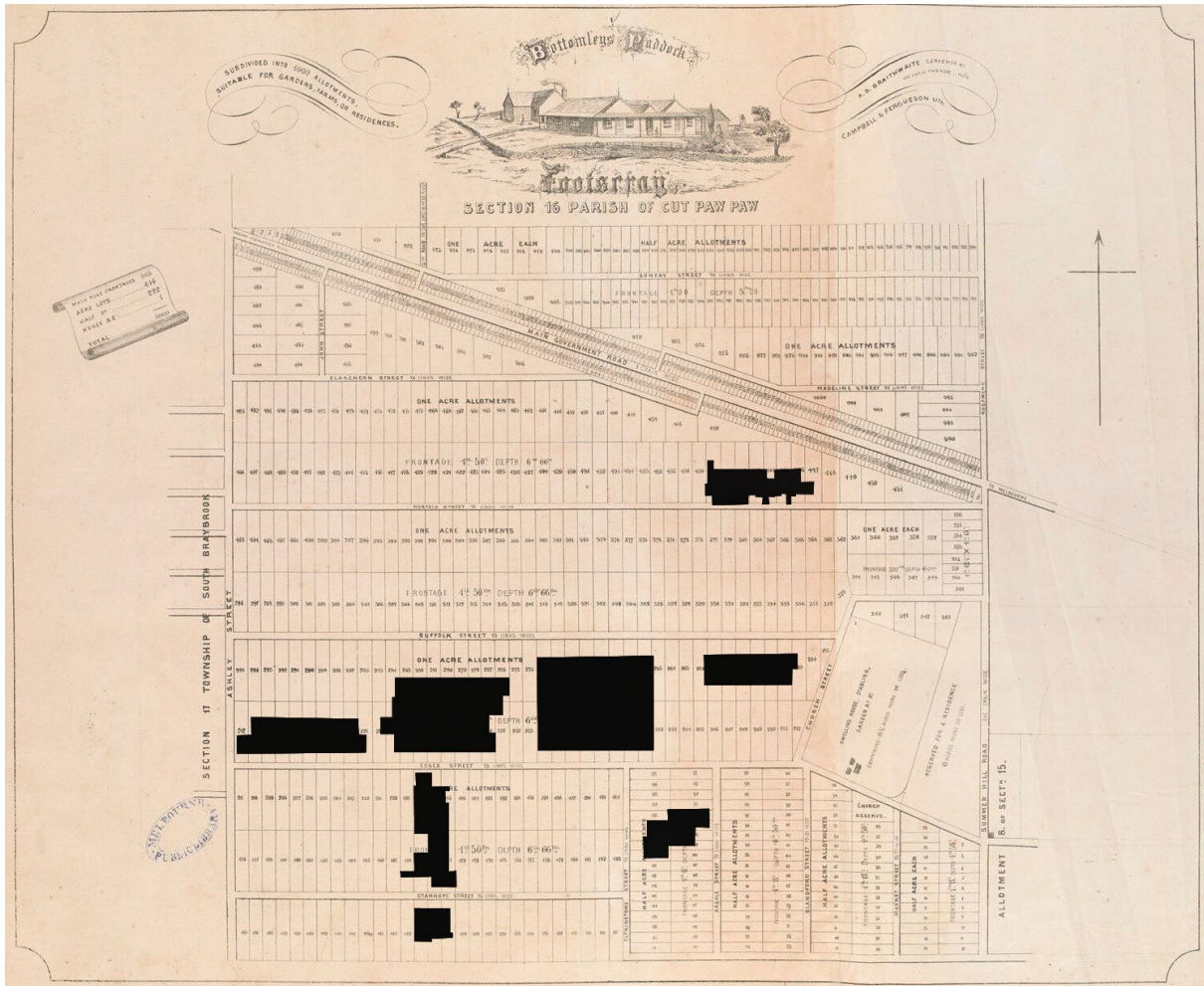
The owner of 68 Wellington Street, West Footscray compared the Bottomley's Paddock subdivision of the 1850's to what is present today and noted:

- Wellington Street did not exist
- Napoleon Street did not exist
- Hope, Barton, Stanley, Palmerston, Wallace, Tucker and View Streets did not exist
- the only streets that existed were ones not the subject of this Amendment (that is 'Summer Hill' Road, Church, Essex and Suffolk Streets)
- lots were mostly 4046sqm (one acre) lots whereas the average now would be approximately 480sqm.



He provided a handy overlay of the Bottomley's Paddock precinct against the Bottomley's Paddock subdivision plan in demonstrating the weak link to it (refer to Figure 6). The blackout areas show the Bottomley's Paddock precinct.

**Figure 6 Bottomley's Paddock with proposed precincts areas overlaid**



Source: Submission of the owner of 68 Wellington Street

In its Part C submission Council responded, *“the fact that the current street layout does not precisely reflect the street layout of the 1850’s subdivision does not diminish the ability of Criterion A to be met.”*

Ms Peters responded in cross examination that *“the significance of the failed subdivision is that it gave rise to the streets and housing in the Bottomley’s Paddock area that survive today.”*

As the failed subdivision justifies the geographic application of this precinct the Panel asked Council how it should be referred to if the Panel found it did not meet the threshold required for Criterion A. In its Part C submission Council submitted that *“it does not mean that the balance of Criterion A, Criterion D and Criterion E are not met”* and *“there is no reason why the name cannot be retained. If, however, the Panel recommends that the component parts of HO211 be ‘split’, it could be acceptable to name the precincts by their street name.”*

**(ii) Discussion and conclusion**

As advised at the Hearing, the Panel had some difficulty in understanding how significance could be attributed to a failed subdivision. The owner of 68 Wellington Street considered there is little resemblance to the current street layout and Council considered it did not match it “with

---

precision". The Panel notes that the current streets that were created and named in the 1850s subdivision are not part of this Amendment.

The Panel considers there should be at least some resemblance to today's composition, but there is not. The fact it was a failed subdivision does not make it remarkable and does not make it important to the course or pattern of our cultural or natural history (Criterion A). The Panel notes though, that while failed or speculative subdivisions are mentioned in section 9.2 of the thematic history, there is no reference to this part of West Footscray. Braybrook, Maidstone and Yarraville are mentioned.

The Panel finds that Bottomley's Paddock subdivision is not an important part of Maribyrnong's thematic environmental history as there is very little resemblance to what exists today. The Panel finds the link is weak and considers a suitable threshold for Criterion A for street patterns has not been met for the Bottomley's Paddock precinct. The Panel therefore concludes the statement of significance, citation and Heritage Study should be reviewed to reflect this.

The Panel is generally comfortable that a threshold has been met for the balance of Criterion A, Criteria D and E subject to its findings in the following streets.

As discussed in Chapter 3, the Panel has concern with the era of significance for Bottomley's Paddock spanning 40-50 years and its tendency to capture development as examples of that era, and not ones that were of importance as required by Criterion A. Of the six areas, the Panel considers there should be a distinction between single era areas and ones that cover both Inter and Post-war.

The single era streets are:

- |  |           |
|--|-----------|
| • Napoleon Street and Wellington Streets | Post-war  |
| • Palmerston Street                      | Inter-war |
| • Tucker Street                          | Inter-war |
| • Wallace Street                         | Inter-war |

The dual era streets are Hope/Barton/Stanley/View Streets and Molesworth Court.

Creating this separation expresses the growth of Maribyrnong is a clearer way than as a collective group. Otherwise, one could be excused for thinking that all areas span both eras as this is how the precinct is titled. For the sake of efficient referencing, Bottomley's Paddock should be retained as the name of the precinct instead of referring to individual street precincts. However, it should be made clear in the text of the statement of significance that it comprises several individual sub-precincts of specific eras of significance. A re-drafting of the statement of significance, citation, heritage design guidelines and, if considered necessary, the Heritage Study would be required.

In this chapter the Panel has recommended the removal of Napoleon and Wellington Streets from the Heritage Overlay, so this does not apply to these streets.

### **(iii) Recommendation**

The Panel recommends:

**Amend the Bottomley's Paddock precinct statement of significance to:**

- a) **delete 'street patterns and speculative subdivision' as justification for the Heritage Overlay in respect of HERCON Criterion A and reflect this in all Amendment documents, where relevant**
- b) **refer to the following sub-precincts:**
  - **Palmerston Street Inter-war Residential Precinct**

- **Tucker Street Inter-war Residential Precinct**
- **Wallace Street Inter-war Residential Precinct**
- **Molesworth Court Inter-war and Post-war Residential Precinct**
- **Hope to View Streets Inter-war and Post-war Residential Precinct.**

## 5.4 Comparative analysis

The only comparative heritage precinct with the Heritage Overlay currently applied is the Queensville Estate (HO8). Others mentioned are the subject of this Amendment. As discussed in Chapter 3 the Panel places greater weight on precincts currently in the Heritage Overlay as they have been deemed to meet the requisite threshold.

The Bottomley's Paddock citation states that the Queensville Estate and Bottomley's Paddock precincts both retain their nineteenth century plan. The Panel, in the case of the Bottomley's Paddock precinct, has found this is not true.

The Panel inspected the Queensville Estate and noted it was an Inter-war precinct with more integrity than the Bottomley's Paddock precinct with a higher consistency of contributory places with only a few non-contributory places. The Panel considers the Queensville estate does not provide a suitable comparator and distinguishes itself further from Bottomley's Paddock precinct as it is significantly more intact and of a single era.

## 5.5 Napoleon and Wellington Streets

### (i) Post exhibition changes

Council resolved to remove 37-65 and 46-84 Napoleon Street between Ashley and Brunswick Streets from the Heritage Overlay.

The following submitters objected to the application of the Heritage Overlay in the area to be removed from the Heritage Overlay:

- Submitter 21                      47 Napoleon Street
- Submitters 44 and 45        45 Napoleon Street
- Submitter 124                    52 Napoleon Street
- Submitter 133                    53 Napoleon Street
- Submitters 141 and 150    51 Napoleon Street
- Submitter 195                    62 Napoleon Street

Ms Peters submitted the *"proportion of contributory and non-contributory properties is now too low (due to demolition and new construction) to provide a cohesive and readable streetscape and heritage values."* Ms Peters supported the removal of the Heritage Overlay from this part of Napoleon Street.

The Panel supports this outcome and the deletion of the NRZ2.

Council supported the recommendation of Ms Peters to re-classify 28 and 50 Wellington Street and 38 Napoleon Street as non-contributory. The Panel supports this.

### (ii) Evidence and submissions

The following submitters objected to the retention of the Heritage Overlay for the balance of Napoleon and Wellington Streets:

- Napoleon Street                      Submitters 96, 97,102, 143, 170, 179 and 185



- Wellington Street Submitters 59, 81, 84, 85, 92, 100, 117, 119, 125, 138, 151, 162, 164, 190 and 195.

Generally, the issues raised were the lack of heritage value and lack of intactness. Other issues raised were increased costs and poor quality of dwellings which the Panel has addressed in Chapter 4 and does not address further here.

Figure 7 and Figure 8 show some of the properties the subject of objections in Napoleon Street.

**Figure 7** 7 Napoleon Street, West Footscray



Source: Panel photo

**Figure 8** 16 Napoleon Street, West Footscray



Source: Panel photo

Figure 9, Figure 10, Figure 11, Figure 12 and Figure 13 show some of the properties which are the subject of objections in Wellington Street.

**Figure 9** 31 Wellington Street, West Footscray



Source: Peters evidence statement

**Figure 11** 62 Wellington Street, West Footscray



Source: Peters evidence statement

**Figure 10** 61 Wellington Street, West Footscray



Source: Peters evidence statement

**Figure 12** 68 Wellington Street, West Footscray



Source: Peters evidence statement

---

**Figure 13** 76 Wellington Street, West Footscray



Source: Peters evidence statement

It was the evidence of Ms Peters that the balance of Napoleon Street and Wellington Street retained enough contributory places for the Heritage Overlay to be retained.

### **(iii) Discussion**

The balance of Napoleon Street between Brunswick Street and Richelieu Street has 37 properties, of which 32 are considered contributory. The Heritage Overlay is applied in two halves in Wellington Street, to the east and west of Brunswick Street. It covers 35 properties in both the east and west. There are 11 non-contributory properties in Wellington Street.

The Panel considers the balance of Napoleon and Wellington Streets is compromised by a lack of consistency, a relatively high level of non-contributory properties compared to other streets in the Bottomley's Paddock precinct, varied built forms and styles of housing to such a degree that a suitable threshold has not been met for local heritage significance.

Even though the streets are all post-war housing there is a clear mix of austere, brick veneer, housing commission and limited migrant housing. While the Panel understands Council's position that it is this variety that makes the collection of streets significant, there is no clear distinction or flow from one era of housing to another. This lack of consistency is demonstrated by only a few contiguous houses being of the same style interspersed with either another style considered significant or non-contributory housing. This variety is typical in many suburban streets potentially in Maribyrnong and many middle ring suburbs of Melbourne, and not of such significance to meet the threshold for the Heritage Overlay. This variety in built form from the 1950's to 1970's are examples of the post-war era of significance, but of insufficient importance as a precinct to justify the Heritage Overlay. There is also variety in building materials, roof forms and setbacks that demonstrate a lack of consistency and a lack of cohesiveness in the precinct. It is this variety in all these respects, not its consistency, that errs against the application of the Heritage Overlay.

The Panel considered the retention of the NRZ to manage redevelopment as it occurs over time in Wellington and Napoleon Streets. However, this would be inconsistent with Council's clear justification for its use when the provisions of PPN91 are considered. As the Panel has found the Heritage Overlay has not been justified it then does not support the retention of the NRZ. If Council considers there is a need to provide further development guidance for these streets it could consider another built form control such as the Design and Development Overlay.

At 79-83 Wellington Street are former Housing Commission properties which form the western bookend of Wellington Street. The Panel understands this is the first Housing Commission accommodation to be protected for its heritage values in Maribyrnong which reflects a theme in the thematic environmental history for Bottomley's Paddock (Section 9.6.4) and *"are significant as they document the beginning of public housing provision in the area."* This is limited to West

---

Footscray and the Panel was not informed of other suburbs that may have what is considered as significant public housing. On inspection it seemed 81-85 Wellington Street were reasonably intact, but 79 Wellington Street had been modified. Outwardly they are bland buildings on the periphery of a precinct and not of such significance to warrant the Heritage Overlay as a smaller precinct, due to the limited number of properties and modifications that had been made to one of them.

There was significant opposition to the inclusion of Napoleon and Wellington Streets in the Heritage Overlay however many of these submissions were property-specific and did not take a wider view. The Panel has addressed many of the issues that were made by submitters in Chapter 4 and restricted its consideration to whether the Heritage Overlay was sufficiently justified.

On balance the Panel does not believe the Napoleon and Wellington Streets have met a suitable threshold to justify the application of the Heritage Overlay.

#### **(iv) Recommendations**

The Panel recommends:

**Delete the Neighbourhood Residential Zone and the Heritage Overlay from all properties in Napoleon Street and Wellington Street and reflect this in all Amendment documents, where relevant.**

## **5.6 Hope, Barton, Stanley and View Streets**

### **(i) Evidence and submissions**

The owner of 8 View Street, West Footscray (Figure 14) considered the dwelling should be classified non-contributory and contrasted this with 4 View Street (Figure 15) which was also considered contributory. Council agreed the brown brick dwelling at 4 View Street was non-contributory as it was constructed in 1985, well outside the era of significance.

The owner of 3 Hope Street, West Footscray (Figure 16) requested the property be non-contributory due to the rear second storey addition and contrasted this with similar extensions at 20 Hope Street and 34 Tucker Street. Ms Peters considered *“the house continues to be well defined by its original Hansen-style inter-war design. Other houses in the street such as 8 and 20 Hope Street are not contributory because the second storey additions have made it very difficult to recognise the original inter-war bungalow features underneath the over-sized second storey.”*

With the demolition of the house at 24 Hope Street Council agreed it should be listed as non-contributory but disagreed with the owner of 12 Brunswick Street, West Footscray that it be removed from the Heritage Overlay due to contributory places either side.

The owner of 17 Barton Street, West Footscray (Figure 17) had progressed development plans for a replacement dwelling which halted due to COVID -19 and the interim heritage controls. The submission focussed on building and maintenance issues with the current dwelling, that a new roof would not be permitted. Council clarified that a like-for-like replacement roof could be considered as routine maintenance and be exempt under Clause 43.01.



**Figure 14** 4 View Street, West Footscray



Source: Panel photo

**Figure 15** 8 View Street, West Footscray



Source: Panel photo

**Figure 16** 3 Hope Street, West Footscray



Source: Panel photo

**Figure 17** 17 Barton Street, West Footscray



Source: Panel photo

## **(ii) Discussion and conclusion**

This block of 4 parallel streets has a mix of Inter-war and Post-war housing. All streets have a high level of intactness.

Individually View Street is predominantly intact single storey Inter-war housing overlooking a local park (Johnson Reserve) to its east. The Panel agrees with Council that 4 View Street should be non-contributory.

Stanley Street has mainly intact Inter-war housing with some Post-war housing and non-contributory places. During the inspection the Panel noticed the dwelling on 24 Stanley Street had been demolished. This property should be classified as non-contributory.

Barton Street is mainly Inter-war housing with some Post-war housing. There are no non-contributory places, so the street has a high level of intactness. The Panel agrees with Council's assessment of the submission from the landowner of 17 Barton Street in regard to a potential roof replacement.

Hope Street is mainly Inter-war housing with some Post-war housing. Apart from 1, 8 and 20 Hope Street the street presents as relatively intact bungalow housing. The Panel agrees that 3 Hope Street should still be considered as contributory, noting the Panel has discussed this matter in Chapter 4.

As a collective block of four streets the Panel considers it has relatively intact housing with very few non-contributory properties. The Panel supports the application of the Heritage Overlay.

## **(iii) Recommendations**

The Panel recommends:

---

Re-classify 4 View Street, West Footscray and 24 Stanley Street, West Footscray as non-contributory places in all Amendment documents, where relevant.

## 5.7 Palmerston Street

### (i) Evidence and submissions

Palmerston Street extends from Essex Street in the north to south of Stanhope Street. The Heritage Overlay is applied to both sides of the street for those properties with direct frontage. It contains 43 properties and comprises mainly inter-war single storey timber bungalows with some post-war housing and a corner store.

In response to the owner of 5 Palmerston Street, West Footscray, Ms Peters recommended 5 Palmerston Street be removed from the Heritage Overlay as it has recently been redeveloped. Council concluded it should be retained in the Heritage Overlay but be classified as non-contributory.

The owner of 13 Palmerston Street, West Footscray (Figure 18) considered the property should not be in the Heritage Overlay. Ms Peters confirmed it was built between 1940 and 1945 and *“is a relatively intact transitional war/post war style, weatherboard house with an intact tile roof and windows and porch detailing. It is contributory to the precinct because it illustrates an important period in the history of the municipality when the population was booming and it also marks a transition between the earlier Inter-war houses in the area and the later Post-war designs.”*

Figure 18 13 Palmerston Street, West Footscray



Source: Ms Peters evidence statement

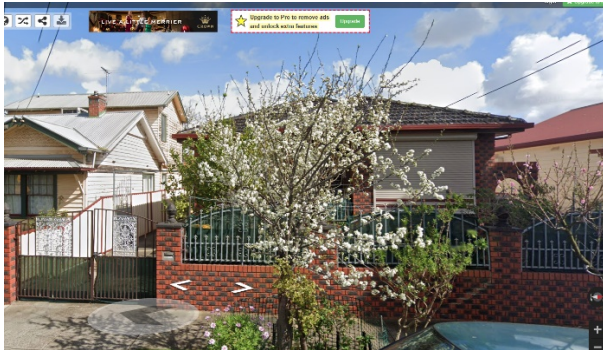
### (ii) Discussion and conclusion

The Panel considers this is a predominantly Inter-war precinct. It agrees with Ms Peters there is some transitional housing such as 13 Palmerston from the period 1940-45. However, this street does not contain any later housing of any significance, although two brick dwellings from what seems to be the 1970s to 1980s at 16 (Figure 19) and 35 (Figure 20) Palmerston Street are listed as contributory. Even though they are part of the broader inter and post war Bottomley's Paddock precinct the flavour of this street is distinctly inter-war. The Panel has already expressed concern about the 'continuity' threshold measure and these two properties are good examples where this threshold measure diminishes the significance of this street. These properties should be classified non-contributory.



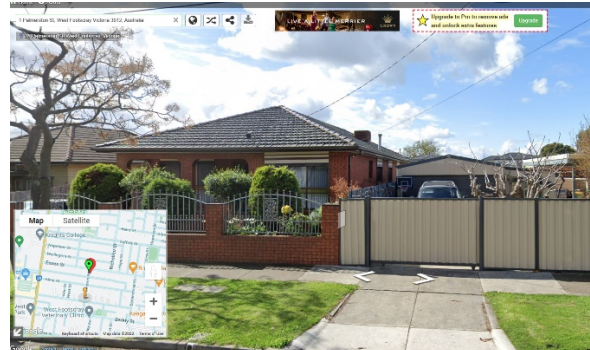
The Panel acknowledges the evidence of Ms Peters that 5 Palmerston Street can be removed from the Heritage Overlay. It is a corner site which limits its interfaces to one contributory place and has new contemporary development. However, the Panel agrees with Council, that it should be retained in the Heritage Overlay as it is a significant corner site and entry to the precinct but be classified as non-contributory.

**Figure 19** 16 Palmerston Street, West Footscray



Source: Google streetview

**Figure 20** 35 Palmerston Street, West Footscray



Source: Google streetview

### (iii) Recommendation

The Panel recommends:

**Re-classify 5, 16 and 35 Palmerston Street, West Footscray as non-contributory places in all Amendment documents, where relevant.**

## 5.8 Wallace Street

### (i) Evidence and submissions

Wallace Street has 31 properties with some extending in depth to Burns Street and Norfolk Street. Three properties are identified as non-contributory. It has a mix of Inter-war and Post-war timber and brick housing.

Council advised that since the exhibition of the Amendment 17 Wallace Street had been subdivided as one of the dual street frontage lots to create two small lots at 50A and 50B Norfolk Street. Accordingly, Council requested they be deleted from the Heritage Overlay.

The owner of 33 Wallace Street, West Footscray owns a property at the end the western end of Wallace Street and requested the Heritage Overlay be extended to the neighbouring property at 35 Wallace to ensure any redeveloped respects the heritage values of No. 33.

The owner of 19 Wallace Street, West Footscray considered his property had no heritage value and should be removed from the Heritage Overlay. It was the evidence of Ms Peters that the house was constructed in 1975 and *“demonstrated the continued development of the street’s post-war bungalow style villas of the 1950s and 1960s into the 1970s.”*

### (ii) Discussion and conclusion

Wallace Street has mixed housing across the Inter and Post-war eras and the Panel considers there is a reasonable level of intactness.

The Panel agrees with Council that 50A and 50B Norfolk Street can be deleted from the Heritage Overlay as 17 Wallace Street had already been removed from the interim heritage controls. In this

---

instance it is also appropriate to delete the NRZ and retain the General Residential Zone as it applies more generally along Norfolk Street.

The Panel has expressed its concerns with the 'continuity' threshold earlier in this Report and considers the application of the Heritage Overlay to 19 Wallace Street is an example of this. The dwelling is brown brick and constructed in the 1970s so should be re-classified as a non-contributory property.

The request of the owner of 33 Wallace Street, West Footscray to extend the Heritage Overlay is beyond the ambit of the Panel as that landowner would not have had an opportunity to respond to this request and it was not exhibited in this Amendment.

### **(iii) Recommendation**

The Panel recommends:

**Delete the Neighbourhood Residential Zone and Heritage Overlay from 50A and 50B Norfolk Street, Maidstone and reflect this in all Amendment documents, where relevant.**

**Re-classify 19 Wallace Street, West Footscray as a non-contributory place in all Amendment documents, where relevant.**

## **5.9 Tucker Street**

### **(i) Evidence and submissions**

Tucker Street abuts Johnson Reserve at its western end and contains 33 properties, of which four are non-contributory on its south side.

In response to the owner of 16 Tucker Street, West Footscray (Figure 21) and the owner of 34 Tucker Street, West Footscray Council agreed with Ms Peters there had been significant changes to the places to the point where they should be non-contributory.

The owner of 33 Tucker Street, West Footscray (Figure 22) requested the removal of the Heritage Overlay.

### **(ii) Discussion and conclusion**

The Panel agrees with the reclassification of 16 and 34 Tucker Street.

33 Tucker Street is located at its western end abutting the reserve and the Panel agrees with Ms Peters *"it is a relatively intact, austere and modest post-war bungalow"* and *"is similar to others in the street."* It should be retained in the Heritage Overlay as a contributory place.

Figure 21 16 Tucker Street, West Footscray



Source: Panel photo

Figure 22 33 Tucker Street, West Footscray



Source: Panel photo

### (iii) Recommendation

The Panel recommends:

**Re-classify 16 and 34 Tucker Street, West Footscray as non-contributory places in all Amendment documents, where relevant.**

## 5.10 Molesworth Court

### (i) Evidence and submissions

Molesworth Court contains inter and post war housing in two distinct halves and comprises 21 properties. The inter-war housing is contained in the front half and the post-war housing is located around the court bowl that the Panel understands replaced tennis courts. 13 and 17 Molesworth Court are non-contributory.

The owner of 15 Molesworth Court, West Footscray requested the property be classified as non-contributory as it has similar features as No. 17 and was built in the 1980's. It was the evidence of Ms Peters that "*post-war migrant housing is a strong theme in West Footscray and reflects an important phase in the history of the municipality.*" Ms Peters confirmed the house was constructed in 1978-79 and it should be retained as contributory.

The owner of 16 Molesworth Court, West Footscray supported the application of the Heritage Overlay to Molesworth Court.

### (ii) Discussion and conclusion

There has been some concern over the classification of 15 Molesworth Court as contributory. Ms Peters confirmed it was constructed in the late 1970's, well outside the era of significance for post-war housing. It is flanked on both sides by non-contributory dwellings. The Panel's assessment relates to its concern with the 'continuity' threshold measure as it can draw in housing deemed to be significant even though it is outside the era of significance. The Panel finds 15 Molesworth Court should be non-contributory.

### (iii) Recommendations

The Panel recommends:

---

**Re-classify 15 Molesworth Court, West Footscray as a non-contributory place in all Amendment documents, where relevant.**

## 6 Centennial and Duke Streets Inter-war and Post-war Residential precinct (H0212)

### Exhibited statement of significance



### What is significant?

The Centennial and Duke Streets Inter-war and Post-war Residential Precinct in West Footscray contains a well-preserved collection of houses which demonstrate important themes in the historical development of West Footscray and its history of quarrying, from the late nineteenth century to the post-WWII years.

The precinct comprises two streets which reflect different subdivision patterns but similar historical processes. Centennial Street is a short street subdivided in the year of Australia's centenary in 1888 for workers' housing. It retains its modest-sized, nineteenth century allotments, gutters and kerbs laid with bluestone pitchers and evidence of rear lanes. All of the weatherboard bungalow houses date to the inter-war and early post-war periods. Duke Street is a small, broader street with nature strips and an unusual street alignment. It was subdivided in the twentieth century and its small number of larger weatherboard and brick houses stand on sizeable allotments subdivided in the twentieth century and display a range of styles from the inter-war and post-war years. The following elements contribute to the significance of the precinct:

#### Late Victorian streetscape (1888)

Gutters and kerbs laid with bluestone pitchers and evidence of bluestone rear lanes (Centennial Street)

#### Inter-war bungalows (c.1915-c.1940)

- Single storey free-standing bungalows.
- Hipped and gable roof forms clad with corrugated iron or terracotta tiles; terracotta roof finials (one example); eaves with exposed rafters; detailing in gables, such as half-timbering.

- Simple, square red brick chimneys.
- Prominent verandah under front roof form or separate flat roof; sturdy cement rendered verandah piers or timber posts; rendered half walls, fretted timber friezes.
- Glazed single or double front doors accessed through front verandahs or side entrance through recessed porch identified by an awning or gablet.
- V-notch decoration to front weatherboard walls; block front decoration to front weatherboard wall (one example).
- Timber-framed double-hung sash windows, sometimes fixed centre pane with side sash windows; lead-lighting to window panes; faceted bay window with bow (one example), awnings.
- Front fences constructed of steel wire mesh on metal tube frame; woven wire on timber posts, timber battens.
- Gates manufactured from plain woven wire supported by timber posts.
- Front garden settings with paths to verandahs.
- Driveways with dual concrete wheel treads (Duke Street).
- Nature strips with lawn (Duke Street).

#### Post-war Austere houses (c.1940-c.1950)

- Single storey, free-standing double and triple fronted weatherboard houses with hipped roofs.
- Small porch in “L” alcove under slope of roof or separate flat hood.
- Roofs clad with terracotta tiles, concrete tiles simulating terracotta, or corrugated iron.
- Undecorated weatherboard walls.
- Prominent chimneys in cream or red brick (Duke Street; chimneys absent in Centennial Street).
- Cream, red brick or rendered porch piers.
- Steel-framed casement windows, metal-framed awning windows; 3-light windows with fixed centre pane and side sash windows.
- Timber-framed front doors with glazing.
- Modest use of wrought iron for gates, verandah grille columns and house numbers.
- Low brick front fences; manganese brick detailing.
- Garages built of cream brick or timber with hinged doors (Duke Street).
- Dual concrete wheel treads with lawn centre strips (some subsequently filled in with concrete) (Duke Street).
- Nature strips with lawn (Duke Street).

#### Post-war houses (c.1940-c.1965)

- Single-storey free standing houses with triple and quadruple, hipped roof forms; concrete or glazed terracotta roof tiles.
- Prominent brick chimneys with shaped tops.
- Cream brick walls or salmon coloured wire-cut brick walls; manganese brick detailing.
- Large steel framed casement, or aluminium framed sliding windows; corner windows.
- Small porch in “L” alcove.
- Low brick front fences with short brick piers flanking driveways.
- Concrete path curving to front porch, concrete driveway.
- Wrought ironwork used for fence trims, gates, front verandah porch balustrades and posts, and for house numbers.
- Concrete driveways or drives with dual concrete treads and lawn centre strips.
- Matching brick garage.

#### **How is it significant?**

The Centennial and Duke Streets Inter-war and Post-war Residential Precinct is of local historic and architectural (representative) significance to the City of Maribyrnong.

#### **Why is it significant?**

The subdivision and settlement patterns of both streets are associated with the resurgence of Footscray’s quarrying industry in the late nineteenth century and its transferral to West Footscray, where David Munro and John Robb opened two of the largest quarry holes. The streets help to illustrate the changing fortunes of the stone industry during this period from a large-scale activity central to Footscray’s identity and economy to the closure of the quarries in the twentieth century,



their conversion to rubbish tips and then parklands and the growth of housing on their fringes. (Criterion A)

Centennial Street is distinctive for its historical link to the official celebrations held in Melbourne in 1888 marking the centenary of European settlement in Australia and for the remnants of late Victorian period infrastructure that typify nineteenth and early twentieth century subdivisions. (Criterion A)

The precinct is of architectural (representative) significance for its collection of Inter-war and Post-war residential buildings, which demonstrate a progression of suburban housing styles and ways of living in the twentieth century in their form, scale, materials and setting (Criterion D)

## 6.1 Post exhibition changes

Council supported the re-classification of 2 Duke Street from contributory to non-contributory as the dwelling had been demolished.

## 6.2 The issue

The issue is whether the precinct meets the threshold for local heritage significance to justify the application of the Heritage Overlay.

## 6.3 Evidence and submissions

For Duke Street, comprising eight properties, all five submissions (31, 35, 76, 122 and 196) received opposed the amendment. The exhibited Amendment considered all properties in Duke Street were contributory.

Centennial Avenue comprised 14 properties including two non-contributory places.

The submissions related to whether the threshold for inclusion of this precinct had been met, the intactness and condition of the dwellings, difficulty of incorporating environmentally sustainable features, impacts on the value of the property and insufficient community consultation and support.

The owners of 2 Centennial Street, West Footscray (Figure 23) submitted that Criterion A has not been met in that the quarries referred to in the statement of significance no longer remain. They also contended Centennial Street is not:

- large enough to establish a clear precinct with a strong sense of place
- distinctive enough to be of any heightened significance
- cohesive enough to be especially representative
- unusually intact, with the citation noting various alterations to most.

Figure 23 2 Centennial Street, West Footscray



Source: Peters evidence statement

Figure 24 1 Duke Street, West Footscray



Source: Peters evidence statement

---

The submitter considered Centennial Avenue was too small and fragmented to tell the story of successive waves of development clarity and the link to Ted Whitten and the 1888 centennial marking 100 years of European settlement do not provide an appropriate threshold for the Heritage Overlay. The submitter also questions how such a variation in housing types can be included in the one precinct.

The owner of 1 Duke Street, West Footscray (Figure 24) stated that Duke Street is not:

- a homogenous streetscape as it exhibits three housing styles which are inter war, post war austere and post war brick veneer
- visually cohesive nor show characteristics of historical culture.

The submitter considered they are houses of their time and do not tell a story about any historical event. The submitter noted that 1 Duke Street is physically removed from the streetscape being the only property on the south side of the street and screened by a double carport.

The owner of 14 Duke Street, West Footscray said Duke Street does not meet the 80 per cent threshold.

In response to submissions Ms Peters, said Melbourne Metropolitan Board of Works Plan No.172 (circa 1929) shows Centennial and Duke Streets' direct historical association with two of Footscray's largest quarries with both streets formerly abutting the land surrounding the large pits, opened by David Munro and John Robb. In response to the variation of house types and size of precinct Ms Peters considered that:

- the precinct streetscape combining variations of both bungalow and austere styles contributes to the character of West Footscray which reflect the suburb's increased prosperity and social changes during the Post-war period
- the illustration of historical development in the fabric of the streets that gives the precinct its heritage significance
- the size of the precinct is irrelevant and there is no minimum size for a precinct, and no planning issues with a non-contiguous precinct.

## 6.4 Discussion and conclusion

The Panel notes the reference to Ted Whitten is in the citation but not in the statement of significance, which is to be an incorporated document in the Planning Scheme. Based on this the Panel does not give any specific weight to his relationship to Centennial Street.

The relationship of the quarries and its operators is restricted to basic geography. There is no other special or important relationship between the quarries that were then used as rubbish tips and then converted to public open spaces, and the surrounded residential areas. A strip of residential housing south of Wattle Street separates Duke Street from the former quarry which diminishes the quarries relevance even further. The Panel notes this circumstance is common to many other inner urban municipalities. The Panel does not consider a suitable threshold has been met for Criterion A for Duke Street.

Similarly, giving a level of importance to a street named in honour of a centenary and its remnants of early infrastructure to a single street is a weak association. The Panel does not consider an appropriate threshold has been met for Criterion A for Centennial Street.

The era of significance is both Inter-war and Post-war and include, Inter-war bungalows (1915-1940), Post-war Austere houses (1940-1950) and Post-war houses (1940-1965). The Panel considers applying a 50-year era of significance to two small streets is reflective of the variety in the streets, not its important heritage values, resulting in a lack of cohesion and intactness. The



---

Panel agrees with Ms Peters that a precinct may comprise the sum of smaller non-contiguous areas, but in this circumstance, the relationship between the two streets is weak. Its importance must be established by more than just geography and retained remnant infrastructure. Duke and Centennial Streets are not contiguous and the complex street pattern of the area between the two streets makes it difficult to appreciate it as a precinct. If anything, Centennial Street, comprising mainly Inter-war housing, has more relevance to the Hansen precinct of the same era and located just to its south. The statement of significance, other than the fact that they were close to a former quarry, does not, in the Panels view, establish a strong basis for these two very small and different streets to be considered as a precinct.

Overall, the Panel considers a suitable level of importance has not been demonstrated and an appropriate threshold has not been met for the application of the Heritage Overlay for this precinct.

Notwithstanding the above, if Council resolves to retain the Heritage Overlay, 2 Duke Street should be removed from the Heritage Overlay and retain its current General Residential Zone. The Panel agrees it is non-contributory as the dwelling has been demolished but it is also located at eastern end of Duke Street, surrounded on three sides by land in the General Residential Zone.

## 6.5 Recommendations

The Panel recommends:

**Delete the Neighbourhood Residential Zone and the Heritage Overlay from all properties in Duke Street and Centennial Street, West Footscray and reflect this in all Amendment documents, where relevant.**

## 7 Hansen Inter-war Residential Precinct (H0213)

### Exhibited statement of significance



#### What is significant?

The Hansen Inter-war Residential Precinct in West Footscray, consists exclusively of modest weatherboard Californian bungalow houses in an inter-war period subdivision, built by local builder and timber mill owner, Anders Hansen, at the peak of West Footscray's 1920s housing boom. The subdivision pattern is characterised by regular allotment sizes, free-standing houses in garden settings with consistent front and side setbacks, and single side driveways with dual concrete wheel strips leading to a rear garage. Anders Park was created by Hansen as an almost private children's playground and park for the residents at the rear of Hansen Street with narrow pedestrian walkways as access. The following elements contribute to the significance of the precinct:

#### Inter-war Bungalows (1928-1939)

- Consistent front and side setbacks.
- Large gable roof, facing or parallel to the street, or hipped roof with projecting gable. Some roofs in pyramidal form. One example of a jerkin head roof. Roof cladding typically of corrugated iron, terracotta tiles, concrete tiles, or metal simulated terracotta tile sheeting with wide eaves with exposed rafters.
- Detailing to gable ends, such as shingling, half-timbering, brackets, textured pressed metal and batten and weatherboard finishes. • Simple, square red brick chimneys, and taller chimneys to the side of houses.
- Intact weatherboard walls with V-notching and shingle finishes to front elevations.
- Faux concrete conite facades.

- Deep verandahs or enclosed porches (late 1930s houses), some with stepped corners and low walls. Sturdy cement rendered and painted piers. Tudor Revival features, such as low pointed arches. Tapestry brick detailing. Short, moulded concrete columns (twisted, fluted, classical) or timber posts supporting verandah roofs.
- High waisted timber panel front doors with light features and sidelights.
- Windows with faceted bays and bows, some with a flat roof and exposed rafters. Some with lead lighting and awnings with fretted brackets.
- Timber box-framed casements and double-hung sashes. Three-light windows with fixed centre pane and side sashes. Curved horizontal bar (transom) in centre window lights. Lead-lighting in geometric and swag patterns in upper lights. Small picture windows.
- Low front fences constructed of brick, rendered brick, woven wire, steel mesh or battens/pickets with matching gates, some examples made of wrought iron.
- Gates made of wire fabric (sometimes with ornamental scrollwork on top) or wrought iron.
- Front garden settings and paths curving across lawns to verandahs.
- Driveways with dual concrete wheel treads and lawn centre strips.
- Bluestone pitchers to street kerbing and gutters.
- Nature strips with plantings, including a small number of Australian native trees.

#### How is it significant?

The Hansen Inter-war Residential Precinct in West Footscray is of local historical, architectural (representative) and aesthetic significance to the City of Maribyrnong.

#### Why is it significant?

The Hansen Inter-war Precinct is of historical significance as a strong expression of West Footscray's rapid growth in the 1920s and 1930s. The increasing prosperity of the suburb's workers is illustrated by the continued growth in the suburb and improvements in worker housing. (Criterion A)

This cohesive precinct of modest weatherboard houses is representative of the popularity and appeal of the freestanding Californian Bungalow in its various styles. The houses illustrate the ubiquity of home and car ownership as a suburban ideal during the inter-war years. (Criterion D)

The precinct physically exemplifies the land developing and house building enterprise of former Footscray councillor and local contractor and timber mill owner, A.M. 'Andy' Hansen. Hansen's affordable, 5-room, weatherboard bungalows progressed and transformed Footscray's streetscapes. The precinct is significant as a record of Hansen's standardised approach to house construction using low-cost materials and designs that could offer a variety of features applied to the bungalow form. The provision of generous streetscapes and a private park for residents adds to the significance. (Criterion A)

The precinct is aesthetically distinctive for the homogenous character of its bungalow forms and the rhythmic pattern of their variations expressed in Californian, Tudor-revival, Mediterranean and Colonial styles. (Criterion E)

## 7.1 The issue

The issue is whether Hansen Reserve should be included in the Heritage Overlay.

## 7.2 Evidence and submissions

One submission was received for this precinct. The owner of 71 Hansen Street, West Footscray supported the Amendment but requested Hansen Reserve be included in the Heritage Overlay.

Council considered including Hansen reserve in the Amendment was beyond its scope.

## 7.3 Discussion and conclusion

The Amendment includes Anders Park in the Heritage Overlay at the rear of properties fronting Hansen Street. This is considered appropriate as it is intrinsic to the subdivision and development of Hansen Street. Hansen Reserve is located to the north-west some distance away from Hansen

---

Street. The Panel agrees with Council including this public open space in the Heritage Overlay is beyond the scope of the Amendment.

The Hansen Precinct is a highly intact and consistent area of weatherboard inter-war dwellings in a gardenesque setting. The Panel supports the application of the Heritage Overlay.

## 8 Laughton's Post-war Residential Precinct (H0214)

### Exhibited statement of significance



### What is significant?

The Laughton's Post-war Housing Precinct contains a collection of remarkably intact and distinctive single storey Post-war Migrant brick veneer houses of the late 1960s. The houses are all detached, except for the group of 6 villa units "Evelyn Court", with consistent front setbacks and all except 37 Creswick Street and 22 Commercial Road, are set on large allotments. The following elements contribute to the significance of the precinct:

#### Post-war Migrant brick veneer houses (1969-1975)

- Hipped, medium-pitched glazed Marseilles pattern terracotta tiled roofs, with boxed eaves.
- Double or triple-fronted appearance to street.
- Dichromatic brickwork, with an orange, cream or brown brick body colour and dark brown glazed trim. Decorative features include quoining around windows and/or at corners, and diamond motif to chimneys, horizontal banding, or simply a base section in the darker contrasting colour.
- Prominent chimneys, some with curved "waterfall" tops, most with contrasting decorative motif.
- Large steel framed windows, and some corner windows.
- Wrought iron grille columns, balustrades to terraces and porches, and to tops of fences.
- Wrought iron name "Evelyn Court" on 1/28 Commercial Road.
- Side or front concrete terraces or porches, usually with wrought iron decorative balustrades.
- Matching low brick fences at the front, featuring soldier course, glazed capping or repeated decorative pattern, some topped with short wrought iron balustrades.
- Matching brick single -car garages towards the rear, with roof concealed behind the facade brickwork.
- Solid concrete paved side driveways.

### How is it significant?

The Laughton's Post-war Housing Precinct is of local historical, architectural (representative), and associative significance to the City of Maribyrnong.

### Why is it significant?

---

The Laughton's Post-war Housing Precinct is of historical significance as it illustrates the later development of Footscray, where earlier industrial sites were subsequently subdivided and developed for housing. Established on this site in 1888, and operating on the site for nearly 80 years, Laughton's was one of a small number of iron foundries which managed to survive the 1890s depression, expand and continue to operate well into the 1960s. The presence of the Laughton's Iron Foundry in the middle of Footscray until its demolition in the 1960s, resulted in a group of infill housing of an interesting and unusual design for the late 1960s. The houses at 19-35 Creswick Street, and probably those in Commercial Road, were built by Andrea Dapiran, a migrant from Yugoslavia who had arrived in Melbourne in 1950. The style of the houses in the precinct illustrate the history of post-war migration, which is an important theme in the history of the City. Apart from British-born migrants, the predominant ethnic groups in Footscray following the Second World War were Maltese, Yugoslav, Polish, and Ukrainian. (Criterion A)

The Laughton's Post-war Housing Precinct is of representative (architectural) significance, with the group of Post-war Migrant brick veneer houses on the east side of Creswick Street and west side of Commercial Road being a visually cohesive group which exhibits the principal characteristics of this style. The style adapts the standard suburban double or triple fronted brick veneer house with large steel framed windows and corner windows, and a hipped tiled roof, but adds decorative elements such as the use of dichromatic brickwork, decorative wrought iron balustrades and gates, and elaborate chimneys, some with "Waterfall tops. The decorative face brickwork using two colours has either quoining around windows and at corners in alternating brick colours, or bands of darker brick, or a darker brick base. The traditional hipped roofs are of Marseilles pattern glazed terracotta tiles. The majority of the houses have decorative low brick fences, sometimes in two colours, while others have wrought iron balustrades to the tops. Some properties also have wrought iron balustrades to porches or side concrete paved terraces, and matching brick garages. The majority are highly intact and in excellent condition. (Criterion D)

The Laughton's Post-war Housing Precinct is of associative significance, because it has a special association with the successful migrant builder, Andrea Dapiran, who developed the site in the 1960s. Andrea Dapiran, based in Yarraville, had arrived in Melbourne with his wife Libera and 3-year-old son in February 1950 on the *SS Hellenic Prince*, as one of 971 displaced persons sent to Australia after the Second World War. (Criterion H)

## 8.1 Post exhibition changes

Appendices A and B of Ms Peters evidence statement contained many post-exhibition changes to the statement of significance and citation, respectively, for the Laughton's precinct (HO214) to clarify the role of Andrea Dapiran as a key local builder.

## 8.2 The issues

The issues are whether:

- the precinct meets the threshold for local heritage significance to justify the application of the Heritage Overlay
- the precinct boundary is appropriate.

## 8.3 Evidence and submissions

The eight submissions (131, 156, 159, 166, 168, 171, 176 and 181) received all opposed the Amendment. The key issue was whether the threshold for inclusion in the Heritage Overlay for this precinct had been met.

The owner of 35 (Figure 25) and 37 (Figure 26) Creswick Street, Footscray contends that the Post-war migrant houses at 35 and 37 Creswick Street do not contribute to the precinct as they were not built by Andrea Dapiran. In addition, they contend there is clear evidence of structural damage due to the highly reactive soils.



**Figure 25** 35 Creswick Street, Footscray



Source: Peters evidence statement

**Figure 26** 37 Creswick Street, Footscray



Source: Peters evidence statement

The owner of 23 Creswick Street, Footscray (Figure 27) contends that:

- the precinct does not meet the 80 per cent threshold
- there is inconsistent character within the street.

**Figure 27** 23 Creswick Street, Footscray



Source: Peters evidence statement

**Figure 28** 32 Commercial Road, Footscray



Source: Peters evidence statement

The owner of 32 Commercial Road, Footscray (Figure 28) objected as they considered the dwelling is a standard brick veneer house which is very common in Australia.

The owner of 22 Commercial Road, Footscray (Figure 29) provided a certificate of title (Figure 30) that confirmed the property was not part of the former Laughton's Foundry site and requested it be removed from the Heritage Overlay. The submitter indicated the absence of the chimney and other features make it less important than the other houses in the precinct and there are clear indications of structural defects due to the highly reactive soil.

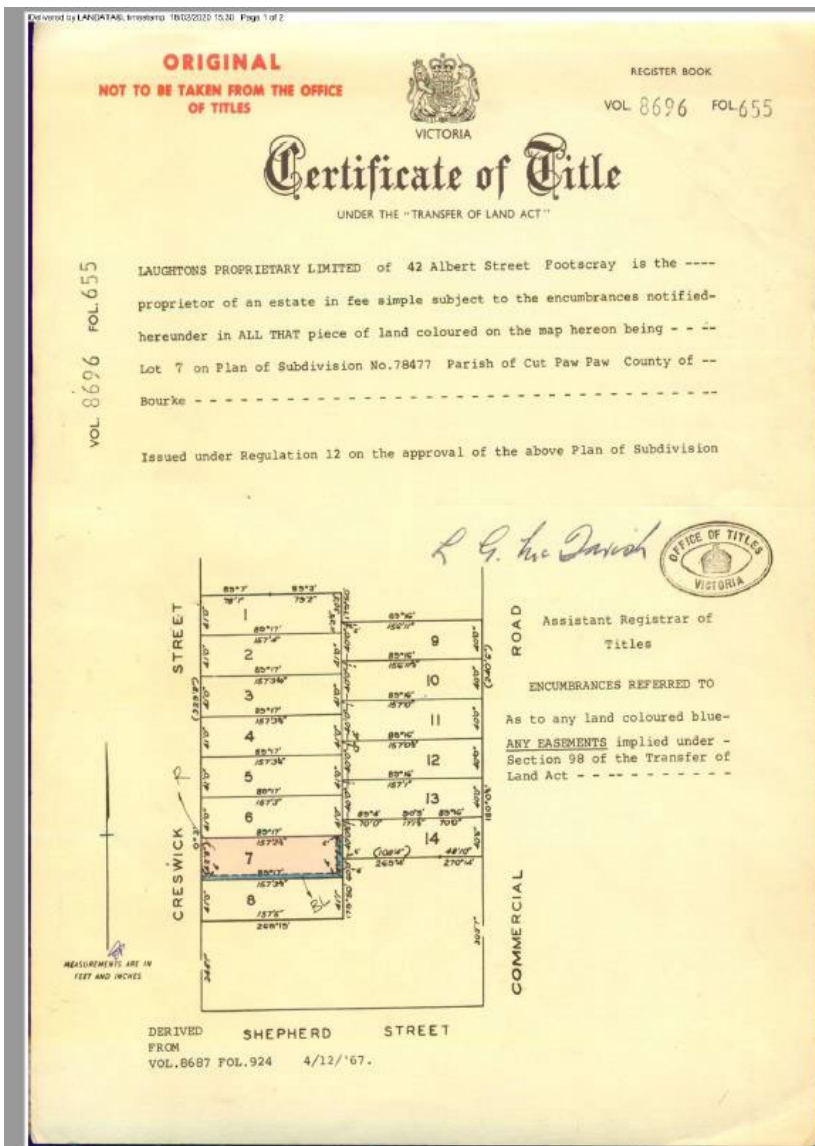
It was the evidence of Ms Peters that there was an historical relationship between a small group of very similar houses in Creswick Street and Commercial Road and the Laughton's Foundry, evidenced by the construction of Post-war migrant housing after 1967 by Andrea Dapiran on the foundry site after its closure surrounded by development of a distinctly earlier era.

Figure 29 22 Commercial Road, Footscray



Source: Peters evidence statement

Figure 30 Laughton's Foundry site redevelopment title



Source: Submission of owner of 22 Commercial Road, Footscray



---

## 8.4 Discussion

The precinct comprises 19 properties; 8 are located in Creswick Street and 11 in Commercial Road. Of the Commercial Road properties 6 are villa units named 'Evelyn Court'. The remaining houses are all detached, with consistent front setbacks and all, except 37 Creswick Street and 22 Commercial Road, are set on large allotments. All properties are categorised as contributory.

The era of significance is Post-war migrant brick veneer houses (1969-1975) which is a strong theme for West Footscray and reflects an important phase in the history of the municipality. The statement of significance refers to the subdivision of the Laughton's Foundry site and that most dwellings were constructed by Andrea Dapiran as being significant. Ms Peters in Appendix A and B of her evidence has made amendments to the statement of significance and citation for this precinct. Most of these relate to the builder Andrea Dapiran which the Panel has accepted (refer to recommendation 2). The prior use of the land as a foundry and its later closure provided an early infill opportunity that distinguishes itself from earlier housing in the balance of the two streets. The construction of most of the housing by the same builder is also significant. The Panel agrees with Council there is a consistency in housing style and era that, as a whole, presents the precinct as different from its surrounds.

The Panel has reviewed the material provided by the owner of 22 Commercial Road and agree that 22 Commercial Road was not part of the original subdivision and is distinguished from other dwellings in the precinct by its lack of a chimney and other detail. This was acknowledged by Ms Peters in her evidence. The Panel also notes that 35 and 37 Creswick Street were not part of the original foundry subdivision. The Panel concludes that while 22 Commercial Road and 35 and 37 Creswick Street were not part of the original foundry subdivision, the houses are consistent in style and detail with the rest of the precinct and as such should remain within the Heritage Overlay for the precinct.

The Panel accepts the post exhibition changes proposed by Council to the statement of significance and citation.

## 8.5 Conclusion

The Panel concludes the former use of most of the land as a foundry is important in establishing the significance of the precinct and its link to the local history of industry in the area with all housing intact and of a consistent style. The Heritage Overlay should be retained on all properties.

## 8.6 Recommendation

The Panel recommends:

**Adopt the post exhibition versions of the statement of significance and citation for the Laughton's precinct as contained in Appendices A and B of Ms Peters expert evidence statement.**

## 9 Naismith and McCubbin Streets Inter-war Residential Precinct (H0215)

### Exhibited statement of significance



#### What is significant?

The Naismith and McCubbin Streets Inter-war Housing Precinct is in the area immediately adjoining the Footscray Hospital. Naismith and McCubbin Streets contain a well-preserved collection of housing which demonstrates some fine local examples of the Inter-war period. In Naismith Street the housing on the north side of the street consists of late 1920s Inter-war bungalows with hipped roofs, projecting front gables and porch and beam details. There are three on the south side, at Nos 1, 3, and 5, that are more varied in style, and No.1 being late 1930s. In McCubbin Street the late 1930s Inter-war bungalows are varied in style and there is a substantial and elaborate brick house at 10 McCubbin Street, as well as three slightly later houses. Elements which contribute to the significance include:

Inter-war bungalows (c1915-1940) Naismith Street

- The wide allotments with side drives.
- The detached, generously proportioned single storey weatherboard houses with consistent front setbacks, and garden settings.
- Generally hipped roof form, of corrugated iron, extending to form lower hipped roof over the front verandah, with a projecting gabled section, having bracketted gable end with roughcast patterned pressed metal infill and timber overstrapping, or vented lattice detail (gabled roof to No.5 Naismith).
- Square-edged weatherboard walls, some with a band of v-notched boards, to houses on north side of Naismith Street.
- Original timber framed windows, including bay or bow windows to projecting gabled section, often with vertical timber boarding below, and most windows with 5 pane upper section with central diamond-shaped motif.
- Unusual front verandah detailing to the houses on the north side of Naismith Street, with the tapered rendered verandah piers, roof beam to the front verandah tapering from a deeper centre, with decorative cut outs.
- Original tall face brick chimneys on the side, which have a capping of clinker bricks in a soldier course.
- Original low brick fence to No.6 Naismith Street with soldier course detail to top giving castellated appearance.
- The wide grassed nature strips in Naismith Street planted with *Melia azedarach* or white cedar trees.
- The bluestone kerbs and gutters.

#### Inter-war bungalows (c1915-1940) McCubbin Street

- The wide allotments with side drives.
- The detached single storey housing form and consistent front setbacks (except for 215 Ballarat Road) and garden settings.
- Terracotta tiled hipped or gabled roofs, or combination of both hipped and gabled forms.
- Weatherboard or brick walls.
- Original timber framed windows, generally paired double hung, some with fixed glass central pane, some with decorative leadlight to upper sashes.
- Original brick chimneys, generally facebrick.
- The large and elaborate brick house at 10 McCubbin Street, with a hipped main roof of terracotta tiles, and two projecting gabled roof sections, with fish scale patterned pressed metal infill. The rendered front verandah also has a central wide arch of clinker brick, flanked by two smaller arches, and incorporates built-in planters at either side the entry. The garage, which has a tiled roof matching the house, and the brick and wrought iron front fence complete the overall original composition. The front garden, with its clipped variegated hedge and shrubs, complements the house.
- Original chain mesh and pipe rail/timber posts fences at 2 and 4 McCubbin Street, with No.4 having a variegated privet hedge behind.
- The bluestone kerbs and gutters in McCubbin Streets.
- There are three anomalies in this street, constructed during WWII or in the 1950s (Nos 8, 12 and 14), but they have similar terracotta tiled roofs, massing and proportions, and setbacks. No. 14 has a low matching brick fence.

#### **How is it significant?**

The Naismith and McCubbin Streets Inter-war Housing Precinct is of local historical and architectural (representative) significance to the City of Maribyrnong.

#### **Why is it significant?**

The Naismith and McCubbin Streets Inter-war Housing Precinct is of historical significance as it illustrates smaller pockets of development of Footscray in the 1920s and 1930s, where individual streets were subdivided and developed for housing, long after the main residential development of the area. Although acquired for a hospital in 1920, the hospital site was still largely open and undeveloped until the construction commenced in 1947. Naismith and McCubbin Streets, immediately adjacent to the Footscray Hospital, represent relatively late development for central Footscray, being developed in the late 1920s and 1930s respectively, and assists an understanding of the pattern of development in the municipality. McCubbin Street was most likely subdivided by a

---

member or members of the local McCubbin family of butchers, reflecting the historical importance of the meat industry to Footscray's development. Jim McCubbin was also very successful in coursing (greyhound racing), a popular sport in the western suburbs. (Criterion A)

The Naismith and McCubbin Streets Inter-war Housing Precinct is of architectural (representative) significance as it contains Inter-war bungalows in Naismith St, and on the west side of McCubbin Street which are representative of Inter-war bungalows of the late 1920s and late 1930s. The brick Inter-war bungalow at 10 McCubbin Street is the most elaborate example in the precinct. Sited on relatively large allotments, with frontages of at least 40 feet, they demonstrate the ubiquity of home ownership as a suburban ideal during the Inter-war years, and the appeal of the freestanding bungalow in a garden setting with side driveway allowing for car ownership. The three Post-war houses in McCubbin Street, while slightly later than the majority of houses in the street, are visually cohesive with the precinct due to their similar roof materials, massing and setbacks. The houses on the north side of Naismith Street are particularly fine examples of the Inter-war bungalow, with generous proportions, and large hipped roofs of corrugated iron extending over the front verandahs. (Criterion D)

## 9.1 The issues

The issues are whether:

- the precinct meets the threshold for local heritage significance to justify the application of the Heritage Overlay
- the precinct boundary is appropriate
- the post-exhibition changes to the design guidelines are appropriate.

The precinct is contained in two distinct and separate streets, to the north and south of the Footscray Hospital. Naismith Street contains 14 contributory places, mainly on the north side, with no non-contributory properties. It comprises single storey timber bungalows of the Inter-war period.

The exhibited version of McCubbin Street contains 8 contributory places only on the western side of the street. One property fronts Ballarat Road (No.215). It contains a mix of brick and timber bungalows of the Inter-war period and 3 Post-war brick dwellings.

## 9.2 Evidence and submissions

### (i) Naismith Street

The owner of 16 Naismith Street, Footscray generally supported the Amendment but raised some concern over the ability to modernise or make further alterations to their dwelling.

The focus of the owner of 12 Naismith Street, Footscray was the potential re-development of the Footscray Hospital site once the new hospital opened and the need to control its development.

Ms Peters and Council both supported the exhibited extent of the Naismith Street Heritage Overlay.

### (ii) McCubbin Street

The owner of 2 McCubbin Street, Footscray (Figure 31) considered the property has little heritage significance due to its condition and requested the Heritage Overlay be removed or listed as non-contributory. He referred to the one-sided street approach to its application that diminished the streets heritage value. He referred to Ms Peters comments that 8, 12 and 14 McCubbin Street were 'anomalies' in the precinct and that they "*represented a significant proportion which further undermines the significance (sic) heritage value to begin with.*"

Figure 31 2 McCubbin Street, Footscray



Source: Peters evidence statement

For 8, 12 and 14 McCubbin Street Council submitted *“the Statement of Significance of the HO215 precinct only specifies the inter-war period as being of significance under the ‘What is Significant’ section. Accordingly, Council accepts that in this case it may be appropriate that these properties be considered to be non-contributory.”*

### 9.3 Discussion and conclusion

Both areas are single streets and in the case of McCubbin Street, one-sided. The Panel considers, as an Inter-war precinct, the two streets have a different level of heritage significance.

Naismith Street is highly intact, with many dwellings sensitively renovated. All dwellings are in the bungalow style and from the Inter-war period of significance. The three properties on its south side provide an appropriate reflection of a two-sided street of significance. The Panel finds the Heritage Overlay is appropriate in Naismith Street.

McCubbin Street is different. Of the eight properties, Council now accepts that three are non-contributory. 14 McCubbin is a 1970’s brick dwelling and 8 and 12 McCubbin Street are timber Post-war dwellings. Another consideration is that it is a one-sided street. All development on its east side is contemporary and recent infill development. These two issues indicate the street lacks intactness and a clear story of the Inter-war period of significance. The Panel finds that McCubbin Street has not met the threshold required for local heritage significance and should be deleted from the Heritage Overlay. As there is a significant separation between the streets the Panel also finds the NRZ should be deleted and the General Residential Zone reinstated.

While not a consideration for the Panel, there is also a reduced level of renovation in the building stock when compared to Naismith Street.

### 9.4 Recommendation

The Panel recommends:

**Delete the Neighbourhood Residential Zone and the Heritage Overlay from all properties in McCubbin Street, Footscray and reflect this in all Amendment documents, where relevant.**



# 10 Summerhill Road Inter-war and Post-war Residential Precinct (H0216)

## Exhibited statement of significance



### What is significant?

The Summerhill Road Inter-war and Post-war Housing Precinct contains a well-preserved collection of housing from the inter-war period and immediate post-war period. This includes Inter-war bungalows in Coral Ave and the eastern side of Summerhill Road, largely built by A S Whitehill. A similar group on the western side of Summerhill Road at 40, 42, 50, 60 and 66 and Post-war brick houses on the western side of Summerhill Road, including the brick duplex at 8 and 10, and 16, 18 and 47 Summerhill Road. The bluestone kerb and gutters and bluestone paved lane adjacent to 1 Summerhill Road and other RoWY are significant. Anomalies in the precinct include several earlier houses in Summerhill Road, which pre-date the predominant Inter-war and Post-war housing including 37 and 58, but which make a contribution to the scale and history of the precinct. Elements which contribute to the significance include:

---

### Inter-war bungalows (c1915-1940)

- Single storey free-standing houses with consistent front setbacks, side drives.
- Generally weatherboard walls, with round edged boards.
- Terracotta or concrete tiled hipped tiled roofs extending in lower pitch over verandah and across the front, under a projecting hipped roof section. There are two anomalies -the hipped roof at 57 Summerhill Road and a gabled roof at 68 Summerhill Road, both of corrugated iron in short sheets.
- Tall face brick chimneys to the side, some with soldier course or vented tops, or with recessed bands
- Verandahs have a variety of supports for the roof- rendered square brick columns with tapestry brick details, some with stepped, tapered tops, some have paired or single round columns. Some verandahs have low brick or rendered brick solid balustrades.
- Original timber-framed windows, generally with fixed central pane flanked by double hung sashes, with curved decorative detail to upper section.
- Garden settings.
- Some original chain mesh and pipe rail fences, with timber posts.
- Concrete drive strips at the side.

### Post-war houses, various styles (c1940-1960)

- Single storey free-standing housing, with a variety of forms and materials (one anomaly being the duplex at 8 and 10 Summerhill Road, Maidstone).
- Face brick walls in light or mid cream, or rendered brick (18 Summerhill Road).
- Terracotta tiled hipped roofs.
- Broad chimneys often located on the front.
- Timber framed windows, some corner windows, with 2 houses (24 and 47 Summerhill Road) having steel framed windows, and 47 having curved glass corner windows.
- Minimal porches, with small separate concrete slab roofs (18 Summerhill Road an exception, with enclosed curved feature porch).
- Low brick fences to match house in garden setting.
- Transitional style (austere/functionalist) Post-war bungalows (c1940-1960)
- Single storey free-standing, with double or triple fronted form.
- Weatherboard walls, round edged boards, or deeper shiplapped boards.
- Concrete tiled hipped roofs.
- Chimneys, some broad chimneys on the front, with banding in a darker shade of brick.
- Minimal front porches.
- Timber framed windows, some corner windows, with horizontal glazing bars being the only decorative element.
- The detached housing form and consistent front and side setbacks in garden setting.

### **How is it significant?**

The Summerhill Road Inter-war and Post-war Housing Precinct is of local historical, architectural (representative), and associative significance to the City of Maribyrnong.

### **Why is it significant?**

The Summerhill Road Inter-war and Post-war Housing Precinct is of historical significance for the pattern of subdivision and housing from the 1930s to 1950s. The area had been primarily paddocks and quarries and while the physical evidence of the existence of basalt quarries no longer remains, this precinct reflects the later development of this area and the importance of the basalt industry to the City of Maribyrnong. When builder Albury Sydney Whitehill acquired two parcels of land totalling over 6 acres (approximately 2.5 hectares) in 1936 to construct 50-60 houses, it was described as the last remaining acreage in Footscray. (Criterion A)

The Summerhill Road Inter-war and Post-war Housing Precinct is of architectural (representative) significance for its free-standing, single storey housing, which is highly representative of the inter-war and post-war periods with variations of bungalow forms expressed in modest, speculative housing, on blocks allowing for side drives and car access. The majority have hipped tiled roofs, and weatherboard walls, with the Inter-war bungalows having more substantial front verandahs with solid masonry or concrete columns, and tall chimneys on the sides. The houses are generally intact, with many showing only minor changes, retaining the essential characteristics of the housing of this



---

period. The Inter-war housing, particularly the houses built by A S Whitehill, show a consistency of form and materials- hipped roof of concrete or terracotta tiles, with a projecting front hipped section and the main roof extending over the front porch with weatherboard walls and featuring a variety of decorative treatments for the front porch. The Post-war housing in the precinct is more varied, often austere, reflecting the post-war restrictions and changes in taste- some with the main decorative feature being the horizontal glazing bars dividing the timber windows, some with broad chimneys having horizontal banding. (Criterion D)

The Summerhill Road Inter-war and Post-war Housing Precinct has a special association with the local builder Albury Sydney Whitehill (1897-1979), who had an office at 57A Droop Street, "The Pebbles" and built many of the houses in the precinct. A.S Whitehill purchased and subdivided the land in Coral Avenue, including the adjacent eastern side of Summerhill Road, and built the majority of the houses in the area. (Criterion H)

## 10.1 The issues

The issues are whether the precinct:

- meets the threshold for local heritage significance to justify the application of the Heritage Overlay
- boundary is appropriate.

## 10.2 Evidence and submissions

Seven submissions (26, 66, 87, 139, 155, 184 and 193), representing six properties, were received. Six of the submissions opposed the Amendment and one supported the amendment. No submissions were received relating to properties in Coral Ave. Two submitters (relating to one property) appeared before the Panel to elaborate on their written submission.

The submissions opposing the Amendment raised issues related to the intactness and condition of the dwellings, their suitability for future use, difficulty of incorporating environmentally sustainable features, impacts on the value of the property, insufficient community consultation and support, and the measures needed to counter heavy traffic in Summerhill Road.

The owner of 30 Summerhill Road, Footscray considered that Criterion A has not been met in that the quarries referred to in the statement of significance no longer remain and the pattern of subdivision is not particularly unique to the suburb. The post-war buildings in this precinct are referenced as being more varied than the inter-war dwellings in the precinct, and that the dwelling on this property is not an example worthy of retention compared with others from the same era. The association with A.S. Whitehill is also questioned both for this property and post-war housing, and as being an unremarkable fact in any case.

The adjoining owner of a similar post-war dwelling at 32 Summerhill Road) opposed the Amendment on building integrity grounds.

The owner of 18 Summerhill Road, Footscray referred to defects in the existing post-war house that were considered difficult to repair and the desire to either demolish or significantly alter the dwelling to accommodate a family.

The owners of 29 Summerhill Road, Footscray (Figure 32) objected on the grounds that the property does not share characteristics with others in the street and had been altered. They submitted *"Summerhill Road is not a precinct but is rather a busy road which provides good access to university, hospital, train station and Highpoint and has attracted a number of modern builds and new duplex apartments, townhouses and flats as well as doctors' surgeries and sleep clinic."* The submitters considered there were other areas more suitable to the Heritage Overlay that were not part of this Amendment. The submitters considered there was *"no homogenous streetscape*

---

due to properties on east and west sides of Summerhill Road being built at different times in different styles.” The submitters stated:

To say that our property is of heritage significance due to its connection with a land developer is setting the bar of associative significance very low.

The submitters contrasted A. S. Whitehill with Anders Hansen who was not only a well-known local builder but a “long standing public figure, councillor, contract timber mill owner and Mayor of Footscray” with streets and a park named after him.

It was the evidence of Ms Peters that the Summerhill Road precinct is significant for its consistency of form and materials, particularly the houses built by A.S. Whitehill, or those that have similar characteristics, and that many of the houses from both the Inter and Post war eras are very intact.

**Figure 32** 29 Summerhill Road, Footscray



Source – Peters’ evidence submission

Ms Peters confirmed her assessment of the relative intactness of the dwelling at 29 Summerhill Road and contribution to the precinct and similarities with many of the characteristics of other dwellings, despite changes to the front verandah and fence. Ms Peters could not confirm 29 Summerhill Road was constructed by A.S. Whitehill but considered it “*highly likely*” and sufficient to meet the threshold for a special association with the builder (Criterion H).

### 10.3 Discussion

There are 95 properties located within this precinct, 69 which front Summerhill Road and 26 which are in the adjoining street, Coral Avenue. The eras of significance in the Statement of Significance are both inter-war and post-war. Of the 95 properties in the precinct, 14 are considered non-contributory. This would indicate a high level of intactness on this assessment.

However, on closer inspection by the Panel it was clear the precinct can be considered in two halves: east and west of Summerhill Road.

The properties on the western side of the street from 8 to 24 Summerhill Road, are a mix of post-war brick housing styles that are disjointed and generally not contiguous. However, the four-way intersection of Summerhill Road, Suffolk Street and Dongola Road around a mature street tree that is sought to be protected in the heritage design guidelines provides an interesting and open setting. It is flanked by a post-war timber dwelling with two fluted chimneys at 26 Summerhill Road, a 1960’s brick dwelling at 24 Summerhill Road, inter-war timber housing on the east side of

---

Summerhill Road, all set with a backdrop of mature vegetation in properties along Dongola Road. From this intersection south of 26 Summerhill Road the consistency of housing decreases substantially, while variability and amount of non-contributory housing increases. There is a mix of unremarkable and altered inter-war and newer dwellings that appear to have very limited intactness or relationship to one another. The Panel considers 28 to 68 Summerhill Road should be removed from the precinct and Heritage Overlay. The NRZ should be retained as this area provides a frontage to more significant housing on the east side of Summerhill Road. The associative significance (Criterion H) of A. S. Whitehill does not apply to the west side of Summerhill Road as the statement of significance says:

A.S Whitehill purchased and subdivided the land in Coral Avenue, including the adjacent eastern side of Summerhill Road, and built the majority of the houses in the area.

The Panel notes the inclusion of 68 Summerhill Road at the southern end of the precinct appears to be an error as it is vacant and part of the larger parcel to the south. If Council resolves to retain the west side of Summerhill Road in the precinct, then 68 Summerhill Road should be removed from the precinct.

The inclusion of 8, 10, 16, 18 and 20 Summerhill Road in the Heritage Overlay, while disjointed and lacking a flow of housing due to more recent constructions, does contain some impressive post-war brick housing such as 18 Summerhill Road. The Panel considered removing these properties from the precinct but ultimately is satisfied they should remain in the precinct as they provide a setting for significant housing on the east side of Summerhill Road and in the case of 18 and 20 Summerhill Road flank an intersection with Madden Street where there is a greater need for appropriate development controls when entering the heritage precinct from the west.

By contrast, the properties on the eastern side of Summerhill Road and in Coral Ave show a consistency of form and materials and in detailing in some cases from the inter-war era. This would indicate a common builder for many of the properties, as stated in the statement of significance. There are very limited numbers of non-contributory buildings.

The Panel considers if associative significance is going to be justified then there should be a high degree of certainty on how the threshold is met. The Panel agrees with the owner of 29 Summerhill Road, Footscray that there needs to be certainty and a stronger connection than a common local builder to meet this threshold. The comparison provided to Anders Hansen emphasises how this threshold was met in the Hansen precinct but also demonstrates the tenuous link to A. S. Whitehill for the Summerhill precinct. He was not particularly noteworthy for other pursuits. However, this does not lead to a fatal flaw in the recognition of the precinct as significant, as other criteria have been met.

## 10.4 Conclusions and recommendations

The Panel concludes:

- On the eastern side of Summerhill Road and the Coral Avenue, properties are relatively intact, are good examples of inter-war housing and it is appropriate to apply the Heritage Overlay to them.
- The western side of Summerhill Road is more fragmented and inconsistent with a higher proportion of non-contributory properties. South of 26 Summerhill Road is too fragmented for the application of the Heritage Overlay. The Heritage Overlay should not apply to these properties, however the NRZ should be retained to ensure appropriate development outcomes.

- 
- Properties fronting the four-way intersection of Summerhill Road, Dongola Road and Suffolk Street should be retained in the Heritage Overlay along with 8, 10, 16, 18 and 20 Summerhill Road.
  - The associative relevance to A. S. Whitehill is limited to the precinct east of Summerhill Road and generally too much uncertainty exists to confirm he was the builder of most properties and the fact he was the local builder is not sufficient justification to meet the threshold for Criterion H.

The Panel recommends that:

**Delete the Heritage Overlay from 28, 28A, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52A, 52B, 54, 56, 58, 60, 62, 64, 66 and 68 Summerhill Road and reflect this in all Amendment documents, where relevant.**

# 11 Tottenham Post-war Industrial Area Residential Precinct (H0217)

## Exhibited statement of significance



### What is significant?

The Tottenham Post-war Industrial Area Housing Precinct contains a well-preserved collection of housing which demonstrates typical housing from the late inter-war to post-war period. Many of the houses in the precinct were built by local builder and Footscray City councillor Anders M. Hansen, who also built a group of five single storey shopfronts in Sunshine Road in the 1940s. The rectangular grid pattern of the streets, including the lanes, with the pattern reflecting the two different subdivisions (1911, and 1928), and the industrial setting of the precinct, is significant. Two reserves, JA McDonald and Dempster are included in the precinct. Elements which contribute to the significance include:

#### Federation bungalow (c.1890-1915)

- A single weatherboard asymmetrical fronted house at 46 Gwelo Street.

#### Late Inter-war bungalows (c1938-1945)

- Single storey free-standing houses of considerable variety constructed in Dempster Street during the later Inter-war period in the early 1940s.
- Weatherboard walls, some with 'Conite' facades
- Medium pitched hipped roofs of concrete tile, or corrugated iron.
- Tall face brick chimneys at the side.
- Front verandahs or porches have a variety of support columns -brick or rendered brick, round or fluted square, or barley sugar columns.
- Original timber framed windows with central fixed pane and double hung windows either side. Some with curved glazing bar to central pane and leadlight to upper sashes and top of central pane.
- Garden settings.
- Several original chain mesh and pipe rail fences with timber posts fences.
- Concrete drive strips.

#### Post-war Austere houses (c1940-1960)

- Single storey free-standing houses in Fontein, Sredna and Gwelo Streets.
- Weatherboard walls with round edged boards.



- Medium pitched hipped roofs, generally of concrete or terracotta tiles with gabled roofs at 27 and 31 Fontein Street, 30 and 44 Gwelo Street, and 3 and 24 Sredna Street.
- Small porches, with either a small roof, or cut out under the main roof to provide a sheltered entry.
- Timber framed windows with horizontal glazing bars to upper sashes.
- Tall face brick chimneys, some with simple decorative bands, generally on the side, but some examples (6, 8, 38 and 43 Fontein Street, and 7, 32 and 48 Gwelo Street, and 8, 9, 24 and 27 Sredna Street) having prominent broad chimneys on the front.
- Several original chain mesh and pipe rail fences (3 and 25 Gwelo Street, the latter having original sunburst pattern wrought iron gate, and 17 Sredna Street), as well as low stone fences at 13 and 44 Gwelo Street.
- Garden settings.
- Consistent front and side setbacks, with side drives, and concrete crossovers, some original concrete drive strips.
- While the majority of the houses in the precinct are weatherboard, there are some face brick houses at 12 Fontein Street, and 19 and 24 Gwelo Street, and 5 and 7 Sredna Street which are also contributory.

#### Post-war shopfronts (1947)

- The single storey, masonry group of five shopfronts, with stepped parapets and cantilever verandahs.
- The central parapet with the words in “1947 Hansen for Houses” in bas-relief.

#### **How is it significant?**

The Tottenham Post-war Industrial Area Housing Precinct is of local historical, architectural (representative) and associative significance to the City of Maribyrnong.

#### **Why is it significant?**

The Tottenham Post-war Industrial Area Housing Precinct illustrates the relocation of industrial sites away from the Maribyrnong River, with a number of large factories and wool stores relocating to the West Footscray area around the Second World War. The precinct illustrates how the Post-war housing boom and influx of migrants, together with the availability of cheap land in the area, and proximity to employment, resulted in this residential development. The area retains its setting, surrounded by large industrial complexes and in close proximity to Tottenham Railway Station. The Post-war housing of the precinct reflects the restrictions imposed by shortages of materials, and the general austerity of the post-war era. The group of shopfronts in Sunshine Road also illustrates the planning and development of urban settlements in West Footscray, where rows of shops were often built by housing estate developers. (Criterion A)

The Tottenham Post-war Industrial Area Housing Precinct is representative of the modest housing which proliferated in the austerity period during and immediately following the Second World War, in the industrial western suburbs of Melbourne. The houses are generally simple, economic, unpretentious yet well-proportioned, designed within the restrictions imposed by Post-war shortages and housing size limits. The houses are generally in good condition, and show relatively minor changes, retaining the essential characteristics of the housing of this period. (Criterion D)

The Tottenham Post-war Industrial Area Housing Precinct has a special association with the well-known builder, and local councillor Anders M Hansen, who built many of the houses in the precinct. The street named “Sredna”- Anders spelt backwards, is similar to the use of Nesnah- (Hansen backwards) in the earlier Hansen Inter-war Residential precinct. The group of five Post-war shopfronts in Sunshine Road, with the bas-relief inscription “1947 Hansen for Houses” on the central shop, provides tangible evidence of his close association with the development of the precinct. (Criterion H)

## **11.1 The issues**

The issues are whether the:

- precinct meets the threshold for local heritage significance to justify the application of the Heritage Overlay
- precinct boundary is appropriate.

---

## 11.2 Evidence and submissions

A total of 35 submissions<sup>12</sup> were received, which were spread evenly throughout the precinct. Two of these provide conditional support, particularly for enhancing neighbourhood character, while the balance opposed the introduction of the Heritage Overlay. Two supported the proposed NRZ but not the Heritage Overlay. Several submitters appeared before the Panel to elaborate on their original submissions.

The issues raised by submitters include the:

- dwellings are not of heritage significance, are unremarkable and have been altered
- condition of the buildings is poor as they were cheaply constructed, have structural instability and require significant maintenance
- imposition of controls is an unnecessary burden on property owners due to additional costs in approvals, improvements and reinstatement
- recent townhouse development has diminished the appearance and significance of the area
- controls will reduce the value of the properties and limit future development options
- mental toll of the uncertainty created by the introduction of the heritage controls.

Many of these general issues have been addressed by the Panel in Chapter 4.

It was the evidence of Ms Peters that the importance of the area from a thematic perspective is as a representation of *“probably the most important period of Maribyrnong’s history in housing workers close to their employment as industry moved into the west of Melbourne.”* She acknowledged the simplicity of the post-war austere housing styles and their relative lack of broader appreciation but considered it was important to show how people had to move further out, closer to where they worked.

The owner of 13 Gwelo Street, West Footscray (Figure 33) provided a critique of the statement of significance concluding, in his opinion, that the assessment was completely unfounded. In relation to Criterion D, he stated *“by this metric every single house ever built should be heritage overlay.”*

**Figure 33** 13 Gwelo Street, West Footscray



Source: Peters evidence statement

---

<sup>12</sup> Submissions 23, 24, 29, 34, 40, 42, 54, 55, 60, 62, 71, 80, 83, 90, 91, 93, 95, 101, 108, 113, 116, 120, 144, 152, 163, 167, 169, 183, 188, 189



---

In response to the submission, Ms Peters acknowledged the elements of the building that are not original but considered that the main characteristics of the Post-war austere bungalow form were still evident and important. She stated that *“it represents the generally simple, economic, unpretentious but well-proportioned, houses designed in the Post-war period”*, and that it had probably been built together with the two adjoining dwellings by the same builder. She maintained that it is a *“...moderately intact example of a ca. 1955 Post-war Austere house similar to many others in the area, and with a similar level of integrity”*, and is a contributory property in the precinct.

The owner of 38 Gwelo Street, West Footscray (Figure 34) detailed the changes made to the dwelling and the unstable nature of the footings and the chimney. The inability to obtain a vehicle crossing permit was also of concern.

**Figure 34** 38 Gwelo Street, West Footscray



Source: Peters evidence statement

In response, Ms Peters considered that, while acknowledging the alterations to the building, the property *“is of architectural (representative) significance and demonstrates the main characteristics of the Post-war Austere bungalow form in the City of Maribyrnong with a hipped roof of concrete tiles, with boxed eaves, and with a projecting hipped roof section.”* Two chimneys are noted. She considered that it is similar to an adjacent group of houses with many common elements that were probably built by the same builder. She stated that in her opinion the original design elements are recoverable and the aesthetic values could be recovered to some degree.

The owner of 9 (Figure 35) and 11 (Figure 36) Sredna Street, West Footscray raised several issues in support of the request to abandon the Amendment: technical issues with the Heritage Study, communication about the Amendment, affordable housing and global warming, condition of the properties and contribution to heritage and the financial impact on landowners. The owner of 31 Sredna Street, West Footscray (Figure 37) also noted that several unit developments have been constructed in the street which reduced its intactness.

**Figure 35** 9 Sredna Street, West Footscray



Source: Panel photo

**Figure 36** 11 Sredna Street, West Footscray



Source: Panel photo

**Figure 37** 31 Sredna Street, West Footscray



Source: Panel photo

In response Ms Peters noted that these properties demonstrate the main characteristics of the Post-war austere bungalow form. Although they had some alterations the properties had a similar level of intactness to others in the precinct and were contributory. Ms Peters said the houses are likely to have been built by Anders Hansen who built many of the houses in the precinct. She noted that Sredna Street has 35 contributory and 11 non-contributory houses which are mostly new subdivisions and occur in groups.

The owner of 169 Sunshine Road, West Footscray appeared on behalf of the owner of 173 Sunshine Road, objecting to the inclusion of the five shops in the Heritage Overlay. The submitter stated the shop front and verandah was completely replaced after a fire in the 1980s and that three of the other shopfronts in the row of shops have been replaced. She submitted that the only tangible connection of the five shops with the builder Anders Hansen is the concrete bas relief on the parapet above 173 Sunshine Road with the words '1947 Hansen for Houses', which she considered was insufficient reason to require the retention of the group of shops.

Ms Peters said it was quite common for residential estate developers to construct shops as part of the development and referred to the statement of significance that stated:

The group of shopfronts in Sunshine Road also illustrates the planning and development of urban settlements in West Footscray, where rows of shops were often built by housing estate developers. (Criterion A)

---

The group of five post-war shopfronts in Sunshine Road with the bas-relief inscription “1947 Hansen for Houses” on the central shop, provides tangible evidence of his close association with the development of the precinct (Criterion H)

The Panel learnt during the Hearing that a PAO for road widening applies to the western side of Dempster Street and to the corner commercial properties fronting Sunshine Road. The properties fronting Dempster Street within the PAO have been excluded from the Heritage Overlay, while the properties fronting Sunshine Road affected by the same PAO have been included within the proposed Heritage Overlay. Council provided the Panel with a map showing the extent of the PAO as it relates to the Heritage Overlay, including the properties owned by VicRoads or the Road Construction Authority in the Heritage Overlay and the vicinity. One of the shops (171) fronting Sunshine Road within the Heritage Overlay is owned by the Roads Authority.

It is noted that three properties in Dempster Street have been excluded from the interim Heritage Overlay due to the existence of permits for changes or demolition.

### 11.3 Discussion

The Tottenham precinct is large and is surrounded by industrial areas to the west, south and east and the Tottenham railway station is located to its north. It includes 189 residential properties in Sredna, Dempster, Fontein and Gwelo Streets, and five commercial properties fronting Sunshine Road. Of these, 44 are non-contributory to the predominantly post-war era dwellings, with Inter-war dwellings predominantly along Dempster Street. All properties fronting the north-south streets of Aliwal, Bizana and Cala Streets are recent constructions and non-contributory.

The Panel acknowledges, as the Heritage Study does, that the general appreciation of post-war era dwelling styles, and perhaps in particular the austere styles, is not one that is as widely acknowledged for its heritage values as earlier eras of development in Melbourne are.

Nevertheless, these eras are relevant to the understanding of the development of the city and Maribyrnong. The Panel notes this precinct is unpretentious with dwellings that are simple in style and is an example of the movement of workers accommodation from inner Melbourne closer to employment. It is these aspects that are of heritage significance. This area is a relatively intact example of the post-war austere era (1940-1960) and demonstrates a close association with the industry within which many of the original occupants worked and the reason they chose to build and live there in this period of Maribyrnong’s development.

The Panel is however concerned to ensure that this is ‘better than average’ and important examples of this development that are preserved for the future.

The association of the area with Anders Hansen is acknowledged, and the statement of significance outlines his purchase of land in the precinct in the late 1930s, after the subdivision of the allotments to the east and west of Dempster Street. Anders Hansen was responsible for the construction of many buildings in this precinct, although the exact homes are not documented. Ms Peters in her evidence stated that the parapet on the Sunshine Road shops with the bas relief inscription ‘1947 Hansen for Houses’ is the only tangible link to the builder in the precinct. The name of one of the streets ‘Sredna’ is noted as being Anders spelt backwards – a ruse used by the builder in another precinct. This also forms a tangible link, but not one that can be covered by a Heritage Overlay control.

The precinct is split into two parts by the PAO that applies to the western side of Dempster Street for major road widening works. It was noted by the Panel that many of the dwellings within the PAO are very similar in era, design and detailing to those opposite, and had the PAO not been applied, would form a relatively cohesive and intact inter-war streetscape along Dempster Street.

---

Once the dwellings on the western side of Dempster St are demolished and the road is widened, the precinct will be quite distinctly two separate areas with little visual connection.

The statement of significance relates primarily to post-war residential development associated with industrial development in West Footscray. The inter-war period dwellings are located along Dempster Street while the remainder of the precinct is post-war austere housing and shopfronts. The western part including the properties fronting Dempster Street was a later subdivision, although Dempster Street was developed earlier than the eastern portion. This is apparent from the subdivision pattern of the area, as lot sizes and street orientation are different, in addition to the differing house styles. The properties along Dempster Street were developed by the early 1940s, before industry was established in the vicinity, and have typical inter-war and more decorative features than the dwellings remainder of the precinct developed in the post-war period. This development therefore appears to have little relationship with the post-war considerations in the assessment against Criterion A in the statement of significance.

East of Dempster Street is more intact than the western portion in Sredna Street, with almost all properties fronting Fontein and Gwelo Streets considered to be contributory, despite the new development that has occurred on the corner sites. The Panel notes that many properties had been sympathetically renovated in this area.

On balance, the importance of Sredna Street to the precinct as a whole is limited compared to the eastern portion of the precinct, apart from the interesting spelling of its name. Restricting the application of the Heritage Overlay east of Dempster Street would sufficiently record this important era of Maribyrnong's history while the inclusion of Sredna Street would add little to this understanding. As the area was subdivided at a different time and will be isolated from the remaining area by a widened road, and possibly new development along Dempster Street, it will not be read as part of the wider precinct. The fact that industrial development can be sighted at both ends of Gwelo Street will not be altered by the exclusion of Sredna Street properties from the Heritage Overlay. While the Panel does not support the application of the Heritage Overlay for Sredna Street, the general siting and form of the dwellings does have a consistency that can be reflected in new development by retaining the NRZ.

The Panel considers the shops along Sunshine Road are utilitarian in design, altered and have no notable features apart from the '1947 Hansen for Houses' (Figure 38) sign that is located on the parapet of 173 Sunshine Road. The Panel accepts that Anders Hansen constructed the shops as a residential estate developer, but it does not find this particularly significant as it seems it was quite a common practice. Notwithstanding this, the area has already been overtaken by other considerations. Figure 39 shows the application of the PAO over the shops and along Dempster Street. The Roads Authority owns 171 Sunshine Road and nine properties along Dempster Street, so the Panel assumes the widening is relatively certain to proceed. The Panel considers Council has taken an inconsistent approach with the Heritage Overlay and the land covered by the PAO. The Panel considers that of the five shops along Sunshine Road, only 173 Sunshine Road should retain the Heritage Overlay as it contains the '1947 Hansen for Houses' bas relief sign that will need to be relocated once the road project starts, preferably within the precinct, and maybe in the local park or other public place. The Heritage Overlay will provide for the future consideration of the sign and the Heritage Study and statement of significance should be updated to reflect that it is only the sign that has heritage significance.

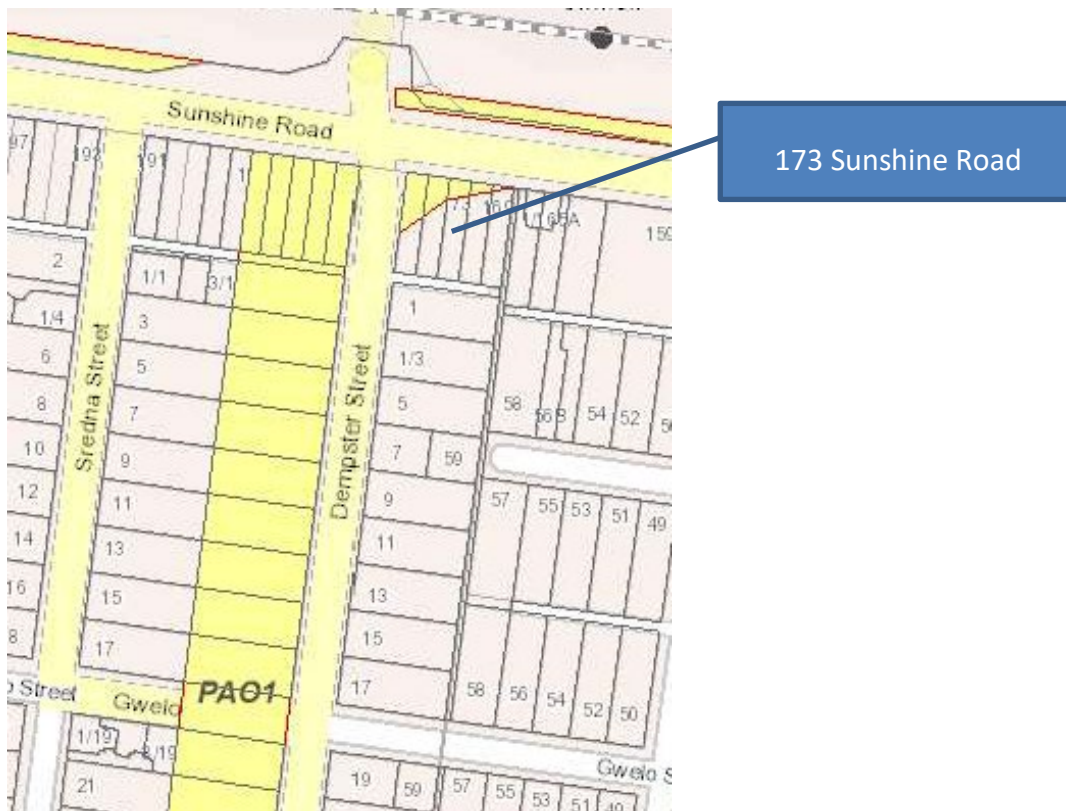


Figure 38 173 Sunshine Road, West Footscray



Source: Council Part B submission

Figure 39 PAO map for Tottenham



Source: Document 052Y

In line with the Panel's recommendations in other precincts where recently constructed non-contributory development occurs at the edge of a precinct, that 3A, 3B, 3C, 5, 6 and 7 Bizana Street, 22 and 23 Fontein St, 7A and 7B Aliwal Street, 67, 71 and 73 Cala Street should be removed

---

from the Heritage Overlay but retained within the NRZ to ensure and future development is appropriate to its context.

## 11.4 Conclusions and recommendations

The Panel concludes that:

- The Tottenham precinct is large, quite unique and isolated from other residential areas due to its provision of worker accommodation close to places of work.
- The two eras of significance (inter and post-war) are distinct in geography, style of housing and relationship to the provision of worker accommodation. East of Dempster Street is effectively the part of the precinct that is significant for post-war workers accommodation.
- The widening of Dempster Street will embed this distinction between the areas.
- The Heritage Overlay is appropriate east of Dempster Street but should be removed from Sredna Street, which should also be removed from the precinct but retain the NRZ.
- There is an inconsistent application of the Heritage Overlay to land that is affected by the Public Acquisition Overlay. The Heritage Overlay is not proposed for the west side of Dempster Street but is for the five shops along Sunshine Road. The Heritage Overlay should be deleted from 169, 171, 175 and 177 Sunshine Road, but retained on 173 Sunshine Road only to note the 'Hansen for Houses' as being of heritage significance. It is likely this will need to be relocated once road widening takes place.
- More recent non-contributory constructions at the periphery of the precinct should be removed from the Heritage Overlay but retain the NRZ.

The Panel recommends that:

**Delete the Heritage Overlay from 1-39 and 2-40 Sredna Street, West Footscray and reflect this in all Amendment documents, where relevant.**

**Delete the Heritage Overlay from 3A, 3B, 3C, 5 6, 7 and 10 Bizana Street, 67, 71 and 73 Cala Street, 7A and 7B Aliwal Street and 169, 171, 175 and 177 Sunshine Road, West Footscray and reflect this in all Amendment documents, where relevant.**

**Amend the Tottenham precinct statement of significance to refer to the bas relief sign '1947 Hansen for Houses' as the only element of heritage significance for 173 Sunshine Road.**

## 12 West Footscray Inter-war and Post-war Residential Precinct (H0218)

### Exhibited statement of significance



### What is significant?

The West Footscray Inter-war and Post-war Residential Precinct, contains a well-preserved and diverse collection of houses, blocks of flats and units, which demonstrate the progressive development of the area through the inter-war and post-war years, and the change from weatherboard to brick veneer and multi-unit developments, as the new standard for suburban homes. The following elements contribute to the significance of the precinct:

#### Inter-war bungalows (c.1915-1940)

- Inter-war period subdivision pattern and consistent front and side setbacks.
- Large gable roof, facing or parallel to street, or hipped roof with projecting gable. Roof clad with corrugated iron, terracotta tiles or metal simulated terracotta tile sheeting with wide eaves with exposed rafters. Ornament in gables, such as shingling, half-timbering, brackets, ventilators, batten and weatherboard finishes, roughcast render (or pressed metal simulated render).
- Simple, square red brick chimneys (often 2), some edged or with capping.
- V-notch decoration to front weatherboard walls.
- Deep verandahs with timber floors, face brick or rendered piers, cast concrete columns or timber posts supporting verandahs, with low faced brick or rendered wall.
- Glazed double doors to front verandahs; or timber panel front doors with light features and sidelights.
- Windows with faceted bays and bows, some with a flat roof and exposed rafters.
- Some with leadlighting and awnings with fretted brackets.
- Timber box-framed, casement windows or three-light windows with fixed centre pane and side sashes.
- Low front fences constructed of brick, rendered brick, woven wire, steel mesh or battens/pickets with matching gates, some examples made of wrought iron.
- Front garden settings and paths curving across lawns to verandahs. Driveways with dual concrete wheel treads and lawn centre strips.
- Later inter-war Californian Bungalows feature hipped roofs (sometimes pyramidal) and tend to incorporate Tudor, Spanish and Classical revival styles, painted stucco, clinker brick detailing, sash windows and smaller verandahs

#### Post-war Austere houses (c.1940-c.1950)



- Consistent front and side set-backs.
- Double or triple-fronted variations of asymmetrical “L”-shaped plan.
- Small porch, often under a flat hood or sloping roof of house, sometimes with sidefacing front door. Wrought iron porch grille post(s) or face brick piers.
- Hipped, medium-pitched roof, sometimes pyramidal in form. Glazed terracotta tile roofing.
- Prominent clinker, red or cream brick chimney.
- Undecorated weatherboard walls and economy of stylistic detail.
- Clinker, red or cream brick walls (less common than weatherboard). Tapestry or cream brick detailing.
- Timber-framed sash windows with larger window in projecting front room; timberframed corner windows.
- Timber-framed front door with glazing.
- Low brick or steel mesh front fences; wrought iron or steel mesh gates.
- Garages with double timber, hinged doors and pediment top. Dual concrete wheel treads with lawn centre strips.

#### Post-war brick veneer houses (c.1940-c.1965)

- Consistent front and side set-backs.
- Hipped, medium-pitched glazed terracotta roofs. Double, triple and quadruple-fronted variations of asymmetrical L-shaped plan.
- Verandahs along the house front, sometimes with timber pergola; or porch with curved flat hood; both types with concrete floor and steps, and occasionally tiled.
- Cream brickwork, or (later) salmon coloured (wire-cut) brickwork. Contrasting manganese brick string courses, window sills, and detailing variously around windows, chimneys, fence tops.
- Prominent chimneys, some with curved ‘waterfall’ tops.
- Large steel-framed, street-facing casement windows, including some as corner windows.
- Decorative wrought ironwork used for fence trims, gates, front veranda/porch railing and supports, and for details such as house numbers or names.
- Low brick front fence in matching brick colour with castellated top or manganese coping and slightly raised piers.
- Concrete driveways or drives with concrete treads and lawn centre strips. Matching brick single-car garage sometimes attached to side of house.

#### Post-war and Mid-century Modernist houses (c.1955-c.1975)

- Flat or low pitch skillion roofs, and gabled roof forms; metal or terra cotta roof cladding, concealed roof gutters and wide eaves.
- Planar and geometric forms. Horizontal or low-line emphasis.
- Interest in spatial arrangement.
- Grey or cream brick, sometimes in combination with timber. Textured concrete.
- Minimal applied decoration.
- Aluminium-framed sliding windows or timber awning windows.
- Carports and garages integrated with the house design.
- Fenceless gardens.
- Naturalistic brick paving and rock gardens: interest in the environment.
- Post-war Migrant houses (c.1955-c.1975):
- Hipped, medium-pitched glazed terracotta roofs. Double, triple and quadruple-fronted variations of asymmetrical L-shaped plan.
- Brick fabric with terracotta roof tiles.
- Terrace or veranda, featuring paving/tiles.
- Large aluminium-framed windows.
- Classical references.
- Conspicuous use of concrete and/or terrazzo.
- Prominent front fence.

#### Post-war Flats (c.1960-c.1970)

- Two-storey construction in long, rectangular corridor plan situated to one side of allotment to allow for carparking spaces and driveway.
- Cream brick, or wire-cut salmon coloured or brown brick walls; manganese brick detail.
- Contrasting panels on front elevation or at entrance applied in render, concrete, or brown brick.

- Steel casement windows, or aluminium frame sliding windows.
- Flat metal or tiled hipped roof.
- External cantilevered stairs and balcony with wrought ironwork, or internal stairs with stair-hall.
- Besser concrete brick screens.
- Amber coloured decorative glazing.
- Low, brick front fence.
- Concrete paving for resident's cars, and minimal garden.

#### How is it significant?

The West Footscray Inter-war and Post-war Residential Precinct is of local historical, architectural (representative) and aesthetic significance to the City of Maribyrnong.

#### Why is it significant?

The West Footscray Inter-war and Post-war Residential Precinct is of historical significance as a tangible illustration of the history of suburban growth in West Footscray through the inter-war and post-war periods. The single storey weatherboard and brick veneer houses in garden settings represent the increasingly achievable goal of home-ownership during these periods to average working Australians and newly arrived migrants. The small number of blocks of flats illustrate the reality of post-war housing shortages in West Footscray and the emergence in Melbourne's suburbs of a new type of urban home and way of living. (Criterion A)

The West Footscray Inter-war and Post-war Residential Precinct is of architectural (representative) significance for its free-standing, single storey housing, which is highly representative of the inter-war and post-war periods with variations of bungalow forms expressed in popular Californian, Austere and Brick Veneer styles. The houses create homogenous streetscapes with consistent garden setbacks and side-drives. The precinct's conventional brick veneer houses, most notably those in Rondell Avenue and Berthandra Court, are quintessential examples of a ubiquitous built form that is now celebrated as a symbol of suburbia. (Criterion D)

The West Footscray Inter-war and Post-war Residential Precinct's examples of Post-war Brick Flats demonstrate the principal characteristics of the easily recognised two-storey walk-up blocks which proliferated as a new built form throughout Melbourne's suburbs during the 1960s and 1970s. (Criterion D)

The West Footscray Inter-war and Post-war Residential Precinct's small number of project houses are representative examples of the good quality, affordable homes constructed by a growing number of building companies and architecturally aware owners seeking alternative designs to the standard 1960s brick veneer. (Criterion D)

The West Footscray Inter-war and Post-war Residential Precinct's scattering of double and triple-fronted brick veneer houses built or modified by post-war migrants are representative of a visually definitive style which interprets the Australian vernacular. (Criterion D)

The West Footscray Inter-war and Post-war Residential Precinct is of aesthetic significance for the visual qualities of many of its houses relating to their form, scale, setting and unity and for the physical characteristics of design, technology and materials that identify their style and period of construction. (Criterion E)

## 12.1 Post exhibition changes

Council proposed to re-classify the rear south west portion of 6 Rondell Avenue as non-contributory.

## 12.2 The issues

The issues are whether the:

- precinct meets the threshold for local heritage significance to justify the application of the Heritage Overlay
- precinct boundary is appropriate.

---

## 12.3 Evidence and submissions

A total of 14 submissions<sup>13</sup> were received for the precinct. These were spread across all five streets that comprise the precinct.

The concerns raised by objecting submitters include the:

- dwellings are not of heritage significance
- condition of the buildings is poor and they require significant upkeep
- imposition of controls is an unnecessary burden on property owners
- controls will reduce the value of the properties and limit future development options.

The owner of 10 Neil Street, West Footscray expressed the following concern:

We are not supportive of a heritage overlay on the identified properties nor are we supportive of planning restrictions that prevent changes to the facades of properties, removal of chimneys, prescription of roofing material or colour.

The heritage overlay would provide unnecessary cost, administrative burden, complexity and complication for residents.

The owner of 2 Berthandra Court, West Footscray supported the Amendment and considered the street was *“unique in the fact that all of the houses are still in original form from when they were initially built in the 1950s/60s. I find most streets have had some development over the years however our street is relatively untouched and I think it is important to let us remain as such to retain a glimpse of past architecture.”* Another supporting was the owner of 2 Berthandra Court, West Footscray who considered:

Having protections for these sorts of buildings is something which always pays dividends down the track. Having people conserve the style and essence of the area leads to a greater sense of consistency and shared community.

The owner of 13 Rondell Avenue, West Footscray considered:

I love the streetscape of Rondell Avenue and also the many others identified as special in West Footscray and feel very strongly about protecting these unique older homes in these locations from being either demolished or inappropriately developed.

The owner of 6 Rondell Avenue, West Footscray confirmed that three units were being constructed to the rear of 6 Rondell Avenue and requested the heritage Overlay be removed.

In response to some submissions, it was the evidence of Ms Peters that:

- 17 Rondell Avenue is one of three similar houses *“designed to match the other earlier cream brick, tiled houses on Rondell Avenue”* constructed in 1972 and is contributory to the precinct
- the rear south west portion of 6 Rondell Avenue should retain the Heritage Overlay but be classified as non-contributory
- 8 First Street *“is highly representative of the inter-war and post-war periods with variations of bungalow forms expressed in popular Californian, Austere and Brick Veneer styles. The houses create homogenous streetscapes with consistent garden setbacks and side-drives”* and is contributory to the precinct
- 1 Berthandra Court *“is a very intact example of a ca. 1965-70 Post-war brick veneer with attractive design features in a very intact streetscape with 100 per cent contributory properties”*
- 10 Neil Street *“is a very intact inter-war bungalow”* and is contributory to the precinct.

---

<sup>13</sup> Numbers 7, 9, 28, 38, 56, 65, 74, 79, 104, 112, 118, 127, 137 and 192

---

## 12.4 Discussion

As discussed in Chapter 3 the Panel has expressed some concern with categorising precincts as both inter and post-war which tends to consider too many places as contributory. West Footscray is not one of them. It is a generally contiguous precinct where most of the streets are restricted to one era of development. The Panel considers as a precinct it shows evidence of growth of West Footscray with streets that are generally intact with very few non-contributory properties. First Street and Hartley Avenue are inter-war streets. Rondell Avenue and Berthandra Court are post-war streets and Neil Street has an interesting mix of both eras which individually contain properties that indicate a transition between the two eras.

The Panel agrees with Council's consideration of submissions for 10 Neil Street, 1 Berthandra Court, 17 Rondell Avenue and 8 First Street as they are clearly of the era of significance and their removal from the Heritage Overlay would diminish the integrity of the precinct. The Panel agrees with Ms Peters that the rear south west portion of 6 Rondell Avenue should be classified as non-contributory.

The Panel's inspection of the precinct raised several additional issues:

- 18 Neil Street is a brown brick dwelling constructed in a 1980s form outside of the post-war era. It is identified as contributory but should be classified as non-contributory.
- 5 Neil Street is vacant and should be classified as non-contributory.
- 4 Rondell Avenue contains a set of six 1970s or 1980s single storey units which should be classified as non-contributory.
- 14 Rondell Avenue retains the cream brick veneer dwelling at the front of the site but has several units constructed to the rear outside of the era of significance. The units to the rear should be classified as non-contributory.
- 1 First Avenue should be removed from the precinct as it is non-contributory and is at the periphery of the precinct.
- 3 First Avenue contains a set of double storey 1980s walk up flats that should be non-contributory. As it is located next to 1 First Street the Panel considers 1 and 3 First Street should be removed from the precinct.

The Panel has addressed other general issues raised by submitters in earlier chapters of this Report.

### (i) Conclusions and recommendations

The Panel concludes:

- The West Footscray precinct is a good representation of an inter-war and post-war precinct due to its mostly single era streets and low level of non-contributory properties.
- The classification of some properties should be reconsidered.

The Panel recommends:

**Delete the Heritage Overlay from 1 and 3 First Street, West Footscray and reflect this in all Amendment documents, where relevant.**

**Re-classify 5 and 18 Neil Street, 1-6/4 Rondell Avenue, West Footscray, units under construction on the rear south west portion of 6 Rondell Avenue West Footscray, units at 14 Rondell Avenue, West Footscray (excluding the front dwelling) as non-contributory and reflect this in all Amendment documents, where relevant.**

---

## 13 The drafting of the heritage design guidelines

During the Hearing Council proposed changes to the heritage design guidelines. The Panel appreciates the willingness of Council to update the heritage design guidelines in response to issues raised by the Panel and submitters. Given the extent of these changes and the difficulty in tracking them from the exhibited version, the Panel has decided to adopt the latest versions (Documents 56, 57, 58, 59, 60, 61, 62 and 63).

During the Hearing there was considerable discussion on the heritage design guidelines that focussed on how guidelines for rear extensions, use of materials, reference to eras, and use of solar panels should be drafted. This was an iterative process and generally the Panel considers the heritage design guidelines would be improved further by:

- using consistent drafting of the same design guideline in each precinct instead of different versions of the same one
- clarifying when a guideline is specific to a contributory building in the precinct
- using diagrams to convey more clearly how appropriate forms of second storey additions should be considered. This should include a diagram for each of the predominant roof types and pitches in the precinct.

The Panel considers the Bottomley's Paddock precinct heritage design guidelines should be retained but should be amended to refer specifically to each of the 'sub-precincts'.

Where the Panel has recommended a change to a precinct it has carried this change forward to the heritage design guidelines. For instance, where a precinct is recommended to be abandoned as a whole (e.g. Centennial and Duke precinct) there are no heritage design guidelines and where a street or streets or specific properties or housing styles are not supported as being significant this is reflected in the heritage design guidelines.

Appendix D contains the panel-preferred versions of the heritage design guidelines.

### **Recommendation**

The Panel recommends:

**Adopt the Council versions of the Heritage Design Guidelines for each precinct (Documents 56, 57, 58, 59, 60, 61, 62 and 63).**

**Amend the heritage design guidelines to use consistent drafting across precincts, to clarify when a guideline is specific to a contributory property and use diagrams and revised text to clarify the intent of the second storey additions guidelines as shown in Appendix D.**

## Appendix A Submitters to the Amendment

No.	Submitter	No.	Submitter
1 and 8	Diana Neville	34	Steven Curry
2	Slavko Stefanovski	35	Russel Rodrigues
3	Benjamin Lee	36	Thomas Augustine
4	Greg Buhagiar	37	Laresa Kosloff
5	Environment Protection Authority Victoria	38	Cynthia Weinstein
6	Amanda Millar	39	Dianna Janes
7	Yixuan Wang	40	Sarah Tabone
9	Marc Mengoni	41	Sandra Sim
10	Justin Mansfield	42	Grace Sorgente
11	Laura Kirkland	43	Michelle Madden
12	Aimee Thorpe	44	David Ruzicka
13	Candice Halfpapp	45	Jennifer Pjekne-Ruzicka
14	Natasha Mitchell	46	Penelope Chai
15	Jacob Littlepage	47	Corey Innes
16	Rui Seguchi-Vos	48	Binh An Truong
17	Jonte Shaw	49	Ashling James
18	Gillian Armstrong	50	Elaine Langham
19	Thach Bao Nguyen	51	Louise Stirling
20	Quyen Bui	52	David Land
21	Melissah	53	Kathryn May Pickering
22	Casey William Wright	54	Erin Kaitler
23	Nicki Jankovski	55	Mark O'Brien
24	Amal Pulickal Sathyan	56	Van Ton Ngo
25	Ni Pl	57	Maria Harelas and Joanna Harelas
26	Nicolas Nicolas and Almaz Nicolas	58	Regan Kerekere
27	Lisa Palmer	59	Shannon Devenish
28	Emma Richardson	60 and 130	Rocco Cipriano
29	Mitchell Duggan-Hulands	61	Julia Downes
30	Thomas Allan	62	Quoc Bao Ly
31	Jin Yew Ooi	63	Ludmila Liga
32	Natalie Land	64	Jacqueline Glover
33	Deb Adams	65	Mario Farrugia



No.	Submitter	No.	Submitter
66	Huy van Lam	100	Jim Gray
67 and 69	Dane Burton	101	Patrick Smardon
68	Mark Saines	102	Jaime Khoo
70	Tom Marshall	103	Lynn Pham and Hung Truong
71	Jasmina and Nabin	104	Elizabeth Tzimos
72	Gabriel Ung	105	Renee Jones
73	Desley Mather	106	Laura Talevski
74	Justin Andrew Willee	107	Esther Conrad
75	Angela Sparks	108	Reny Wibowo
76	Scott Rice	109	Jason Moore
77	Brendan Dempsey	110	Beverley Cox
78	Minh Khang Bui	111	Mara Putnis
79	Sam Lockart	112	Cordelia Reeves
80	Julia	113 and 142	Sarita Chand
81	Zhe Li	114	Chun Man Leung
82	Energy Safe Victoria	115	Dolly Thai
83	Domenica Crea	116	Stacey Eccles
84	Tam Nguyen and Vien Le	117	Morgan Rose
85	Russell Scott	118	Greg and Nicole Parsons
86	Stephanie Thai	119	S Puri and S Tandon
87	James Fox	120	Binh Pham
88	Kym Stanley	121	Ange K V
89	Helen Frede	122	Arthur Richardson
90	Bart Fine	123	Greater Western Water
91	Helen Huish	124	Kimberley Polkinghorne
92	Ben Richards	125	Michel Carabott
93	Ian and Suzanne Morrison	126	Phoebe Churches
94	Christina Mavrakis	127	Anushia Bleazby
95	Ali Abdallah and Gullinar Gafar	128	Pavel and Maria Iuscu
96	Tara De Pasquale	129	Hung Ho
97	Blazenka Lijovic	131 and 140	Chris Xuereb
98	Richard Hirsch	132	Chris Jones
99	Ashley King	133	Nicholas Rush and Julie Manton

No.	Submitter	No.	Submitter
134	Rachel Reggars	169	Michael Wang
135	Philippe Le	170	Bernard John O'Connor
136	Hugh Basset	171	Fulvia Di Blasi
137	Beth Jaworski	172	Catherine Prestia-Nigro
138	Fiona Goodison	173	Giorgio Prestia-Nigro
139	Tim Candler	174	Greg Ireton and Kate Taylor
141 and 150	Vas Banschikov	175	Julianna Green
143	Trent La Franchi	176	Han Thai
144	Duy Tien Dinh	177	Michelle Mair
145	Peco Gorceski	178	National Trust of Australia (Victoria)
146	Julia Bentley	179	Theresa Achkar
147	Jeff Testa	180	Anne Jacobs
148	Leila Farahani	181	Rob Crittenden
149	Jarrold Richardson	182	Chris Papas
151	Megan Donne	183	Elena Pereyra
152	Chris Chrystiuk	184	Minh Duong
153	Nick McIntosh and Laura Skazlic	185	Evan Bard-Brucker
154	Marie O'Connor and Cemil Yigit	186	Sara Debek
155	Cassandra Ong	187	Gemma Kostiw, Nellie Kostiw and Trevor Elliot
156	John Duong	188	Rebecca and Paul Gregg
157	Stephen Bouchier	189	YingXiu Liu
158	Katherine Taylor and Greg Ireton	190	Cecily Hollingsworth
159	Richard Sbrana	191	Rachel Swalwell and Nat Presutto
160	Alex Heddles	192	Greg Millsom
161	Shih Han Ong	193	Van Thiem Do
162	Cameron Goodison	194	Kingsley O'Connor
163	Teresina Putrino	195	Sam Blease
164	Leka Kocovic	196	Doris Muscat
165	Elissa O'Sullivan	197	Laura Newland
166	Randall Teo	198	Nicholas Aronnax and Anastasia Ward-Davies
167	D and G Cardillo	199	Nick Page
168	Con Constantinou		

---

## Appendix B Parties to the Panel Hearing

Submitter	Represented by
Maribyrnong City Council	Represented by Briana Eastaugh and Zina Teoh of Maddocks Lawyers, who called expert evidence on: - heritage from Sera-Jane Peters of Heritage Alliance.
Anushia Bleazby	
Arthur and Rhonda Richardson	
Bernie O'Connor	
Binh Pham	
Cameron Goodison	
Cassandra Ong	
Chris Chrystiuk	
Christopher Xuereb	
Con Constantinou	
David and Jennifer Ruzicka	
Elizabeth Tzimos	
Gemma Kostiw	
Grace Sorgente	
Greg Parsons	
Han Thai	
Hung Ho	
Jin Yew Ooi	
Kate Taylor and Greg Ireton	
Khang Bui	
Kym Stanley	
Leila Farahani	
Marc Mengoni	
Mark Saines	Ruth Cockerton
Minh Duong	
Morgan Rose	
Nicholas Rush	
Paul and Rebecca Gregg	
Philippe Le	
Randall Teo	

---

Submitter	Represented by
Renee Jones	Mark Bartley of HWL Ebsworth
Rob Crittenden	
Rocco Cipriano	Samantha Cipriano
Saurabh Puri	
Stephanie Thai	
Stephen Bourchier	
Steven Curry	
Terisina Putrino	
Theresa Achkar	
Tim Candler	
Vas and Laura Banschikov	
Xuelin (Shirley) Qiao and Zhe Li	

## Appendix C Document list

Version 7: 13 December 2022

No.	Date	Description	Presented by
001	4 Oct 2022	Directions Hearing Letter	Planning Panels Victoria (PPV)
002	14 Oct 2022	Information requested following Directions Hearing	"
003	24 Oct 2022	Directions and Timetable	"
004	4 Nov 2022	Letter from Council enclosing requested documents	Maribyrnong City Council (Council)
005	"	West Footscray Neighbourhood Plan	"
006a	"	Fieldwork survey sheet – 1-14 Centennial Street	"
006b	"	Fieldwork survey sheet – Batman Street	"
006c	"	Fieldwork survey sheet – Berthandra Court	"
006d	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Barton Street	"
006e	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Hope Street	"
006f	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Molesworth Court	"
006g	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Napoleon Street	"
006h	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Palmerston Street	"
006i	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Stanley Street	"
006j	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Tucker Street	"
006k	"	Fieldwork survey sheet – Bottomley's Paddock precinct – View Street	"
006l	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Wallace Street	"
006m	"	Fieldwork survey sheet – Bottomley's Paddock precinct – Wellington Street	"
006n	"	Fieldwork survey sheet – Coral Avenue	"
006o	"	Fieldwork survey sheet – Creswick Street North	"
006p	"	Fieldwork survey sheet – Creswick Street South	"
006q	"	Fieldwork survey sheet – Dempster Street	"
006r	"	Fieldwork survey sheet – Duke Street	"

No.	Date	Description	Presented by
006s	“	Fieldwork survey sheet – Eden Street	“
006t	“	Fieldwork survey sheet – First Street	“
006u	“	Fieldwork survey sheet – Fontein Street	“
006v	“	Fieldwork survey sheet – Gwelo Street	“
006w	“	Fieldwork survey sheet – Hansen Street & Robbs Road	“
006x	“	Fieldwork survey sheet – Hartley Avenue	“
006y	“	Fieldwork survey sheet – La Trobe Street	“
006z	“	Fieldwork survey sheet – MacPherson Street north	“
006aa	“	Fieldwork survey sheet – MacPherson Street south	“
006ab	“	Fieldwork survey sheet – McCubbin Street	“
006ac	“	Fieldwork survey sheet – Naismith Street	“
006ad	“	Fieldwork survey sheet – Neil Street	“
006ae	“	Fieldwork survey sheet – Nesnah Street	“
006af	“	Fieldwork survey sheet – Rondell Avenue	“
006ag	“	Fieldwork survey sheet – Sredna Street	“
006ah	“	Fieldwork survey sheet – Summerhill Road mid	“
006ai	“	Fieldwork survey sheet – Summerhill Road north	“
006aj	“	Fieldwork survey sheet – Summerhill Road south	“
007	“	Map of submitters	“
008	11 Nov 2022	Council's Part A Submission	Council
008a	“	Appendix A(1) – Map of the proposed heritage precincts	“
008b	“	Appendix A(2) – Map of existing and proposed zones	“
008c	“	Appendix A(3) – Map of key existing and proposed overlays	“
008d	“	Appendix A(4) – Map showing properties in the Amendment not subject to interim controls	“
008e	“	Appendix B(1) – West Footscray Heritage Feasibility Study 2019	“
008f	“	Appendix B(2) – Maribyrnong Heritage Plan 2002	“
008g	“	Appendix B(3) – Maribyrnong Housing Strategy 2011	“
008h	“	Appendix B(4) – Draft Maribyrnong Housing Strategy 2018	“
008i	“	Appendix C(1) – Report to City Development Special Committee (consideration of feedback on draft WFNP)	“
008j	“	Appendix C(1) – Minutes of Council’s City Development Special Committee	“



No.	Date	Description	Presented by
008k	“	Appendix C(2) – Report to City Development Delegated Committee (authorisation of Amendment)	“
008l	“	Appendix C(2) – Minutes of City Development Delegated Committee	“
008m	“	Appendix C(3) – Delegate Report signed 21 September 2022 (consideration of submissions to the Amendment and referral to Panel)	“
008n	“	Appendix C(3) – Attachment 1 to Delegate Report – Copy of all submissions (redacted)	“
008o	“	Appendix C(3) – Attachment 2 to Delegate Report – Key issues in submissions and response	“
008p	“	Appendix C(3) – Attachment 3 to Delegate Report – Summary of each submission and response	“
008q	“	Appendix C(3) – Attachment 4 to Delegate Report – Heritage Alliance response to submissions	“
008r	“	Appendix D(1) – Letter from DELWP authorising Amendment	“
008s	“	Appendix D(2) – Summary of current permit applications relating to the Amendment land	“
009	“	Expert witness statement of Sera-Jane Peters	Council
009a	17 Nov 2022	Addendum to expert witness statement of Sera-Jane Peters	“
010	21 Nov 2022	Council's Part B Submission	Council
010a	“	Index of attachments	“
010b	“	Attachment 1 – Clause 15.03 (Heritage)	“
010c	“	Attachment 2 – Clause 21.01 (Housing Framework Plan)	“
010d	“	Attachment 3 – Clause 21.04 (Settlement)	“
010e	“	Attachment 4 – Clause 21.06 (Built Environment and Heritage)	“
010f	“	Attachment 5 – Clause 21.07 (Housing)	“
010g	“	Attachment 6 – Clause 21.14 (Further Strategic Work)	“
010h	“	Attachment 7 – Clause 22.01 (Cultural Heritage Policy)	“
010i	“	Attachment 8 – Clause 22.05 (Preferred Neighbourhood Character Statements)	“
010j	“	Attachment 9 – Clause 32.09 – Neighbourhood Residential Zone	“
010k	“	Attachment 9 – Schedule 1 to the NRZ	“

No.	Date	Description	Presented by
010l	“	Attachment 10 – Clause 36.02 – Public Park and Recreation Zone	“
010m	“	Attachment 10 – Schedule to the PPRZ	“
010n	“	Attachment 11 – Planning Practice Note 1 Applying the Heritage Overlay (PPN1)	“
010o	“	Attachment 12 – Planning Practice Note 91 Using the residential zones (PPN91)	“
010p	“	Attachment 13 – Advisory Committee Report on the Review of Heritage Provisions in Planning Schemes (August 2007)	“
010q	“	Attachment 14 – Boroondara C55 (PSA) [2007] PPV 8 (Camberwell Station HO)	“
010r	“	Attachment 15 – Boroondara C266 [2018] PPV 63 (5 July 2018)	“
010s	“	Attachment 16 – Boroondara C274 Part 2 [2018] PPV 99 (17 October 2018)	“
010t	“	Attachment 17 – Cardinia C242 (PSA) [2019] PPV 25	“
010u	“	Attachment 18 – Darebin C203dare (PSA) [2022] PPV	“
010v	“	Attachment 19 – Glen Eira (PSA) C214glen [2021] PPV 72	“
010w	“	Attachment 20 – Latrobe C14 (PSA) [2010] PPV 53 (19 May 2010)	“
010x	“	Attachment 21 – Melbourne C387melb (PSA) [2021] PPV 89	“
010y	“	Attachment 22 – Moonee Valley C200moon [2021] PPV 7	“
010z	“	Attachment 23 – Moreland C129 (PSA) [2013] PPV 11	“
010aa	“	Attachment 24 – Mornington Peninsula C262morn Part 2 [2021] PPV 19	“
010ab	“	Attachment 25 – Explanatory Report for Amendment C31	“
010ac	“	Attachment 26 – Explanatory Report for Amendment VC226	“
010ad	“	Attachment 27 – Tracked changes version of clause 43.01 showing Amendment VC226 changes	“
010ae	“	Attachment 28 – Maribyrnong Heritage Review 2000 Volume 2 - Environmental History City of Maribyrnong	“
010af	“	Attachment 29 – Minister’s Reasons for Decision to Exercise Power of Intervention in Amendment VC226	“
011	“	Version 1 Document List	PPV

No.	Date	Description	Presented by
012	22 Nov 2022	Submission of David Ruzicka and Jennifer Pjekne-Ruzicka	David Ruzicka and Jennifer Pjekne-Ruzicka
012a	“	Summary presentation of David Ruzicka and Jennifer Pjekne-Ruzicka	“
013	“	Summary speaking notes of Sera-Jane Peters	Council
014a	“	Heritage Design Guidelines HO218 West Footscray Precinct – Council markup showing additional changes	“
014b	“	Heritage Design Guidelines HO217 Tottenham Precinct – Council markup showing additional changes	“
014c	“	Heritage Design Guidelines HO216 Summerhill Road – Council markup showing additional changes	“
014d	“	Heritage Design Guidelines HO215 Naismith & McCubbin Streets – Council markup showing additional changes	“
014e	“	Heritage Design Guidelines HO214 Loughtons Precinct – Council markup showing additional changes	“
014f	“	Heritage Design Guidelines HO213 Hansen Precinct – Council markup showing additional changes	“
014g	“	Heritage Design Guidelines HO212 Centennial & Duke Streets – Council markup showing additional changes	“
014h	“	Heritage Design Guidelines HO211 Bottomleys Paddock – Council markup showing additional changes	“
015	“	Submission of Renee Jones	Renee Jones
016	“	Submission of Saurabh Puri	Saurabh Puri
017	23 Nov 2022	Presentation of Leila Farahani	Leila Farahani
018	“	Submission of Rocco and Samantha Cipriano	Rocco and Samantha Cipriano
019	“	Version 2 Document List	PPV
020	“	Submission of Randall and Cathy Teo	Randall Teo
021	“	Submission of Cameron Goodison	Cameron Goodison
022	“	Submission of Steven Curry	Steven Curry
023	“	Submission of Philippe Le	Philippe Le
024	“	Submission of Stephanie Thai	Stephanie Thai
025	“	Submission of Vas and Laura Banschikov	Vas and Laura Banschikov
026	“	Submission of Nicholas Rush	Nicholas Rush

No.	Date	Description	Presented by
026a	“	Georgilopoulos v Valuer General - Victoria [2021] VCAT 1561	“
027	“	Submission of Kym Stanley	Kym Stanley
028	“	Submission of Khang Bui	Khang Bui
028a	“	Presentation of Khang Bui	“
029	24 Nov 2022	Submission of Morgan Rose	Morgan Rose
030	“	Version 3 Document List	PPV
031	“	Survey of Post-War Built Heritage in Victoria: Stage One	Cameron Goodison
032	“	Video presented by Kate Taylor and Greg Ireton	Kate Taylor and Greg Ireton
033	27 Nov 2022	Submission of Chris Chrystiuk	Chris Chrystiuk
034	“	Submission of Paul and Rebecca Gregg	Paul and Rebecca Gregg
035	“	Submission of Xuelin (Shirley) Qiao and Zhe Li	Xuelin (Shirley) Qiao and Zhe Li
036	“	Submission of Tim Candler and Cassandra Ong	Tim Candler and Cassandra Ong
037	“	Submission of Han Thai (updated version provided 28 Nov 2022)	Han Thai
038	“	Submission of Marc Mengoni	Marc Mengoni
039	“	Submission of Elizabeth Tzimos	Elizabeth Tzimos
040	“	Submission of Jin Yew (David) Ooi	Jin Yew (David) Ooi
041	28 Nov 2022	Submission of Binh Pham	Binh Pham
042	“	Request to reschedule Council's closing submission	Council
043	“	Version 4 Document List	PPV
044	“	Submission of Con Constantinou	Con Constantinou
045	“	Submission of Anushia Bleazby	Anushia Bleazby
046	“	Further Direction and Version 3 Timetable	PPV
047	“	Submission of Greg Parsons	Greg Parsons
047a	“	Structural engineer's report – marked up	“
048	“	Submission of Arthur and Rhonda Richardson	Arthur and Rhonda Richardson
049	29 Nov 2022	Submission of Hung Ho	Hung Ho

No.	Date	Description	Presented by
050	“	Version 5 Document List	PPV
051	5 Dec 2022	Letter from Council enclosing updated maps	Council
051a	“	Updated map – HO211	“
051b	“	Updated map – HO218	“
051c	“	Updated map – HO217	“
051d	“	Updated map – HO216	“
051e	“	Updated map – HO215	“
051f	“	Updated map – HO214	“
051g	“	Updated map – HO213	“
051h	“	Updated map – HO212	“
052	8 Dec 2022	Council's closing submission	Council
052a	“	Index to documents	“
052b	“	HO1 Angliss Housing Estate Heritage Area Statement of Significance	“
052c	“	HO5 Munition Works Housing Heritage Area Statement of Significance	“
052d	“	HO8 Queensville Estate Heritage Area Statement of Significance	“
052e	“	HO11 Upper Footscray Residential Heritage Area Statement of Significance	“
052f	“	Building Permit – 23 Creswick Street Footscray (house)	“
052g	“	Building Permit – 23 Creswick Street Footscray (garage)	“
052h	“	Building Permit – 32 Commercial Road (house)	“
052i	“	Heritage Design Guidelines HO211 Bottomleys Paddock Exhibition – v2 – Council markup	“
052j	“	Heritage Design Guidelines HO212 Centennial _ Duke Sts Exhibition – v2 – Council markup	“
052k	“	Heritage Design Guidelines HO213 Hansen Precinct Exhibition Exhibition – v2 – Council markup	“
052l	“	Heritage Design Guidelines HO214 Loughtons Precinct Exhibition – v2 – Council markup	“
052m	“	Heritage Design Guidelines HO215 Naismith and McCubbin Sts Exhibition – v2 – Council markup	“
052n	“	Heritage Design Guidelines HO216 Summerhill Road Exhibition – v2 – Council markup	“
052o	“	Heritage Design Guidelines HO217 Tottenham Precinct Exhibition – v2 – Council markup	“

No.	Date	Description	Presented by
052p	"	Heritage Design Guidelines HO218 West Footscray Precinct Exhibition – v2 – Council markup	"
052q	"	Notification of the Amendment – combined letters	"
052r	"	Translation services sheet	"
052s	"	Information brochures – combined	"
052t	"	Table with status of permit applications for demolition lodged after interim controls came into effect (5 December 2022)	"
052u	"	Email chain re. 1 Berthandra Court – Application update (redacted)	"
052v	"	Email chain re. 1 Berthandra Court – Notice of refusal	"
052w	"	Refusal Letter – 1 Berthandra Court West Footscray	"
052x	"	Refusal Notice – 1 Berthandra Court West Footscray	"
052y	"	HO217 PAO VicRoads location	"
052z	"	Maribyrnong C92 (PSA) [2012] PPV 8	"
052aa	"	Boroondara C318boro (PSA) [2020] PPV 42	"
052ab	"	Glen Eira C182glen (PSA) [2019] PPV 36	"
053	9 Dec 2022	Version 6 Document List	PPV
054	12 Dec 2022	Amended Endorsed Plans – 8 Centennial Street, West Footscray	Council
055	"	Endorsed Plans – 63 Hansen Street, West Footscray	"
056	"	Maribyrnong C172mari Heritage Design Guidelines HO211 Bottomleys Paddock – v3 Council markup	"
057	"	Maribyrnong C172mari Heritage Design Guidelines HO212 Centennial and Duke Sts – v3 Council markup	"
058	"	Maribyrnong C172mari Heritage Design Guidelines HO213 Hansen Precinct – v3 Council markup	"
059	"	Maribyrnong C172mari Heritage Design Guidelines HO214 Laughtons Precinct – v3 Council markup	"
060	"	Maribyrnong C172mari Heritage Design Guidelines HO215 Naismith and McCubbin Sts – v3 Council markup	"
061	"	Maribyrnong C172mari Heritage Design Guidelines HO216 Summerhill Road – v3 Council markup	"
062	"	Maribyrnong C172mari Heritage Design Guidelines HO217 Tottenham Precinct – v3 Council markup	"
063	"	Maribyrnong C172mari Heritage Design Guidelines HO218 West Footscray Precinct – v3 Council markup	"



---

## Appendix D Panel-preferred versions of the heritage design guidelines

### Bottomley's Paddock Inter-war and Post-war Residential Precinct, Heritage Design Guidelines (February 2022)

<b>Heritage Place:</b>	Bottomley's Paddock Inter-war and Post-war Residential Precinct comprising: <ul style="list-style-type: none"><li>• Palmerston Street Inter-war Residential Precinct</li><li>• Tucker Street Inter-war Residential Precinct</li><li>• Wallace Street Inter-war Residential Precinct</li><li>• Molesworth Court Inter-war and Post-war Residential Precinct</li><li>• Hope to View Streets Inter-war and Post-war Residential Precinct.</li></ul>	<b>PS ref no:</b>	HO211
------------------------	--	-------------------	-------

---

#### Conservation

1. Contributory external fabric of the inter-war and post-war era including materials, form and settings should be conserved and enhanced.
2. Contributory inter-war dwellings should be conserved and enhanced as a physical expression of the inter-war development of West Footscray and Maidstone.
3. Contributory post-war Austere houses should be conserved and enhanced as a physical expression of the post-war development of Maidstone.
4. Contributory post-war brick veneer houses should be conserved and enhanced as a physical expression of the later post-war development of West Footscray.
5. Contributory post-war Migrant houses should be conserved and enhanced as a physical expression of the later post-war development of West Footscray.

---

#### Demolition or removal

6. Contributory buildings or significant elements of contributory buildings visible from the street of the inter-war and post-war eras should not be demolished or removed, unless it is in order to restore or repair original elements.
7. Alterations and additions should avoid demolition of contributory elements of a heritage place.

---

#### Building design and form

8. Retain and reinstate verandah and porch designs on contributory buildings from the Inter-war era.

- 
9. Retain and reinstate verandah and porch designs on contributory buildings from the Post-war era.
  10. Retain and reinstate original roof materials (iron, terracotta and concrete tiles and metal simulated tile sheeting) and colours on contributory buildings. Colorbond or similar sheeting is not an acceptable alternative to unpainted galvanised iron roofs.
  11. Original chimneys on contributory buildings should be retained.
  12. Retain and reinstate weatherboard wall cladding and colour schemes on contributory buildings from each era.
  13. Retain brickwork with dichromatic patterning, tapestry brick detailing and contrasting manganese brickwork around windows, chimneys and fences on contributory buildings from the post-war era.
  14. Retain and reinstate original glass shopfronts, parapets and cantilever verandah designs on contributory buildings of the inter-war era, of the two shop-houses in the Palmerston inter-war residential precinct.
  15. Retain and reinstate window designs on contributory buildings from the inter-war and post-war era.
  16. Second storey additions to contributory buildings should:
    - a. be substantially setback from the front façade and main roof ridge line in order to retain the identity of the original building and not dominate the building when viewed from the street;
    - b. not replicate the period design details of the dwelling;
    - c. maintain the significance and architectural expression of the original form of the dwelling and roof as viewed from the street; and
    - d. respect the scale and design of the contributory building.
  17. Second storey additions to non-contributory buildings should be setback from the façade of the dwelling and respect the scale of any adjacent contributory building.
  18. Residential rooftop solar energy facilities should not be located on the façade or roofs that are street facing.

---

### **Garages and crossovers**

19. For places that originally had a driveway, maintain crossovers as single width, concrete that matches footpaths and limited to one per allotment.
20. Concrete driveways should be located to the side of dwellings and provision for car parking should not be made at the front of dwellings.
21. Garages and carports should be located to the rear of the dwelling, and if this is not achievable, should be recessed from the front façade of the dwelling.

---

### **Gardens and streetscapes**

22. Maintain the streetscape qualities of the area which includes regular allotment sizes and single dwellings in garden settings with consistent front and side setbacks.
23. Retain bluestone kerb and gutters in Tucker, Hope and View Streets.

---

## **Fences**

24. Retain, reinstate or construct low front boundary fence designs and gates from the inter-war and post-war eras.

---

## **Subdivision and additional dwellings**

25. Any additional dwelling or multi-unit development on the site of a contributory building should be located to the rear of the existing dwelling with access via the existing side driveway. The new development should be low scale, visually recessive and not dominate the original house when viewed from the street.
26. New dwellings should reflect the low scale, simple plan forms, pitched roof styles, siting and materials of the adjoining contributory buildings.

---

## **Primary source**

Bottomley's Paddock Inter-war and Post-war Residential Precinct Citation, *West Footscray Inter-war and Post-war Heritage Precinct*, Heritage Alliance, March 2021

---

# Hansen Inter-war Residential Precinct, Heritage Design Guidelines (February 2022)

<b>Heritage Place:</b>	Hansen Inter-war Residential Precinct	<b>PS ref no:</b>	HO213
------------------------	---------------------------------------	-------------------	-------

---

## Conservation

1. Contributory inter-war bungalows should be conserved and enhanced, and the subdivision pattern as a physical expression of the Inter-war development of West Footscray.
2. Significant and contributory external fabric of the inter-war era including materials, roof cladding, chimneys, fences, windows, verandahs, porches, driveways, bluestone pitchers, garden settings and nature strips with plantings should be conserved and enhanced.

---

## Demolition or removal

3. Contributory inter-war bungalow buildings or significant elements of contributory buildings visible from the street should not be demolished or removed, unless it is in order to restore or repair original elements.
4. Alterations and additions should avoid demolition of contributory elements of a heritage place.

---

## Building design and form

5. Retain and reinstate verandah and porch designs and decorative features on contributory inter-war dwellings.
6. Retain and reinstate original roof materials (iron, terracotta and concrete tiles and metal simulated tile sheeting) and colours on contributory buildings. Colorbond or similar sheeting is not an acceptable alternative to unpainted galvanised iron roofs.
7. Original chimneys on contributory buildings should be retained.
8. Retain and reinstate original weatherboard wall cladding, v-notch boards, shingling and colour schemes on contributory buildings from the inter-war era.
9. Retain and reinstate elaborate timber window designs with box-framed casements, double-hung sashes and faceted bays and bows, lead lighting and window hoods with fretted brackets on contributory buildings from the inter-war era.
10. Second storey additions to contributory buildings should:
  - a. be substantially setback from the front façade and main roof ridge line in order to retain the identity of the original building and not dominate the building when viewed from the street;
  - b. not replicate the period design details of the dwelling; and
  - c. maintain the significance and architectural expression of the original form of the dwelling and roof as viewed from the street; and
  - d. respect the scale and design of the contributory building.
11. Second storey additions to non-contributory buildings should be setback from the façade

---

of the dwelling and respect the scale of any adjacent contributory building.

12. Residential rooftop solar energy facilities should not be located on the façade or roofs that are street facing.

---

#### **Garages and crossovers**

13. For places that originally had a driveway, maintain crossovers as single width, in concrete to match the footpaths and limited to one per allotment. Driveways should be located to the side of dwellings and car parking should not be located at the front of dwellings.
14. Garages and carports should be located to the rear of the dwelling, and if this is not achievable, should be recessed from the front façade of the dwelling.

---

#### **Gardens and streetscapes**

15. Maintain the streetscape qualities of the area which includes regular allotment sizes and single dwellings in garden settings with consistent front and side setbacks.
16. Retain bluestone kerb and gutters.

---

#### **Fences**

17. Retain, reinstate or construct low front boundary fence designs from the inter-war era. Some low brick fences and painted timber picket fences which may be later additions are acceptable where they exist already.

---

#### **Subdivision and additional dwellings**

18. Any additional dwelling or multi-unit development on the site of a contributory building should be located at the rear of the dwelling with access via existing side driveways. The new development should be low scale, visually recessive and not dominate the contributory building when viewed from the street.
19. New dwellings should reflect the low scale, simple plan forms, pitched roof styles, siting and materials of the adjoining contributory buildings.

---

#### **Primary source**

Hansen Inter-war Residential Precinct Citation, *West Footscray Inter-war and Post-war Heritage Precinct*, Heritage Alliance, March 2021

---

# Laughton's Post-war Residential Precinct, Heritage Design Guidelines (February 2022)

<b>Heritage Place:</b>	Laughton's Post-war Residential Precinct	<b>PS ref no:</b>	HO214
------------------------	--	-------------------	-------

---

## Conservation

1. Contributory post-war Migrant brick veneer houses should be conserved and enhanced, as a physical expression of the post-war development of Footscray.
2. Significant and contributory external fabric of the post-war era including materials, frontages, chimneys, fences, windows, porches, driveways and garages should be conserved and enhanced.

---

## Demolition or removal

3. Contributory buildings or significant elements of the contributory post-war Migrant brick veneer buildings visible from the street should not be demolished or removed, unless it is in order to restore or repair original elements.
4. Alterations and additions should avoid demolition of contributory elements of a heritage place.

---

## Building design and form

5. Retain and reinstate porch and terrace designs on contributory buildings from the post-war era.
6. Retain and reinstate glazed Marseilles pattern terracotta roof coverings and original colour patterns on contributory buildings.
7. Retain and reinstate face brick and dichromatic brick work in chimneys on contributory buildings.
8. Retain and reinstate face brick walls in orange, cream or brown and dichromatic patterning on contributory buildings.
9. Retain and reinstate steel window designs from the post-war era.
10. Second storey additions to contributory buildings should:
  - a. be substantially setback from the front façade and main roof ridge line in order to retain the identity of the original building and not dominate the building when viewed from the street;
  - b. not replicate the period design details of the dwelling; and
  - c. maintain the significance and architectural expression of the original form of the dwelling and roof as viewed from the street; and
  - d. respect the scale and design of the contributory building.
11. Second storey additions to non-contributory buildings should be setback from the façade of the dwelling and respect the scale of any adjacent contributory building.
12. Residential rooftop solar energy facilities should not be located on the façade or roofs that are street facing.

---

### **Garages and crossovers**

---

13. For places that originally had a driveway, maintain crossovers as single width, made of concrete to match footpaths and limited to one per allotment.
  14. Driveways should be located to the side of dwellings and provision for car parking should not be made at the front of a dwelling.
  15. Garages and carports should be located to the rear of the dwelling, and if this is not achievable, should be recessed from the front façade of the dwelling.
- 

### **Gardens and streetscapes**

---

16. Maintain the streetscape qualities of the area which includes regular allotment sizes and single dwellings in garden settings with common front and side setbacks.
- 

### **Fences**

---

17. Retain, reinstate or construct low front boundary fence designs and gates from the post-war era.
- 

### **Subdivision and additional dwellings**

---

18. Any additional dwelling or multi-unit development on site of a contributory building should be located to the rear of the dwelling with access via existing side driveways. The new development should be low scale, visually recessive and not dominate the original dwelling when viewed from the street. This does not apply to 24-28 Commercial Road.
  19. New dwellings should reflect the low scale, simple plan forms, pitched roof styles, siting and materials of the adjoining contributory buildings.
- 

### **Primary source**

Laughton's Post-war Housing Precinct Citation, *West Footscray Inter-war and Post-war Heritage Precinct*, Heritage Alliance, March 2021



---

# Naismith Street Inter-war Residential Precinct, Heritage Design Guidelines (February 2022)

<b>Heritage Place:</b>	Naismith Street Inter-war Residential Precinct	<b>PS ref no:</b>	HO215
------------------------	--	-------------------	-------

---

---

## Conservation

1. Contributory inter-war bungalows should be conserved and enhanced, as a physical expression of the inter-war development of Footscray.
2. Gutters and kerbs of bluestone pitchers from late Victorian streetscape should be conserved and enhanced.
3. Significant and contributory external fabric of the inter-war era including materials, scale and form should be conserved and enhanced.

---

## Demolition or removal

4. Contributory buildings or significant elements of contributory buildings visible from the street of the inter-war era should not be demolished or removed, unless it is in order to restore or repair original elements.
5. Alterations and additions should avoid demolition of contributory elements of a heritage place.

---

## Building design and form

6. Retain and reinstate verandah and porch designs on contributory buildings from the inter-war era.
7. Retain and reinstate original roof material (iron or terracotta tile) and colours on contributory buildings. Colorbond or similar sheeting is not an acceptable alternative to unpainted galvanised iron roofs.
8. Original chimneys on contributory buildings should be retained.
9. Retain and reinstate original face brick and weatherboard wall cladding, v-notch boards and colour schemes on contributory buildings of the inter-war era.
10. Retain, restore and reinstate original timber window designs on contributory buildings from the inter-war era.
11. Second storey additions to contributory buildings should:
  - a. be substantially setback from the front façade and main roof ridge line in order to retain the identity of the original building and not dominate the building when viewed from the street;
  - b. not replicate the period design details of the dwelling;
  - c. maintain the significance and architectural expression of the original form of the dwelling and roof as viewed from the street; and
  - d. respect the scale and design of the contributory building.
12. Second storey additions to non-contributory buildings should be setback from the facade of

---

the dwelling and respect the scale of any adjacent contributory building.

13. Residential rooftop solar energy facilities should not be located on the façade or roofs that are street facing.

---

#### **Garages and crossovers**

14. For places that originally had a driveway, maintain crossovers as single width, made of concrete to match the footpath and limited to one per allotment.
15. Driveways should be located to the side of the dwelling and provision for car parking should not be made at the front of a dwelling.
16. Garages and carports should be located to the rear of the dwelling, and if this is not achievable, should be recessed from the front façade of the dwelling.

---

#### **Gardens and streetscapes**

17. Maintain the streetscape qualities of the area which includes wide allotment sizes and single dwellings in garden settings with consistent front and side setbacks.
18. Retain bluestone gutters and kerbs.

---

#### **Fences**

19. Retain, reinstate or construct low front boundary fence designs and gates for contributory places from the inter-war era.

---

#### **Subdivision and additional dwellings**

20. Any additional dwelling or multi-unit development on the site of a contributory building should be located at the rear of the dwelling with access via existing side driveways. The new development should be low scale, visually recessive and not dominate the contributory building when viewed from the street.
21. New dwellings should reflect the low scale, simple plan forms, pitched roof styles, siting and materials of the adjoining contributory buildings.

---

#### **Primary source**

Naismith Street Inter-war Housing Precinct Citation, *West Footscray Inter-war and Post-war Heritage Precinct*, Heritage Alliance, March 2021

---

## Summerhill Road Inter-war and Post-war Residential Precinct, Heritage Design Guidelines (February 2022)

<b>Heritage Place:</b>	Summerhill Road Inter-war and Post-war Residential Precinct	<b>PS ref no:</b>	HO216
------------------------	---	-------------------	-------

---

### Conservation

1. Contributory inter-war bungalows, post-war houses and transitional style post-war bungalows should be conserved and enhanced, as a physical expression of the Inter-war and Post-war development of Footscray, West Footscray and Maidstone.
2. Significant and contributory external fabric of the inter-war and post-war era including materials, chimneys, fences, windows, verandahs, driveways and garden settings should be conserved and enhanced.

---

### Demolition or removal

3. Contributory buildings or significant elements of inter-war and post-war contributory buildings visible from the street should not be demolished or removed, unless it is in order to restore or repair original elements.
4. Alterations and additions should avoid demolition of contributory elements of a heritage place.

---

### Building design and form

5. Retain and reinstate original inter-war verandah and porch designs on contributory inter-war buildings.
6. Retain minimal post-war porch designs with flat roofs on contributory post-war buildings.
7. Retain and reinstate original roof materials (iron, concrete, terracotta) and colours on contributory buildings. Colorbond or similar sheeting is not an acceptable alternative to unpainted galvanised iron roofs.
8. Original chimneys on contributory buildings should be retained.
9. Retain, restore and reinstate face brick walls in light or mid-cream and weatherboard wall cladding and colour schemes of the contributory inter-war and post-war buildings.
10. Retain and reinstate timber window designs on contributory buildings from the inter-war and post-war eras.
11. Second storey additions to contributory buildings should:
  - a. be substantially setback from the front façade and main roof ridge line in order to retain the identity of the original building and not dominate the building when viewed from the street;
  - b. not replicate the period design details of the building; and
  - c. maintain the significance and architectural expression of the original form of the building and roof as viewed from the street; and

- 
- d. respect the scale and design of the contributory building.
  12. Second storey additions to non-contributory buildings should be setback from the façade of the building and respect the scale of any adjacent contributory building.
  13. Residential rooftop solar energy facilities should not be located on the façade or roofs that are street facing.
- 

#### **Garages and crossovers**

14. For places that originally had a driveway, maintain crossovers as single width, in concrete and limited to one per allotment.
  15. Concrete driveways should be located to the side of dwellings and provision for car parking should not be made at the front of dwellings.
  16. Garages and carports should be located to the rear of the dwelling, and if this is not achievable, should be recessed from the front façade of the dwelling.
- 

#### **Gardens and streetscapes**

17. Maintain the streetscape qualities of the area which includes regular allotment sizes and single dwellings in garden settings with consistent front and side setbacks.
  18. Retain the Norfolk Island hibiscus *Lagunaria Patersonia* at the corner of Dongola and Summerhill Road.
  19. Retain Kelso Lane bluestone paving.
  20. Retain the bluestone kerb and gutters south of Eden Street and Summerhill Road intersection.
- 

#### **Fences**

21. Retain, reinstate or construct low front boundary fence designs and gates from the inter-war and post-war eras.
- 

#### **Subdivision and additional dwellings**

22. Any additional dwelling or multi-unit development on the site of a contributory building should be located at the rear of the dwelling with access via existing side driveways. The new development should be low scale, visually recessive and not dominate the contributory building when viewed from the street.
  23. New dwellings should reflect the low scale, simple plan forms, pitched roof styles, siting and materials of the adjoining contributory buildings.
- 

#### **Primary source**

Summerhill Road Inter-war and Post-war Housing Precinct Citation, *West Footscray Inter-war and Post-war Heritage Precinct*, Heritage Alliance, March 2021

---

# Tottenham Post-war Industrial Area Residential Precinct, Heritage Design Guidelines (February 2022)

<b>Heritage Place:</b>	Tottenham Post-war Industrial Area Residential Precinct	<b>PS ref no:</b>	HO217
------------------------	---	-------------------	-------

---

## Conservation

1. Contributory late inter-war bungalows should be conserved and enhanced, as a physical expression of the late Inter-war development of West Footscray.
2. The single weatherboard asymmetrical fronted federation bungalow at 46 Gwelo Street should be conserved and enhanced.
3. Contributory post-war Austere houses should be conserved and enhanced, as a physical expression of the post-war development of West Footscray.
4. Significant and contributory external fabric of the inter-war and post-war era buildings including materials, verandahs, windows, garden settings, driveways, chimneys and fences should be conserved and enhanced.

---

## Demolition or removal

5. Contributory buildings or significant elements of contributory inter-war and post-war buildings visible from the street should not be demolished or removed, unless it is in order to restore or repair original elements.
6. Alterations and additions should avoid demolition of contributory elements of a heritage place.

---

## Building design and form

7. Retain and reinstate verandah and porch designs on contributory buildings from each period.
8. Retain and reinstate original roof materials (terracotta, concrete, iron) and colours on contributory buildings. Colorbond or similar sheeting is not an acceptable alternative to unpainted galvanised iron roofs.
9. Original chimneys on contributory buildings should be retained.
10. Retain and reinstate weatherboard wall cladding and colour schemes on contributory buildings from each era. The small number of contributory face brick houses in the precinct should also be retained and should not be rendered or painted.
11. Retain and reinstate timber window designs on contributory buildings from the inter-war and post-war eras.
12. Retain and relocate to a public place the '1947 Hansen for Houses' bas relief fascia sign on 173 Sunshine Road prior to demolition of the building for roadworks.
13. Second storey additions to contributory buildings should:
  - a. be substantially setback from the front façade and main roof ridge line in order to retain the identity of the original building and not dominate the building when viewed from the street;

- 
- b. not replicate the period design details of the dwelling; and
  - c. maintain the significance and architectural expression of the original form of the dwelling and roof as viewed from the street; and
  - d. respect the scale and design of the contributory building.
14. Second storey additions to non-contributory buildings should be setback from the façade of the dwelling and respect the scale of any adjacent contributory building.
15. Residential rooftop solar energy facilities should not be located on the façade of roofs that are street facing.
- 

### **Garages and crossovers**

16. For places that originally had a driveway, maintain crossovers as single width, concrete that matches footpaths and limited to one per allotment.
17. Concrete driveways should be located to the side of dwellings and provision for car parking should not be made at the front of dwellings.
18. Garages and carports should be located to the rear of the dwelling, and if this is not achievable, should be recessed from the front façade of the dwelling.
- 

### **Gardens and streetscapes**

19. Maintain the streetscape qualities of the area which includes regular allotment sizes and single dwellings in garden settings with consistent front and side setbacks.
20. Retain and reinstate rear laneways.
- 

### **Fences**

21. Retain, reinstate or construct low front boundary fence designs from the inter-war and post-war eras.
- 

### **Subdivision and additional dwellings**

22. Any additional dwelling or multi-unit development on the site of a contributory building should be located at the rear of the dwelling with access via existing side driveways. The new development should be low scale, visually recessive and not dominate the contributory building when viewed from the street.
23. New dwellings should reflect the low scale, simple plan forms, pitched roof styles, siting and materials of the adjoining contributory buildings.
- 

### **Primary source**

Tottenham Post-war Industrial Area Housing Precinct Citation, *West Footscray Inter-war and Post-war Heritage Precinct*, Heritage Alliance, March 2021

---

# West Footscray Inter-war and Post-war Residential Precinct, Heritage Design Guidelines (February 2022)

<b>Heritage Place:</b>	West Footscray Inter-war and Post-war Residential Precinct	<b>PS ref no:</b>	HO218
------------------------	--	-------------------	-------

## Conservation

---

1. Contributory inter-war bungalows should be conserved and enhanced, as a physical expression of the Inter-war development of West Footscray.
2. Contributory post-war Austere houses should be conserved and enhanced, as a physical expression of the post-war development of West Footscray.
3. Contributory post-war brick houses should be conserved and enhanced, as a physical expression of the later post-war development of West Footscray.
4. Contributory post-war and mid-century modernist houses should be conserved and enhanced, as a physical expression of the later post-war development of West Footscray.
5. Contributory post-war Migrant houses should be conserved and enhanced, as a physical expression of the later post-war development of West Footscray.
6. Contributory post-war flats should be conserved and enhanced, as a physical expression of the later post-war development of West Footscray.
7. Significant and contributory external fabric of the inter-war and post-war eras including materials, scale, form and settings should be conserved and enhanced.
8. Maintain the arrangement of two storey walk up flats with concrete driveway and informal parking arrangements to side and rear.
9. Maintain the arrangement of single storey strata units in Rondell Avenue.

---

## Demolition or removal

10. Contributory buildings or significant elements of contributory buildings visible from the street should not be demolished or removed, unless it is in order to restore or repair original elements.
11. Alterations and additions should avoid demolition of contributory elements of a heritage place.

## Building design and form

---

12. Retain and reinstate verandah and porch designs on contributory buildings from the inter-war era.
13. Retain and reinstate verandah and porch designs on contributory buildings from the Post-war era.
14. Retain and reinstate original roof materials (terracotta, iron or metal simulated tile sheeting) and colours on contributory buildings. Colorbond or similar sheeting is not an acceptable alternative to unpainted galvanised iron roofs.
15. Original chimneys on contributory buildings should be retained.



- 
16. Retain and reinstate weatherboard wall cladding, v-notch boards, shingling and render from the Inter-war era and original colour schemes.
  17. Retain, restore and reinstate face brick walls in red, cream, salmon or grey, some with dichromatic brickwork and manganese decorative details from the post-war era.
  18. Retain, restore and reinstate window designs on contributory buildings from the inter-war and post-war eras.
  19. Second storey additions to contributory buildings should:
    - a. be substantially setback from the front façade and main roof ridge line in order to retain the identity of the original building and not dominate the building when viewed from the street;
    - b. not replicate the period design details of the dwelling; and
    - c. maintain the significance and architectural expression of the original form of the dwelling and roof as viewed from the street; and
    - d. respect the scale and design of the contributory building.
  20. Second storey additions to non-contributory buildings should be setback from the façade of the dwelling and respect the scale of any adjacent contributory building.
  21. Residential rooftop solar energy facilities should not be located on the façade or roofs that are street facing.

---

### **Garages and crossovers**

22. For single storey places that originally had a driveway, maintain crossovers as single width, in concrete that matches footpaths and limited to one per allotment.
23. Driveways should be located to the side of dwellings and provision for car parking should not be made at the front of dwellings.
24. Garages and carports should be located to the rear of the dwelling, and if this is not achievable, should be recessed from the front façade of the dwelling.

---

### **Gardens and streetscapes**

25. Retain or reinstate the un-fenced, informal front garden design of 6, 8, 10 and 11 Berthandra Court.
26. Maintain the streetscape qualities of the area which includes regular allotment sizes, in garden settings with consistent front and side setbacks.

---

### **Fences**

27. Retain, reinstate or construct low front boundary fence designs and gates from the inter-war and post-war eras.

---

### **Subdivision and additional dwellings**

28. Any additional dwelling or multi-unit development on the site of a contributory building should be located to the rear of the existing dwelling with access via existing side driveways. The new development should be low scale, visually recessive and not dominate the contributory building when viewed from the street.

---

29. New dwellings should reflect the low scale, simple plan forms, pitched roof styles, siting and materials of the adjoining contributory buildings.

---

**Primary source**

West Footscray Inter-war and Post-war Residential Precinct Citation, *West Footscray Inter-war and Post-war Heritage Precinct*, Heritage Alliance, March 2021