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EXPERT WITNESS STATEMENT

Planning Panels Victoria
Bayside Planning Scheme Amendment C192bays

7 February 2024

Prepared for Bayside City Council under the instruction of Harwood Andrews
Lawyers by:

Jim Gard'ner | Director, GJM Heritage

BArch(Hons), BBSoc, GradDip(Bldg Cons), GradCert (Visual Arts), RAIA, M.ICOMOS

CONTENTS

1	INTRODUCTION	1
1.1	Name and address of expert.....	1
1.2	Expert’s qualifications and experience	1
1.3	Statement identifying the expert’s areas of expertise to make this report.....	2
1.4	Statement identifying other significant contributors to the report	2
1.5	The identity and qualifications of the person who carried out any tests or experiments upon which the expert relied in making the report	2
1.6	Relationship between the expert witness and the client.....	3
1.7	Instructions	3
1.8	Reports and documents relied upon	3
1.9	Facts, matters and assumptions upon which statement proceeds	4
1.10	Any questions falling outside the expert’s expertise	5
1.11	Summary opinion.....	5
1.12	Declaration	6
2	BACKGROUND	7
2.1	Heritage Study.....	7
2.2	Submissions Received.....	9
3	RESPONSE TO OBJECTING SUBMISSIONS.....	11
3.1	4 Bellaire Court, Beaumaris (‘Bellaire Court Estate’ Group Listing) (Proposed HO853)	11
3.2	9 Bellaire Court, Beaumaris (‘Bellaire Court Estate’ Group Listing) (Proposed HO853)	13
3.3	‘Nissen House’, 56 Cloris Avenue, Beaumaris (Proposed HO799).....	14
3.4	‘Stegley House’, 86 Dalgetty Road, Beaumaris (Proposed HO801).....	16
3.5	Gooch House, 19 Haywood Street, Beaumaris (Proposed HO806).....	18
3.6	15 Mariemont Avenue, Beaumaris (Proposed HO811)	20
3.7	Fermanis House, 1 Reid Street, Beaumaris (Proposed HO813)	23
3.8	Kirk House, 82 Reserve Road, Beaumaris (Proposed HO814).....	25
3.9	Andrews House, 78 Scott Street, Beaumaris (Proposed HO817).....	29
3.10	Weate House, 11 Summerhill Road, Beaumaris (Proposed HO818).....	32
3.11	Mollar House, 28 Towers Street, Beaumaris (Proposed HO820)	34
3.12	Pike House, 165-167 Tramway Parade, Beaumaris (Proposed HO791).....	36
3.13	Deutscher House, 175-177 Tramway Parade, Beaumaris (Proposed HO824)	39
3.14	Mew House, 13 Fifth Street, Black Rock (Proposed HO829).....	42
3.15	Abrahams House, 21 Dudley Street, Brighton (Proposed HO833).....	44
3.16	Mylius House, 9 Wolseley Grove, Brighton (Proposed HO841).....	47
3.17	1-4/16 Gillard Street, Brighton East (Proposed HO845)	50
3.18	Patrick House, 19 Olympic Avenue, Cheltenham (Proposed HO849)	55
3.19	Spedding House, 27 Bolton Avenue, Hampton (Proposed HO850).....	57



4 CONCLUSION 61

ATTACHMENTS

ATTACHMENT 1 - RECOMMENDED AMENDMENTS TO EXHIBITED DOCUMENTATION

ATTACHMENT 2 - GJM RESPONSE TO SUBMISSIONS



1 INTRODUCTION

1.1 Name and address of expert

- [1] James (Jim) Maitland Gard'ner, Director, GJM Heritage, Level 4, 182 Victoria Parade, East Melbourne, Victoria 3002.

1.2 Expert's qualifications and experience

- [2] I hold a Bachelor of Building Science and an honours degree in Architecture from Victoria University of Wellington (New Zealand), a post graduate diploma in building conservation from the Architectural Association of London and a graduate certificate in visual arts from Harvard University. I am registered with the Architects' Registration Board of Victoria (16044) and am a member of the Australian Institute of Architects, the Victorian Planning & Environmental Law Association, Docomomo Australia and Australia ICOMOS (International Council on Monuments and Sites).
- [3] I have practiced as an architect on heritage buildings and new design projects in New Zealand and the United Kingdom, and have specialised in heritage conservation since 1997. I have worked as Project Architect on commercial projects in the World Heritage Listed City of Bath, and, as a Historic Buildings Architect at English Heritage, I provided technical and regulatory advice on a diverse range of heritage places including Stonehenge, Bolsover Castle, Derbyshire and the Wellington Arch in London. At the National Trust of Australia (Victoria) I led the classification of heritage places on the National Trust Register and the development of responses to heritage and planning permit applications.
- [4] In my role as the Director, Strategy and Policy and then as the Executive Director at Heritage Victoria I developed and implemented heritage policy and guidance to assist in the interpretation of the provisions of the *Heritage Act 1995* including in relation to: the assessment of 'reasonable or economic use' under s73(1)(b) of the Heritage Act; *Victoria's Framework of Historical Themes*; *The Victorian Heritage Register Criteria and Threshold Guidelines*; and the *Victorian Government Cultural Heritage Asset Management Principles*. I previously Chaired the Royal Exhibition Building and Carlton Gardens World Heritage Steering Committee and have been a member of the Heritage Chairs and Officials of Australia and New Zealand. From 2012-15 I held the position of Executive Director, Statutory Planning and Heritage in the Victorian State Government where I administered the *Environment Effects Act 1978* (Vic) and advised the Minister for Planning on planning scheme amendments and permit decision making under the *Planning and Environment Act 1987* (Vic).
- [5] As an independent heritage consultant, I have advised on heritage assessment, management and works to heritage places including private dwellings, places of worship, institutional and commercial buildings, and

industrial properties. I continue to advise local and State Governments on statutory planning approvals and strategic planning matters, and have undertaken place-specific assessments as well as heritage studies for broader areas and precincts. I have experience and expertise in formulating and implementing policy and controls for heritage places.

1.3 Statement identifying the expert's areas of expertise to make this report

- [6] I am expert in the assessment of cultural heritage significance of historic heritage places, the administration of legislation to regulate and manage historic heritage places and objects, and in providing advice and preparing documentation to support conservation and redevelopment of heritage places.
- [7] As Executive Director, Heritage Victoria under the Heritage Act I have been the independent statutory decision maker for making recommendations to the Heritage Council to include or not include places and objects on the Victorian Heritage Register and for determining heritage permits for works to heritage places and objects, and consents for the disturbance or destruction of historical archaeological sites.
- [8] As a consultant I have prepared numerous heritage assessments, heritage studies, and Heritage Impact Statements for places of local and State-level significance, and have provided independent peer review of heritage assessments and development proposals on behalf of local planning authorities.
- [9] I have provided expert evidence to VCAT, Planning Panels Victoria, Heritage Council of Victoria and the Independent Commissioners (New Zealand) under the instruction of private property owners, developers and local government.

1.4 Statement identifying other significant contributors to the report

- [10] This report was prepared by me with the assistance of Renae Jarman, Director, and Jessi Briggs, Associate, GJM Heritage. The views expressed in this report are my own.

1.5 The identity and qualifications of the person who carried out any tests or experiments upon which the expert relied in making the report

- [11] No tests or experiments were relied upon in making this report.

1.6 Relationship between the expert witness and the client

[12] Outside of providing heritage advice on various matters, there is no private or business relationship between myself and Bayside City Council (Council) or Harwood Andrews Lawyers.

1.7 Instructions

[13] On 1 November 2023, I received written instructions from Ms Kim Piskuric, Principal of Harwood Andrews Lawyers to:

1. Review a brief of documents;
2. Undertake any additional site inspections of the Nominated Properties as necessary to inform my expert opinion;
3. Prepare a memorandum of advice which considers and responds to issues raised in submissions as relevant to my area of expertise, including whether I recommend any changes to the Amendment in response to issues raised in submissions;
4. Prepare an expert witness statement which:
 - a. Outlines my involvement in the preparation of the Heritage Study;
 - b. Describes the methodology adopted in the preparation of the Heritage Study;
 - c. Sets out my opinion on the merits of the Amendment, including whether it is an accurate implementation of the findings and recommendations of the Heritage Study in respect of the Nominated Properties;
 - d. Considers and responds to issues raised in submissions as relevant to my area of expertise;
 - e. Considers and responds to any post-exhibition changes proposed by Council in response to issues raised in submissions; and
 - f. Identifies any outstanding issues raised in submissions that I recommend be addressed by way of further post-exhibition changes.

I was instructed that my evidence must comply with Planning Panels Guide to Expert Evidence.

1.8 Reports and documents relied upon

[14] I have principally relied upon the *City of Bayside Post-War Modern Residential Heritage Study* (Volumes 1-3), GJM Heritage, July 2022 ('the Study') to inform the preparation of this evidence. I adopt the exhibited version of the Study for the purposes of this Panel hearing, subject to any departures from the study findings and recommendations as outlined in this evidence.

[15] The documents I have relied upon in the preparation of my evidence are:

- Amendment documentation in relation to C192bays including:
 - Explanatory Report
 - Instruction Sheet
 - Clause 15.03
 - Schedule to Clause 43.01
 - Schedule to Clause 72.04
 - Schedule to Clause 72.08
 - Exhibited Heritage Overlay Maps
 - Exhibited Incorporated Documents (Statements of Significance)
- *City of Bayside Inter-War & Post-War Heritage Study* prepared by Heritage Alliance, 2008-2010.
- Extracts from 19 July 2022 Council Meeting Minutes.
- Submissions received in respect of C192bays (33 plus one late submission).
- *Structural Assessment 165-167 Tramway Parade, Beaumaris* (Barrason's Engineers, 2 May 2022)
- *Forensic Building Investigation Report* (for Bayside City Council by Structerre Consulting, 2 October 2023) (in respect of 165-167 Tramway Parade, Beaumaris)
- *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018) (PPN1)
- *Planning Panels Victoria Practice Note 1: Expert Evidence*
- Panel Report: Stonnington PSA C270ston [2018] PPV
- Panel Report: Melbourne PSA C387melb [2021] PPV.
- Panel Report: Stonnington PSA C320ston [2023] PPV
- Panel Report: Greater Bendigo PSA C275gben [2023] PPV.

1.9 Facts, matters and assumptions upon which statement proceeds

[16] During consultation on the draft Study (2022), I visited each of the properties recommended for inclusion in the Heritage Overlay (on-site where permitted by owners).

[17] On 24 November, 18 December 2023 and 5 February 2024, I undertook further external inspections of the properties subject to specific objecting submissions (on-site where permitted by owners). It is my assumption that

further changes have not occurred to the properties since the most recent of my inspections occurred.

1.10 Any questions falling outside the expert's expertise

[18] No questions have been raised that fall outside my expertise.

1.11 Summary opinion

[19] It is my view that:

- The post-war period was one which radically transformed what is now the City of Bayside, converting it from a predominantly rural landscape to a completely urbanised one. At the same time, Modernist design was being embraced by architects and designers as the embodiment of the forward-looking optimism of the post-war era, with the Bayside area proving to be a focal point for Modernist architecture in Melbourne. It is appropriate for the importance of this place type to be recognised in the Heritage Overlay of the Bayside Planning Scheme.
- The exhibited documentation for Planning Scheme Amendment C192bays appropriately reflects the majority of the recommendations made in the *City of Bayside Post-War Modern Residential Heritage Study* (July 2022) ('the Study') prepared by GJM Heritage through the inclusion of fifty-nine (59) individual residential properties and one (1) residential group within the Heritage Overlay of the Bayside Planning Scheme.
- The exhibited documentation for Planning Scheme Amendment C192bays does not include twenty-eight (28) places recommended for inclusion in the Heritage Overlay in the Study as a result of a resolution of Council on 19 July 2022. It remains my view that these places also warrant inclusion in the Heritage Overlay of the Bayside Planning Scheme. Having said that, I understand that these properties are not subject to C192bays.
- Following consideration of submissions received during exhibition of C192bays and completion of further site inspections, it is my view that:
 - 'Mylius House', 9 Wolsely Grove, Brighton be removed from Amendment C192bays;
 - 'Mew House', 13 Fifth Avenue, Black Rock be removed from Amendment C192bays;
 - 'Deutscher House', 175-177 Tramway Parade, Beaumaris be removed from Amendment C192bays;
 - 'Spedding House', 27 Bolton Avenue, Hampton be removed from Amendment C192bays;

- 'Andrews House' 78 Scott Street, Beaumaris be removed from Amendment C192bays;
- The Statement of Significance and Heritage Citation for the 'Bellaire Court Estate' group listing be amended to remove the property 9 Bellaire Court, Beaumaris (see Attachment 1);
- The Heritage Citation for 'Gooch House', 19 Haywood Street, Beaumaris be amended to include reference to the introduction of the stacked stone cladding to small sections of the façade; the Heritage Citation and Statement of Significance be updated in respect of Criterion D to replace the reference to Brighton with Beaumaris (see Attachment 1).
- The Statement of Significance and Heritage Citation for 15 Mariemont Avenue, Beaumaris be amended to reference alterations to the property (see Attachment 1);
- The Statement of Significance and Heritage Citation for 'Kirk House', 82 Reserve Road, Beaumaris be amended to delete Criterion H and to reflect recent alterations made to the property (see Attachment 1);
- The Statement of Significance and Heritage Citation for the Flats at 1-4/16 Gillard Street, Brighton East be amended to reference alterations to the property (see Attachment 1); and
- The implementation of part of the Study through Amendment C192bays contributes to fulfilling the objectives of Section 4(1)(d) of the *Planning and Environment Act 1987* and Clause 15.03-1S 'Heritage Conservation.'
- The Study has been conducted in accordance with the guidance set out in PPN1.
- Subject to the changes recommended in my evidence and set out in Attachment 1, it is my view that Amendment C192bays should be adopted and implemented.

1.12 Declaration

[20] I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.



Jim Gardner, Director - GJM Heritage

2 BACKGROUND

2.1 Heritage Study

- [21] Amendment C192bays seeks to partially implement the recommendations of the *City of Bayside Post-War Modern Residential Heritage Study* (July 2022) ('the Study'), prepared by my office.
- [22] Council engaged GJM Heritage in December 2020 to undertake the Study. The purpose of the Study was to identify Modernist residential buildings and precincts constructed within the municipality in the post-war period (between 1945 and 1975) and to determine whether they satisfy the threshold for local heritage significance and inclusion in the Heritage Overlay of the Bayside Planning Scheme.
- [23] The detailed background and context for the Study is documented in Volume 1 of the Study (pp5-7).
- [24] The purpose of the Study was to identify residential properties that demonstrate the radical post-war transformation of the built, social and economic environment of the former municipalities of Brighton and Sandringham (now the City of Bayside), converting it from a predominantly rural landscape to a completely urbanised one within 30 years. The post-war years saw Modernist architectural design embraced by young architects and designers as the embodiment of the forward-looking optimism of the post-war era, with the ability to produce much-needed housing quickly and at a relatively low-cost. The Bayside area proved to be a focal point for Modernist architecture in Melbourne with designers and architects drawn to the area, including to design and construct their own houses. It is appropriate for the historic and architectural importance of the Post-War Modernist house place type to be recognised in the Heritage Overlay of the Bayside Planning Scheme.
- [25] Completion of the Study occurred in two key stages. The first stage involved:
- A comprehensive review of heritage documentation, HERMES heritage database records, non-statutory heritage registers and lists, previous heritage studies and recommendations, and property data for the municipality which listed all extant residential properties (as at 9 December 2020) within the City of Bayside that were constructed between 1945 and 1975, according to Council valuation data. Also reviewed were contemporary architectural and design publications and secondary sources focusing on post-war and Modernist architecture and/or the municipality.
 - The preparation of the *Contextual History: Post-War Modernism in the City of Bayside* (Volume 2 of the Study), which builds on the Thematic Environmental Histories contained within the *City of Bayside Heritage Review* (Allom Lovell & Associates, 1999, as revised) and the *City of Bayside Inter-War and Post-War Heritage Study*

(Heritage Alliance, 2008). The Contextual History helps to clearly place the Modernist movement within the City of Bayside's post-war developmental history, thereby providing a framework for the identification and assessment of Post-War Modernist places.

- Completion of desktop fieldwork for the entire municipality and on-site inspections of places identified through the desktop fieldwork to develop a list of places warranting further, more detailed heritage assessment.

[26] The second stage of the Study comprised detailed heritage assessments of 128 individual properties and three (3) potential precincts identified in the first stage. Assessments were completed in accordance with PPN1, with the methodology detailed in Section 3.8, Volume 1 of the Study (pp.10-14). During the course of the detailed assessments, four (4) further places were identified as warranting detailed assessment. The findings from the detailed assessment process are summarised in Section 4 'Findings & Recommendations' of Volume 1 of the Study, with the detailed assessments contained in Volume 3.

[27] It is noted that the Study was undertaken during the Covid-19 pandemic and this impacted access to some historical materials, including some historic building plans held by Council which were not accessible at the time.

[28] Consultation on a draft of the Study was led by Council from early February 2022 to the end of April 2022, with GJM in attendance for virtual and on-site meetings with owners and stakeholders when requested. All feedback received by Council was reviewed by GJM and Heritage Citations and Statements of Significance were updated where appropriate. As a result of the consultation process, eleven (11) places that were originally assessed as meeting the threshold for local significance were found not to warrant inclusion in the Heritage Overlay. Information provided by property owners and/or on-site meetings confirmed that the level of change to these properties had impacted their integrity to the extent that they were no longer considered to meet the threshold for inclusion in the Heritage Overlay.

[29] The detailed heritage assessment and community consultation process resulted in the recommendation for eighty-seven (87) places and one (1) group to be included in the Heritage Overlay of the Bayside Planning Scheme.

[30] My specific involvement in the Study comprised reviewing and confirming the findings and recommendations of the Study and undertaking on-site and virtual meetings with owners and stakeholders during consultation on the draft Study.

[31] On 19 July 2022, Council considered the Study and determined to seek authorisation to exhibit Amendment C192bays subject to the deletion of twenty-eight (28) properties from the Amendment.

[32] Amendment C192bays was subsequently exhibited between 7 September and 19 October 2023.

[33] It is my view that the exhibited Amendment C192bays documentation appropriately reflects the recommendations made in our Study in respect of fifty-nine (59) individual residential properties and one (1) residential group. I note that I remain of the view that the twenty-eight (28) properties removed from the Amendment by Council also warrant inclusion in the Heritage Overlay of the Bayside Planning Scheme.

2.2 Submissions Received

[34] In response to exhibition of Amendment C192bays, Council received 33 submissions, plus one late submission: four (4) supporting the Amendment, and thirty (30) objecting to the Amendment.

[35] A number of submissions raise issues that are not related to heritage significance. Submission Numbers 11, 13, 15, 18, 19, 20, 25, 27, 28, 30 and the late submission raise the following matters:

- Inclusion in the Heritage Overlay should be voluntary;
- The Amendment places unreasonable limitations to future development opportunities for property owners;
- Adverse impacts on the re-sale value of properties; and
- Properties are in poor condition.

[36] These matters are not discussed further in this evidence due to well-established precedence set by other Panel findings that these matters are not relevant in the consideration of whether a place is of heritage significance and should have the Heritage Overlay applied. Rather, they are matters to be balanced at the time of applying for a Planning Permit for alterations or redevelopment. The key matter addressed as part of this evidence is whether the heritage places demonstrate one or more of the PPN1 heritage criteria at the local level and warrant inclusion in the Heritage Overlay.

[37] Submissions that raise heritage objections in respect of specific properties are:

Submission Number	Proposed/ Interim HO Number	Place Name	Property Address	Locality
32	HO853	Bellaire Court Estate Group Listing	4 Bellaire Court	Beaumaris
12	HO853	Bellaire Court Estate Group Listing	9 Bellaire Court	Beaumaris
10	HO799	Nissen House	56 Cloris Avenue	Beaumaris
6	HO801	Stegley House	86 Dalgetty Road	Beaumaris
5	HO806	Gooch House	19 Haywood Street	Beaumaris

Submission Number	Proposed/ Interim HO Number	Place Name	Property Address	Locality
9	HO811	-	15 Mariemont Avenue	Beaumaris
16	HO813	Fermanis House	1 Reid Street	Beaumaris
3, 4	HO814	Kirk House	82 Reserve Road	Beaumaris
26	HO817	Andrews House	78 Scott Street	Beaumaris
21	HO818	Weate House	11 Summerhill Road	Beaumaris
15	HO820	Mollar House	28 Towers Street	Beaumaris
28	HO791	Pike House	165-167 Tramway Parade	Beaumaris
17	HO824	Deutscher House	175-177 Tramway Parade	Beaumaris
3, 7, 22	HO829	Mew House	13 Fifth Street	Black Rock
31	HO833	Abrahams House	21 Dudley Street	Brighton
3, 14	HO841	Mylius House	9 Wolseley Grove	Brighton
2, 24	HO845	-	1-4/16 Gillard Street	Brighton East
27	HO849	Patrick House	19 Olympic Avenue	Cheltenham
23	HO850	Spedding House	27 Bolton Avenue	Hampton

These submissions are discussed in detail in Section 3 of this evidence.

[38] Council requested GJM Heritage to provide advice on the parts of the submissions that required a technical heritage response or which related to the approach taken in completing the Study. My office's advice (prepared by myself and Renae Jarman) was provided to Harwood Andrews on 21 December 2023 and is provided as Attachment 2 to this evidence.

3 RESPONSE TO OBJECTING SUBMISSIONS

[39] This section of my evidence responds to heritage-related objections received during exhibition. Responses are ordered alphabetically by suburb and then by street name and – with the exception of the Bellaire Court Estate – follow the order they appear in the Study for ease of reference.

3.1 4 Bellaire Court, Beaumaris ('Bellaire Court Estate' Group Listing) (Proposed HO853)



Figure 1. 4 Bellaire Court, Beaumaris

(Source: GJM Heritage, December 2023).

[40] 4 Bellaire Court is proposed to be included as part of the 'Bellaire Court Estate' group listing. The property is one of a group of extant and highly intact Post-War Modernist houses designed and constructed within the Court between 1962 and 1968 by Martin Sachs.

[41] The exhibited Statement of Significance identifies the group as being locally significant for the following reasons:

Designed and built between 1962 and 1968 by prominent builder Martin Sachs, the houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are illustrative of post-war suburban development in the City of Bayside, when a large number of Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture and its design principles. Beaumaris in particular appealed to many architects, designers and homemakers who were drawn to settle on low-cost, but attractive land and the suburb become a centre of Modernist residential housing in the post-war period. The group of houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris make a strong contribution to this important phase in the development of the City of Bayside. (Criterion A)

The houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are notable as a substantially intact representative group of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed and built by Martin Sachs, the houses display a range of characteristics that are typical of Post-War

Modernist housing from this period in Beaumaris and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like form with horizontal emphasis, flat roofs with broad eaves and deep fascias, expansive timber-framed glazing including full height windows, and prominent integrated carports. (Criterion D)

The houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are of aesthetic significance as a substantially intact collection of well-resolved and carefully detailed examples of suburban houses constructed in the Modernist style. Designed and built by renowned builder Martin Sachs in the 1960s, the houses are characterised by their similar forms and architectural expression, and their refined detailing. They demonstrate the key aesthetic qualities of Modernist design in the City of Bayside to a high standard. (Criterion E)

[42] Submitter 32 objects to the Amendment for the following heritage reasons:

- The heritage importance of Bellaire Court and Martin Sachs is questioned given that they are not mentioned in Volume 2 of the Study, *Contextual History: Post-War Modernism in the City of Bayside*. The absence mention in Volume 2, coupled with a group listing, results in an overstatement of the significance of the property.
- The Estate shows very little cohesion, is not a collection as stated in the heritage citation and is a weak example of the attributions of what Criterion E represents.
- Alterations to the property include partial removal of asbestos eaves, construction of a small kitchen addition, replacement of some windows and doors, and replacement of the roof. These non-contributory alterations should be listed in the Statement of Significance and citation to avoid doubt.

[43] The Contextual History (Volume 2 of the Study) provides a broad history of post-war residential development in Bayside to contextualise the economic, social and architectural trends that led to the type and form of development that arose at the time. It is not – nor is it intended to be – a comprehensive gazetteer of every architect or builder operating in Bayside at the time and their related properties. The extant Martin Sachs designed and constructed properties in Bellaire Court clearly illustrate the history and principles of Post-War Modernism discussed in the Contextual History.

[44] As a group listing – rather than a heritage precinct - it is accepted that there is limited visual cohesion within the Estate. Visual cohesion is not asserted under the assessment against Criterion E. The properties do form a collection of Post-War Modernist properties, designed and constructed by the one person within a short space of time. This grouping is considered to be highly consistent with the guidance provided in PPN1, which states:

Places that share a common history and/or significance, but which do not adjoin each other or form a geographical grouping may be

considered for treatment as a single heritage place...The group approach has also been used for the former Rosella Factory Complex in the Yarra Planning Scheme. This important factory complex had become fragmented through replacement development making it hard to justify a precinct listing. The group listing, with a single Heritage Overlay number, has meant that the extent and significance of the complex can still be appreciated.

[45] The changes to 4 Bellaire Court are largely contained to the side and rear of the property or have been undertaken in a sensitive manner (for example, the replacement roof is of a very low pitch in order to achieve current code compliance but is consistent with the original aesthetic of the house). The building continues to clearly demonstrate its original form and design intent and is still considered to contribute the significance of the 'Bellaire Court Estate' group.

[46] It is therefore my position that the property should remain as part of the 'Bellaire Court Estate' group and that it should be included in the Heritage Overlay of the Bayside Planning Scheme.

3.2 9 Bellaire Court, Beaumaris ('Bellaire Court Estate' Group Listing) (Proposed HO853)



Figure 2. 9 Bellaire Court

(Source: GJM Heritage, December 2023).

[47] 9 Bellaire Court is also proposed to be included as part of the 'Bellaire Court Estate' group listing. The property is one of a group of extant Post-War Modernist houses designed and constructed within the Court between 1962 and 1968 by Martin Sachs.

[48] The exhibited Statement of Significance is set out in Section 3.1 above.

[49] Submitter 12 objects to the Amendment for the following heritage reasons:

- The original external detailing has been significantly altered and there is not a high level of integrity to the original design as a result.
- Modernist materials have been permanently altered, such as the brick façade being rendered.

- The group or serial listing is not justified – a common period of construction or developer is insufficient to justify the application.

[50] I note that 9 Bellaire Court was rendered prior to exhibition of Amendment C192bays. This is an unfortunate outcome for the building. While it was my view prior to exhibition that the form and detailing (with respect to its expansive glazing, flat roof, deep fascias and integrated carport) remained legible and that the property was still considered to contribute the significance of the Bellaire Court Estate group, I have now reconsidered this position.

[51] This revised position has been partly informed by my involvement in other, subsequent, heritage matters including a recent review of the Contemporary Homes Group listing for Maroondah Council (Amendment C148moro) where the rendering of recommended buildings was a key matter considered. The consistent expert opinion (including mine) was that complete rendering of a post-war building typically compromised its integrity to the point that it was no longer appropriate to apply the Heritage Overlay. In light of that, it is my view that the rendering of 9 Bellaire Court has adversely impacted its significance and that its inclusion as part of the proposed group listing is no longer warranted.

[52] Other changes identified by the owner are considered to be minor and did not impact on the assessed significance of the property.

[53] It is therefore my position that the property should be removed from the 'Bellaire Court Estate' Group Listing.

[54] I recommend that the Statement of Significance and Heritage Citation for the 'Bellaire Court Estate' Group Listing be amended to remove 9 Bellaire Court, Beaumaris as provided at Attachment 1 to this evidence.

3.3 'Nissen House', 56 Cloris Avenue, Beaumaris (Proposed HO799)



Figure 3. Eastern part of the street (north) elevation, 56 Cloris Avenue (Source: GJM Heritage, November 2023).



Figure 4. Western part of the street (north) elevation, 56 Cloris Avenue (Source: GJM Heritage, November 2023).

[55] 56 Cloris Avenue, Beaumaris is proposed to be included as an individual place within the Heritage Overlay. The property is a post-war split-level brick house with clerestory windows, expansive timber-framed glazing to private open space and an integrated carport (now enclosed), constructed in the Modernist style.

[56] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1961 to a design by architect Bernard K Hanmer, Nissen House at 56 Cloris Avenue, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside suburb of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. Nissen House clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

Nissen House also has clear associations with the concentration of post-war residential development that occurred in Beaumaris in the 1950s and 60s following the release of an extensive tract of land owned by the Dunlop-Perdieu Company. When the land was offered for sale, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne. Constructed on a vacant allotment purchased from the Dunlop-Perdieu Estate, Nissen House clearly illustrates this important phase of development in Beaumaris (Criterion A).

Nissen House at 56 Cloris Avenue, Beaumaris is a substantially intact representative example of a Modernist suburban house constructed in the post-war period in the City of Bayside. Designed by architect Bernard K Hanmer, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including site-specific orientation, rectangular planning, box-like form with horizontal emphasis, shallow-pitched skillion roofs and associated clerestory glazing, expansive timber-framed glazing to provide open space, a contrasting solid chimney element to the front elevation, and the use of materials such as a narrow textured grey brick (Criterion D).

Nissen House at 56 Cloris Avenue, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect Bernard K Hanmer and featured in Australian House & Garden soon after its construction, the house is characterised by its split-level design with prominent band of north-facing clerestory windows, and its refined detailing. Nissen House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[57] Submitter 10 objects to the Amendment because the house has undergone significant renovations including a two-storey extension, conversion of the original carport into an interior room and exterior colour change.

[58] These alterations are noted in the Heritage Citation for the place, which concludes:

While the carport has been enclosed, the brickwork has been overpainted and a rear extension constructed to the south of the original building, the original form and detailing of the house remains sufficiently intact to be understood and appreciated as an example of a 1960s house built in the Post-War Modernist style.

[59] Further, I note these alterations appear to be relatively superficial and easily reversible. It is therefore my position that the property should be included in the Heritage Overlay of the Bayside Planning Scheme.

3.4 'Stegley House', 86 Dalgetty Road, Beaumaris (Proposed HO801)



Figure 5. 86 Dalgetty Road

(Source: GJM Heritage, November 2023).

[60] The Robin Boyd designed house at 86 Dalgetty Road is proposed to be included as an individual place within the Heritage Overlay.

[61] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1955 to a design by renowned architect Robin Boyd, Stegley House at 86 Dalgetty Road, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside suburb of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. Stegley House at 86 Dalgetty

Road clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

Stegley House also has clear associations with the concentration of post-war residential development that occurred in Beaumaris in the 1950s and 60s following the release of an extensive tract of land owned by the Dunlop-Perdieu Company. When the land was offered for sale, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne. Constructed on a vacant allotment purchased from the Dunlop-Perdieu Estate, Stegely House at 86 Dalgetty Road clearly illustrates this important phase of development in Beaumaris (Criterion A).

Stegley House at 86 Dalgetty Road, Beaumaris is a substantially intact representative example of a Modernist suburban house constructed in the post-war period in the City of Bayside. Designed by architect Robin Boyd, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including site-specific orientation, low box-like forms with horizontal emphasis, shallow-pitched metal-clad flat roofs with deep fascia, expansive timber-framed glazing including a north-facing window wall, concealed and recessed entry, prominent integrated carport, high brick front wall forming a private courtyard and bagged and white painted brick walls. A highly sensitive addition to the south does not detract from the key design characteristics of the original house (Criterion D).

Stegley House at 86 Dalgetty Road, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by renowned architect Robin Boyd in part as a means of testing the viability and potential of the Stegbar modular structural window framing system, the house is characterised by its emphasis on privacy and its refined detailing. Stegley House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[62] Submitter 6 objects to the Amendment due to the additions made to the southern end of the property from 2016, which substantially increased the footprint of the building, in addition to a semi-enclosed barbeque area constructed on the deck.

[63] I note that the 2016 additions to the south were known at the time of the assessment and are documented in the Heritage Citation for the place, which concludes:

Despite the addition of a sensitively sited extension to the south, the house remains substantially intact and retains the ability to be understood and appreciated as an example of a 1950s house built in the Post-War Modernist style. (p166, Vol 3)

[64] Stegley House – built by Brian Stegley, co-founder of Stegbar – is an important Robin Boyd designed property, which incorporates a modular window wall launched by Stegbar in collaboration with Boyd. It is my view that the property continues to warrant inclusion in the Heritage Overlay.

3.5 Gooch House, 19 Haywood Street, Beaumaris (Proposed HO806)



Figure 6. 19 Haywood Street

(Source: GJM Heritage, November 2023).



Figure 7. 19 Haywood Street - detail showing locations of stacked stone veneer finish (indicated)

(Source: GJM Heritage, November 2023).

[65] The Clarke Hopkins Clarke designed house at 19 Haywood Street is proposed to be included as an individual place within the Heritage Overlay.

[66] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1969-70 to a design by architects Clarke Hopkins Clarke, the Gooch House at 19 Haywood Street, Beaumaris is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality for those with an appreciation for Modernist architecture, its design principles, and the value of employing an architect. Beaumaris in particular appealed to many architects, designers and homemakers who were drawn to settle on low-cost,

but attractive land and the suburb became a centre of Modernist residential housing in the post-war period. Gooch House at 19 Haywood Street makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).

Gooch House at 19 Haywood Street, Beaumaris is notable as a substantially intact representative example of a Modernist suburban house constructed in the post-war period in the City of Bayside. Designed by architects Clarke Hopkins Clarke, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Brighton (sic) [Beaumaris] and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like forms with horizontal emphasis, flat roof extending to broad eaves extending to deep fascias above windows, expansive glazing including full-height windows to the north, prominent integrated carport, and recessed entry (Criterion D).

Gooch House at 19 Haywood Street, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by renowned architects Clarke Hopkins Clarke, the house is characterised by its low-profile and muted presentation to the street, its orientation to maximise the northern aspect, and its refined detailing. Gooch House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[67] Submitter 5 objects to the Amendment for the following reasons:

- A significant renovation occurred in 1987 involving the entire back end of the property being demolished and a new addition constructed.
- Substantial works occurred to the front of the house, including installation of stacked stone cladding beside the front door and above the master bedroom window. These features are not original.
- Internal alterations were undertaken.
- The property is not located in a traditional heritage area.
- Other Clarke Hopkins Clarke properties are not recommended (2 Ballara Court, Brighton; 14 Cavell Court, Beaumaris; 2 Ramsay Street, Brighton; 25 Billson Street, Brighton East).
- 19 and 54 Haldane Street, 1 Hutchinson Street, 9 Coreen Avenue, and 132 Tramway Parade, Beaumaris are similar to the subject property but have been removed from the amendment.

[68] The 1987 rear alterations were known at the time of completing the assessment. The works are confined to the rear-most portion of the building and are not visible from the street. They have no impact on the assessed significance of the place. No internal controls are proposed and

any internal changes that have occurred do not impact the assessed significance of the place.

- [69] It is acknowledged that two timber lintels to the street elevation and panelling to the side of the front door has been clad with a stacked stone veneer. While an alteration to the original fabric of the building, it is considered to be a relatively minor change that doesn't fundamentally alter the original design intent or legibility of the house or diminish its intactness to the extent that it no longer should be considered for inclusion in the Heritage Overlay. Accordingly, it is recommended that the Intactness/Integrity section of the Heritage Citation be amended to include reference to the introduction of the stacked stone cladding (see Attachment 1).
- [70] Other Clarke Hopkins Clarke designed residences at 2 Ballara Court, Brighton, 14 Cavell Court, Beaumaris, 2 Ramsay Street, Brighton and 25 Billson Street, Brighton East have either been demolished and replaced with a new build or have been substantially altered to the extent that their original form is no longer readily discernible. This enhances, rather than diminishes, the heritage value of the subject site as a remaining, substantially intact example of a Clarke Hopkins Clarke designed residence.
- [71] It is noted that 19 and 54 Haldane Street, 1 Hutchinson Street, 9 Coreen Avenue and 132 Tramway Parade, Beaumaris have been removed from Amendment C192bays. This occurred following a resolution of Council prior to exhibition of the amendment and was not based on GJM's heritage advice. It remains our view that these properties removed from the C192bays meet the threshold for local heritage significance.
- [72] It is my view that the property continues to warrant inclusion in the Heritage Overlay of the Bayside Planning Scheme and that a minor correction be made to the assessment against Criterion D and Statement of Significance to replace the reference to Brighton with Beaumaris.

3.6 15 Mariemont Avenue, Beaumaris (Proposed HO811)



Figure 8. 15 Mariemont Avenue

(Source: GJM Heritage, November 2023).



Figure 9. 15 Mariemont Avenue
– later window indicated

(Source: GJM Heritage,
November 2023).

- [73] The John Baird designed house at 15 Mariemont Avenue is proposed to be included as an individual place within the Heritage Overlay.
- [74] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1955 to a design by architect John Baird, the house at 15 Mariemont Avenue, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside suburb of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. The house at 15 Mariemont Avenue clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

The house at 15 Mariemont Avenue is notable as a fine and substantially intact representative example of Modernist suburban house constructed in the post-war period in the City of Bayside. Designed by architect John Baird, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including its site-specific orientation, rectangular planning, elevated presentation to the street frontage with horizontal emphasis, prominently sited and integrated carport, expansive timber-framed glazing, shallow-pitched gable roof, expressed structural elements including wing walls, vertical posts and concrete slab, brick construction and the extensive use of volcanic rock retaining walls for landscaping (Criterion D).

The house at 15 Mariemont Avenue is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect John Baird, the house is characterised by its bold elevated street frontage and its

refined detailing. 15 Mariemont Avenue is set within an integrated landscaped setting comprising substantial volcanic rock retaining walls and a native garden. 15 Mariemont Avenue remains as a refined and substantially intact example of John Baird's body of work within the municipality (Criterion E).

[75] Submitter 9 objects to the Amendment for the following reasons:

- Substantial alterations have occurred, including to windows, the balcony, stairwell, front door location, volcanic rock retaining wall and driveway.

- The 2008 *City of Bayside Inter-War & Post-War Heritage Study* noted that:

The Mariemont Ave houses are of more interest as a cohesive group, rather than individual specimens. Taken individually, they can mostly be considered as representative examples of the work of their respective architects or styles, rather than particularly outstanding ones..."

- The property is now being 'singled out'.
- Other properties represent Baird's work, along with written histories.

[76] The alterations to the front façade (comprising insertion of a window into the easternmost bay and replacement of first floor balustrading) were known at the time of the assessment and are noted in the Heritage Citation for the place, which concludes that, despite these modifications, the house remains substantially intact to its period of construction and retains the ability to be clearly understood and appreciated as an example of a 1950s house built in the Post-War Modernist style.

[77] It is acknowledged that in the 2008 *City of Bayside Inter-War & Post-War Heritage Study* the property formed part of the recommended 'Mariemont Avenue Precinct', comprising six 'significant' graded properties and five 'non-contributory' properties. 15 Mariemont Avenue was graded 'significant'.

[78] 'Significant' places were defined in the study as follows:

Significant heritage places include buildings and surrounds that are individually important places of either state, regional or local heritage significance or are places that, together with an identified area, are part of the significance of a Heritage Overlay (p11 Vol 1, City of Bayside Inter-War & Post-War Heritage Study, Heritage Alliance, May 2008).

[79] In the intervening period, one 'significant' property has been demolished (No. 27) and one property has been subject to alterations that have diminished its intactness (No. 19). In reconsidering the remaining properties originally proposed to be included in the precinct, it was my view that No. 9 has been subject to too much alteration to warrant inclusion and that Nos. 17 and 25 would be considered 'contributory'

(rather than 'significant') within an intact precinct, but that the precinct no longer existed.

[80] No 15 was subject to an assessment in its own right, and it remains my view that the John Baird designed property satisfies Criteria A, D and E at the local level irrespective of the status or integrity of the other houses that originally made up the 'Mariemont Avenue Precinct' as proposed in 2008.

[81] It is acknowledged that other properties recommended for – or included in – the Heritage Overlay were also designed by John Baird (15 Hume Street, 22 Alfred Street, Beaumaris [HO405] and 7 Grandview Avenue, Beaumaris) but this does not preclude other examples of his work also being recommended for inclusion.

[82] It is my view that the property continues to warrant inclusion in the Heritage Overlay of the Bayside Planning Scheme. I recommend that the Statement of Significance for the property be amended to note the later changes as being non-contributory to the place as provided at Attachment 1 to this evidence.

3.7 Fermanis House, 1 Reid Street, Beaumaris (Proposed HO813)



Figure 10. 1 Reid Street

(Source: GJM Heritage, November 2023).

[83] The Chancellor and Patrick designed house at 1 Reid Street, Beaumaris is proposed to be included as an individual place within the Heritage Overlay.

[84] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1968 to a design by architects Chancellor and Patrick, Fermanis House at 1 Reid Street, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside suburb of

Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. Fermanis House clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

Fermanis House at 1 Reid Street, Beaumaris is notable as a substantially intact representative example of Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architects Chancellor and Patrick, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including rectangular planning, box-like form, roofs with broad eaves and exposed rafter ends to the north and south, expansive timber-framed glazing including full-height window walls, internal courtyards, high brick garden walls including raked wing walls and prominent, integrated double carport. The house also displays characteristics that are typical of a group of Post-War Modernist houses constructed in the late 1960s and early 1970s, including pitched roof forms with associated clerestory windows and the use of materials such as face brick, tile and dark stained timber (Criterion D).

Fermanis House at 1 Reid Street, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by renowned architects Chancellor and Patrick, the house is characterised by its bold presentation of gabled roof forms, prominent glazed belvedere, and its refined detailing. Fermanis House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[85] Submitter 16 objects to the Amendment for the following reasons:

- The front façade and carport have been altered from their original form.
- An original carport on the west side has been demolished and a new carport constructed.
- The roof has been reclad.
- Timberwork has been painted charcoal instead of brown.
- The rear balcony balustrade has been changed from glass and timber to timber and steel wire.
- The original front door has been replaced with a modern door.
- The dwelling is in a state of disrepair and requires major rectification works.

[86] The key changes to the building are the recladding of the roof and the works to the carport to repair failed timber members and provide increased structural support.

[87] It is acknowledged that the original fibre cement roofing tiles have been replaced with a more textured dark brown terracotta tile; however, the change is not considered to adversely affect the overall appearance or architectural intent of the property and has been noted in the 'Integrity/Intactness' section of the Heritage Citation. The western end of the carport has been reconstructed on a largely like-for-like basis, with the repair or replacement of timber members and the introduction of a new steel beam set within the carport to provide additional structural strength. This is considered an appropriate repair and structural remediation strategy for the property that has been undertaken in a manner that is consistent with the place's heritage values. Alterations to the rear balustrade are not considered to have an impact on the assessed significance of the property.

[88] The submitter has also provided photographs of poorly maintained timberwork throughout the property. General maintenance is important for all properties – regardless of their age or heritage status. The Heritage Overlay does not require a planning permit for maintenance and repair works which replace like-for-like using the same details, specification and materials. It is my view that repairs can be undertaken in a manner that is respectful of the place and will not compromise its heritage values.

[89] It is my view that the property continues to warrant inclusion in the Heritage Overlay of the Bayside Planning Scheme.

3.8 Kirk House, 82 Reserve Road, Beaumaris (Proposed HO814)



Figure 11. 82 Reserve Road

(Source: GJM Heritage, November 2023).

[90] The John Kirk designed house at 82 Reserve Road, Beaumaris is proposed to be included as an individual place within the Heritage Overlay.

[91] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Designed by architect John Kirk in 1961 as his own home, the house at 82 Reserve Road, Beaumaris is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-

designed Modernist houses were constructed across the municipality. Beaumaris in particular appealed to many architects and designers who were drawn to settle on available land that was low-cost, but attractive and provided the opportunity for architects to experiment with Modernist principles and new construction methodologies in their own residences. The suburb became a centre of Modernist residential housing in the post-war period. Kirk House makes a strong contribution to this important phase in the development of the municipality (Criterion A).

Kirk House also has clear associations with the concentration of post-war residential development that occurred in Beaumaris in the 1950s and 60s following the release of an extensive tract of land owned by the Dunlop-Perdieu Company. When the land was offered for sale, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne. Constructed on a vacant allotment purchased from the Dunlop-Perdieu Estate, Kirk House at 82 Reserve Road, Beaumaris clearly illustrates this important phase of development in Beaumaris (Criterion A).

Kirk House at 82 Reserve Road, Beaumaris is notable as a substantially intact representative example of Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architect John Kirk, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including a low box-like form with horizontal emphasis, rectangular planning, broad shallow-pitched gable roof which extends to form an integrated carport, broad eaves, expressed structural elements, and expansive timber-framed glazing including full-height windows (Criterion D).

Kirk House at 82 Reserve Road, Beaumaris is of aesthetic significance as a well resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect John Kirk, the house is characterised by its bold symmetrical frontage to Victor Street and its refined detailing. Kirk House demonstrates the key aesthetic qualities the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

Designed and constructed as his own residence, the house at 82 Reserve Road, Beaumaris has a special association with local architect and long-time Beaumaris resident John Kirk. Designed in 1961 for himself and his family, the Kirk family resided at 82 Reserve Road from 1961 until the late 2010s (Criterion H).

[92] Submitters 3 and 4 object to the Amendment for the following reasons:

- The contextual history, historical themes and place history are generic and not place-specific.
- The limited details provided on John Kirk raises questions in respect of the property's historical significance. Kirk has limited significance

to Bayside and there is no evidence of him having a meaningful career as an architect.

- There is no integrated carport, brick walls have been rendered or clad in colourbond and there is no dense native plantings, freestanding letter box or paved driveway.
- The property has asbestos inside and out and a leaking roof.

[93] Submitter 4 asserts that:

- Key features have been changed including enclosing of the carport, rendering face bricks, clearing gardens, demolishing the letterbox and removing the concrete driveway.
- Kirk is an unknown, unregistered architect.
- The Comparative Analysis is inadequate. Two of the properties in the analysis “do not meet the relevant threshold for inclusion in the heritage overlay”.
- The property does not meet Criterion A – it “has been previously assessed and rejected in earlier Bayside City Council Heritage Studies” and Kirk is “unremarkable and obscure”.
- The property does not meet Criterion D – the assessment “does not effectively demonstrate how the home or the designer meet the threshold for local significance...neither the home nor the designer holds any notable importance in relation to Bayside’s natural places or environmental considerations”.
- The property does not meet Criterion E – “the house displays ordinary and modest construction with subpar finishes, devoid of refined detailing”.
- The property does not meet Criterion H – there is no special association with Beaumaris and John Kirk other than he lived in the suburb for a number of years.

[94] It is agreed that the contextual history and historic themes are generic insofar as they relate to the municipality as a whole and are not place-specific. Their purpose is to provide a broad – municipal-wide – historical context for the consideration of individual places. Conversely, the place history specifically deals with the subject property and is not generic.

[95] Having further considered the limited information available on John Kirk’s career – and in light of further guidance provided on the application of Criterion H through the Planning Panel report for Amendment C320ston – I agree that the place does not satisfy Criterion H for its association with owner-designer John Kirk. It is my view that the Statement of Significance and associated Heritage Citation should be updated to delete Criterion H.

[96] It is noted that some changes have occurred to the property since its assessment. This includes:

- Partial enclosure of the integrated carport with slatted vertical timber battens and horizontally laid corrugated Colorbond; and

- Removing the concrete driveway, letterbox and some garden plantings.

[97] Submission 4 asserts that face bricks have been rendered, however, it appears instead that the brickwork to the western end of the principal (Victor Street) façade has been clad with fibre cement sheeting, which has an applied textured finish (see image below).



Figure 12. Detail of fibre cement sheeting, which has an applied textured finish

(Source: GJM Heritage, November 2023).

[98] While the changes are unfortunate, it is my view that they have not fundamentally altered the original design intent or legibility of the house or diminished its intactness to the extent that it no longer should be considered for inclusion in the Heritage Overlay. Further, these recent alterations appear to be relatively superficial and easily reversible. It is my view that the Statement of Significance and associated Heritage Citation should be updated to reflect the alterations made.

[99] It is noted that two of the properties included in the Comparative Analysis have been removed from Amendment C192bays. This occurred following a resolution of Council prior to exhibition of the amendment and was not based on heritage advice from GJM. It remains my view that these two properties meet the threshold for local heritage significance and they are therefore appropriate comparators for the subject property.

[100] I remain of the view that the property satisfies Heritage Criteria A, D and E for the reasons outlined in our assessment. It is my view that the Statement of Significance and associated Heritage Citation should be amended to delete Criterion H and to reflect recent alterations made to the property (see Attachment 1).

3.9 Andrews House, 78 Scott Street, Beaumaris (Proposed HO817)



Figure 13. 78 Scott Street

(Source: GJM Heritage, November 2023).



Figure 14. 78 Scott Street

(Source: GJM Heritage, 18 December 2023).

[101] The Murphy and Warmington designed house at 78 Scott Street, Beaumaris is proposed to be included as an individual place within the Heritage Overlay.

[102] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1955 to a design by architects John & Phyllis Murphy, with G Stuart Warmington, Andrews House at 78 Scott Street, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside suburb

of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. Andrews House clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

Andrews House also has clear associations with the concentration of post-war residential development that occurred in Beaumaris in the 1950s and 60s following the release of an extensive tract of land owned by the Dunlop-Perdieu Company. When the land was offered for sale, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne. Constructed on a vacant allotment purchased from the Dunlop-Perdieu Estate, Andrews House at 78 Scott Street clearly illustrates this important phase of development in Beaumaris (Criterion A).

Andrews House at 78 Scott Street, Beaumaris is a substantially intact representative example of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed by architects John & Phyllis Murphy, with G Stuart Warmington, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like form, shallow-pitched metal-clad gabled roof, groups of full-height windows facing private open space to the north, and the use of materials such as vertical timber cladding. A second-storey addition made to the rear of the house is not contributory but does not detract from the key characteristics of the original house (Criterion D).

Andrews House at 78 Scott Street, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by renowned architects John & Phyllis Murphy, with G Stuart Warmington, the house is characterised by its low box-like form, shallow-pitched gabled roof and its refined detailing. Andrews House demonstrates the key aesthetic qualities the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[103] Submitter 26 objects to the Amendment for the following reasons:

- The property has no “special cultural value”, with the relationship to the Dunlop-Perdieu Company Subdivision applying to hundreds of properties, including approximately 30 other post-war properties on Scott Street. Hundreds of other properties demonstrate the post-war development phase of Bayside.
- The property isn’t sufficiently intact to satisfy Criterion D and E due to the 1980s works.

- The property does not have “groups of full height windows facing to private open space to the north”, there are only three modest north-facing windows, all replaced in the 1980s. The original rear north-facing window has been replaced by a standard glazed sliding door and the middle window was replaced with a larger timber-framed window. The large window at the south-east corner was also replaced in the 1980s.
- The rear roof line has been changed to accommodate the second-storey addition.
- Vertical weatherboards have been patched with different gauges and materials and some replaced to accommodate service installations.
- The property has not been noted by Beaumaris Modern, including when the property was on the market in 2021.

[104] I note that the Dunlop-Perdieu Subdivision provided a unique opportunity for extensive and concentrated residential development in the post-war period. It is agreed that all properties constructed at that time demonstrate that particular history, however, only a small number of places remain sufficiently intact to clearly illustrate that historical event at the local level.

[105] Access was provided to the property on 18 December 2023 to be able to comprehensively review the changes identified by the owners and documented in a further series of historical plans provided by Council. I have now been able to ascertain that all windows to the northern elevation have been replaced, with only the return with the hinged door and sidelights retaining original fabric. The bank of windows to the street (west) elevation and one small south-facing window also retain original fabric. This results in only three (3) of the ten (10) original windows remaining intact. Further alterations to the rear apparently undertaken in the early 1990s (following-on from the 1980s work), while set well back from the street and recessive in the context of the street presentation of the property, has effectively enclosed or book-ended the previously open north-facing verandah, diminishing the legibility of the original form and architectural intent of the building.

[106] It is my view that these changes have diminished the integrity of the place such that it no longer warrants inclusion in the Heritage Overlay.

[107] It is therefore my position that the property should be removed from Amendment C192bays.

3.10 Weate House, 11 Summerhill Road, Beaumaris (Proposed HO818)



Figure 15. 11 Summerhill Road

(Source: GJM Heritage, November 2023).

[108] The Neil Clerehen designed house at 11 Summerhill Road, Beaumaris is proposed to be included as an individual place within the Heritage Overlay.

[109] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1958 to a design by architect Neil Clerehen, Weate House at 11 Summerhill Road, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside suburb of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. Weate House clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

Weate House at 11 Summerhill Road, Beaumaris is notable as a fine and substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architect Neil Clerehan, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including site-specific orientation, rectangular planning, elevated box-like form, flat roof with flush fascia and projecting pergola-like eave to the north with lined sections above windows, recessed lower-level with projecting north balcony supported on steel posts, expansive timber-framed glazing across the front elevation and in full-height groups across the north elevation, prominent and integrated carport, and the use of materials such as precast concrete cladding, vertical timber cladding and steel posts and balustrade (Criterion D).

Weate House at 11 Summerhill Road, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style and set amongst mature Eucalyptus sp. which contributes to its setting. Designed by renowned architect Neil Clerehen, the house is characterised by its strong, elevated box-like form, its unusual precast concrete cladding and eaves treatment, and its refined detailing. Weate House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

- [110] Submitter 21 objects to the Amendment for the following reasons:
- The property is not representative of the architect's better works and is not included in *The Architecture of Neil Clerehen* by H Edquist and R Black (1981).
 - The property has been significantly altered with the addition of the granny flat on the ground floor.
 - The roof has been replaced due to inadequate drainage.
 - There are major internal design deficiencies.
- [111] The conversion of part of the ground floor to a granny flat was known at the time of the assessment and is noted in the Heritage Citation for the place, which concludes that, despite this modification, the house remains substantially intact to its period of construction and retains the ability to be clearly understood and appreciated as an example of a 1950s house built in the Post-War Modernist style.
- [112] The replacement of the roof has also not adversely impacted the legibility of the property as a well-designed Post-War Modernist style building, and it is appropriate that sensitively designed repair and maintenance works occur to properties of all periods. It remains my view that the changes do not fundamentally alter the original design intent or legibility of the property.
- [113] The lack of reference in a particular publication does not necessarily equate to a lack of local-level heritage significance. Notwithstanding that, the property is noted that the more recent *Survey of Post-War Built Heritage in Victoria* (Built Heritage for Heritage Victoria, 2008) which states that:
- [11 Sumerhill Road, Beaumaris is] ... *one of the best and most intact remaining examples of the early residential work of this noted Melbourne architect* (p157).
- [114] It is my view that the property continues to warrant inclusion in the Heritage Overlay of the Bayside Planning Scheme.

3.11 Mollar House, 28 Towers Street, Beaumaris (Proposed HO820)



Figure 16. 28 Towers Street

(Source: GJM Heritage, November 2023).

- [115] The Borland, Trewenack & Brooks designed house at 28 Towers Street, Beaumaris is proposed to be included as an individual place within the Heritage Overlay.
- [116] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1957 to a design by architects Borland, Trewenack & Brooks, Mollar House at 28 Towers Street, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside suburb of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. Mollar House clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

Mollar House at 28 Towers Street, Beaumaris is notable as a substantially intact representative example of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed by architects, Borland, Trewenack & Brooks, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including rectangular planning, box-like form with horizontal emphasis, shallow-pitched metal-clad flat roof, expansive timber-framed glazing including a full-height window wall to the northern (principal) elevation, internal courtyards and prominent front carport (Criterion D).

Mollar House at 28 Towers Street, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style and set amongst mature Eucalyptus sp. which contributes to its setting. Designed by architects Borland, Trewenack & Brooks, the house is characterised by its prominent carport, highly glazed street presentation to the street and its refined detailing. Mollar House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

- [117] Submitter 15 objects to the Amendment because the property has “major integrity issues” including:
- Rotted timber window frames, fascias and awning
 - Corroded metal decked roof
 - Internal damage to ceilings, walls and skirting due to water ingress
 - Foundation subsidence.
- [118] Planning Panels have consistently found that building condition is generally not a matter for consideration in determining whether a property should be included in the Heritage Overlay, unless the poor condition has degraded the intactness of a property to such a degree that its values can no longer be appreciated or rectification will require the introduction of such a degree of new fabric that it will undermine its assessed significance¹.
- [119] General maintenance is important for all properties – regardless of their age or heritage status. The Heritage Overlay does not require a planning permit for maintenance and repair works which replace like-for-like using the same details, specification and materials.
- [120] The submitter has provided photographic evidence of poorly maintained roofing and timberwork that have led to water ingress. However, while the repair works reflect a considerable undertaking given the lack of maintenance to the property over many years, it is our view that they can be undertaken in a manner that is respectful of the identified heritage values of the place and will not compromise its assessed significance.
- [121] It is my view that the property continues to warrant inclusion in the Heritage Overlay of the Bayside Planning Scheme.

¹ See for example, C275gben Panel report, p.25.

3.12 Pike House, 165-167 Tramway Parade, Beaumaris (Proposed HO791)



Figure 17. 165-167 Tramway Parade

(Source: GJM Heritage, November 2023).



Figure 18. 165-167 Tramway Parade

(Source: GJM Heritage, April 2022).

[122] The Allan Pike designed and constructed house at 165-167 Tramway Parade, Beaumaris is proposed to be included as an individual place within the Heritage Overlay.

[123] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1956 by owner-builder Allan Pike, Pike House at 165-167 Tramway Parade, Beaumaris has a clear association with post-war

suburban development in the City of Bayside when a large number of Modernist houses were constructed across the municipality. The bayside suburb of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. Pike House clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

Pike House also has clear associations with the concentration of post-war residential development that occurred in Beaumaris in the 1950s and 60s following the release of an extensive tract of land owned by the Dunlop-Perdieu Company. When the land was offered for sale, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne. Constructed on a vacant allotment purchased from the Dunlop-Perdieu Estate, Pike House clearly illustrates this important phase of development in Beaumaris (Criterion A).

Pike House at 165-167 Tramway Parade, Beaumaris is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Constructed by owner-builder Allan Pike, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including rectangular planning, tiered box-like forms with horizontal emphasis, shallow-pitched roof with broad eaves and deep fascias, expansive timber-framed glazing including fully glazed window walls, prominent integrated carport and the use of materials such as vertical timber cladding, decorative stone facing and curved steel balustrading and gate (Criterion D).

Pike House at 165-167 Tramway Parade, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Constructed by owner-builder Allan Pike, the house is characterised by its multi-level, highly glazed presentation to the street and its refined detailing. Pike House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[124] Submitter 28 objects to the Amendment for the following reasons:

- Engineering and heritage reports obtained by the owner indicate both the modest heritage value and parlous state of the dwelling (Note: heritage and engineering reports were not lodged with the submission).
- Regardless of the heritage value, the cost of repairs to make the dwelling habitable exceeded \$3.3 million in May 2022 (with costs anticipated to have risen in intervening period).
- A planning permit was issued on 10 October 2023 for demolition and redevelopment of the property.

[125] I have been instructed to continue to consider the heritage merits of 165-167 Tramway Parade, irrespective of Council's recent approval for demolition and redevelopment. I have further been provided with two engineering assessment reports to assist our consideration:

- *Structural Assessment 165-167 Tramway Parade, Beaumaris* (Barrason's Engineers, 2 May 2022) (Barrason's Assessment)
- *Forensic Building Investigation Report* (for Bayside City Council by Structerre Consulting, 2 October 2023) (Structerre Report)

[126] The Barrason's Assessment concludes (in summary):

- The structural damage is moderate. The structure is currently safe but unserviceable.
- The dwelling is in very poor condition.
- Progressive collapse of the roof structure and retaining wall is likely during events such as extreme weather.
- Make-safe works should occur.
- Landscaping is threatening the integrity of the building's foundations.
- The stormwater and drainage systems require major maintenance.
- There is severe distress in the balcony slab.

[127] The Structerre Report concludes (in summary):

- The residence and overall site is in significant disrepair, but the majority of issues are non-structural and have been caused by neglect and extensive vandalism with almost every window smashed, doors off hinges, holes in plasterboard and graffiti throughout.
- Trees are likely to be adversely affecting foundations and have also caused damage to other parts of the house, including allowing water ingress.
- Extensive cracking is present along the length of the cantilevered balconies.
- Footings have undergone minor differential movement that has led to some structural distress on walls.
- The retaining wall has failed.
- The property is not immediately unsafe or in need of demolition due to it being past the point of repair.

[128] Both reports conclude that the structural issues are not insurmountable and can be addressed but acknowledge the very poor condition of the property due to ongoing neglect and recent vandalism.

[129] I note that the place has further deteriorated since my previous visit in mid-2022, although the overall form and materiality of the building remains legible to its 1950s construction.

[130] Panels have consistently indicated that removing a property from a Heritage Overlay amendment on the basis of condition should only be used in the most extreme cases, particularly as this potentially encourages “demolition by neglect”.

[131] Having considered the information provided, it is my view that while the condition of the property is very poor, it is not beyond repair and restoration in a manner that maintains its identified heritage values is possible. Based on the structural engineering advice that the place is not structurally compromised and does not require complete demolition, it remains my position that the property should be included in the Heritage Overlay of the Bayside Planning Scheme.

[132] I note that a planning permit has been issued for demolition of the property and this was the appropriate forum for the building’s heritage values to be weighed against condition and other relevant planning matters. Should the owners act on the permit and demolish the building prior to Amendment C192bays being progressed then it is my view that the property should be removed from the Amendment.

3.13 Deutscher House, 175-177 Tramway Parade, Beaumaris (Proposed HO824)



Figure 19. 175-177 Tramway Parade

(Source: GJM Heritage, November 2023).



Figure 20. Southern part of the street (east) 175-177 Tramway Parade

(Source: GJM Heritage, November 2023)

- [133] The 1960s house at 175-177 Tramway Parade, Beaumaris is proposed to be included as an individual place within the Heritage Overlay.
- [134] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1960, Deutscher House at 175-177 Tramway Parade, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of Modernist houses were constructed across the municipality. The bayside suburb of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. Deutscher House clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

Deutscher House also has clear associations with the concentration of post-war residential development that occurred in Beaumaris in the 1950s and 60s following the release of an extensive tract of land owned by the Dunlop-Perdieu Company. When the land was offered for sale, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne. Constructed on a vacant allotment purchased from the Dunlop-Perdieu Estate, Deutscher House clearly illustrates this important phase of development in Beaumaris (Criterion A).

Deutscher House at 175-177 Tramway Parade, Beaumaris is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. It displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including rectangular planning, two-storey box-like forms with horizontal emphasis, flat roofs with broad eaves and deep fascia, expansive timber-framed glazing including full-

height window walls, and materials such as vertical timber cladding and thin textured grey brick (Criterion D).

Deutscher House at 175-177 Tramway Parade, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Set on a double allotment, the house is characterised by its broad and highly glazed street presentation to the street, its feature panels of thin textured grey brick, and its refined detailing. Deutscher House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

- [135] Submitter 17 objects to the Amendment for the following reasons:
- The property has been subject to the following changes:
 - Bagging of the original cream brickwork
 - Installation of vertical timber cladding to the upper level
 - Installation of stone and associated landscaping treatments.
 - The property contains similar attributes to a number of properties removed from the amendment by Council.
- [136] Historical plans dating from 1958 were provided to GJM by Council in December 2023. While it is difficult to know what the as-constructed condition of the building was, it appears that the following changes have occurred:
- Enclosure of the open pergola to the upper-level (south-eastern corner);
 - Replacement of vertical timber cladding to upper-levels with new hit-and-miss cladding in a different profile;
 - Rendering of all former face brickwork to the principal elevation;
 - Replacement of stone cladding to the principal elevation with face brickwork; and
 - Replacement of grey glass panels in lower portions of full-height windows.
- [137] Having confirmed the changes made informed by the historical plans it is my view that the place can no longer be considered to be sufficiently intact to warrant inclusion in the Heritage Overlay.
- [138] It is therefore my position that the property should be removed from Amendment C192bays.
- [139] I note that the removal of a number of properties from Amendment C192bays with similar characteristics to Deutscher House occurred following a resolution of Council prior to exhibition of the amendment and was not based on heritage advice provided by GJM Heritage.

3.14 Mew House, 13 Fifth Street, Black Rock (Proposed HO829)



Figure 21. 13 Fifth Street

(Source: GJM Heritage, November 2023).

[140] The Chancellor and Patrick designed house at 13 Fifth Street, Black Rock is proposed to be included as an individual place within the Heritage Overlay.

[141] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1969 to a design by Chancellor and Patrick, Mew House at 13 Fifth Street, Black Rock is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture, its design principles, and the value of employing an architect. Mew House makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).

Mew House at 13 Fifth Street, Black Rock is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architects Chancellor and Patrick, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Black Rock and across Victoria more broadly, including box-like forms, roofs with broad eaves and exposed rafter ends, expansive timber-framed glazing, and prominent integrated carport and garage. The house also displays characteristics that are typical of a group of Post-War Modernist houses constructed in the late 1960s and early 1970s, including pitched roof forms and the use of materials such as face brick and tile (Criterion D).

Mew House at 13 Fifth Street, Black Rock is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by renowned architects Chancellor and Patrick, the house is characterised by its bold presentation of tiered rooflines with bands of windows, and its

refined detailing. Mew House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[142] Submitters 3, 7 and 22 object to the Amendment for the following reasons:

- Submitter 7 notes that the house is undergoing a substantial renovation with permits issued prior to the study being completed.
- The Chancellor and Patrick design for this house was not celebrated or promoted by the firm.
- Previous changes to the house include addition of rooms to the front of the house, changes to front windows, removal of volcanic rock retaining walls, garage door alterations and addition of fences.

[143] At the time of our original assessment, the most substantial change to the property was a small addition at the western end of the front elevation and the replacement of the roof cladding. At that time, it was our view that the changes were generally respectful of the original form and detailing of the house and that they did not fundamentally alter the original design intent or legibility of the house.

[144] More recently, a substantial program of works to the place has commenced with planning approval being obtained prior to Amendment C192bays being progressed. As a result, no heritage assessment of the potential impacts of the proposed works was required. The works have involved the removal of all windows and doors (including timber framing), the removal of the rear half of the principal roof form, demolition of the rear part of the original house, and removal of brickwork wing walls at ground-level delineating the carport (see image above taken on 24 November 2023).

[145] It is noted that no interim Heritage Overlay control has been applied to the property due to the prior approval and the commencement of works under that approval.

[146] While at the completion of the works the property will likely still present as a Modernist-style house, it is my view that there is so little original material now remaining that its integrity has been reduced to the extent that the Heritage Overlay is no longer warranted. It is therefore my position that the property should be removed from Amendment C192bays.

3.15 Abrahams House, 21 Dudley Street, Brighton
(Proposed HO833)



Figure 22. 21 Dudley Street

(Source: GJM Heritage, February 2024).



Figure 23. 21 Dudley Street

(Source: GJM Heritage, November 2023).

[147] The Alistair Knox designed house at 21 Dudley Street, Brighton is proposed to be included as an individual place within the Heritage Overlay.

[148] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1971 to a design by Alistair Knox, Abrahams House at 21 Dudley Street, Brighton is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture and its design principles. Abrahams House makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).

Abrahams House at 21 Dudley Street, Brighton is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by Alistair Knox, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Brighton and across Victoria more broadly, including rectangular planning, low box-like forms with horizontal emphasis, flat roofs with broad eaves, exposed rafter ends and deep, dark-stained timber fascias, expansive timber-framed glazing including full-height window, prominent carport, and concealed, recessed entry (Criterion D).

*Abrahams House at 21 Dudley Street, Brighton is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by Alistair Knox, the house is characterised by its siting to maximise the northern aspect, its use of natural materials (including brick, timber and volcanic rock), its siting within mature tree plantings (*Eucalyptus* sp.) and its refined detailing. Abrahams House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).*

[149] Submitter 31 objects to the Amendment for the following reasons:

- The property is not a high-quality exemplar of Post War Modern design.
- The high front boundary wall was a particular characteristic of the dwelling, concealing it from the street and its loss diminishes the contribution of the place.
- The front elevation is dominated by the carport, which projects considerably further forward than the balance of the building.
- The view of the dwelling itself is limited to the building fascia and shadowed windows.
- There are buildings like this throughout Melbourne and the building does not exhibit any exemplary elements that would warrant recognition. It is a very ordinary example.
- The dwelling is not identified in Phillip Goad's *The Modern House in Melbourne, 1945-1975* nor did it receive any other recognition.
- Decisions regarding inclusion of specific properties in the HO should consider the individual merits of the property.
- Alastair Knox is better known for his mudbrick dwellings in the Shire of Nillumbik area. The association with a well-regarded building designer should not tip the scales in favour of its inclusion.

[150] I disagree that the property is not a "high-quality exemplar of Post-War Modernist design". It is a substantially intact, well-resolved and carefully detailed example of the Modernist residential typology remaining in the municipality.

- [151] While the high brick boundary wall was a particular characteristic of the overall site design, its loss does not substantially diminish the legibility or significance of the balance of the site. The main dwelling remains highly intact and clearly illustrates the assessed historic, aesthetic and representative values of the place.
- [152] I agree that the front elevation is dominated by the carport. This is consistent with the historical and architectural context of the place, which was constructed at a time when car ownership was rapidly increasing and the provision of vehicle parking on-site was prioritised and incorporated into the overall design.
- [153] Similarly, I agree that the dwelling does not have a strong street presence in the way Victorian, Edwardian and Interwar buildings often did. Again, this is part of the Modernist design response which prioritised site placement and building programming to capture northern light, to retain or accommodate plantings, and to provide private open space above streetscape appearance.
- [154] I acknowledge that there are similarly styled buildings throughout Melbourne. The relevant consideration for this study is the significance of such buildings in the City of Bayside context and this is discussed in detail in Volume Two (Contextual History) and the Heritage Citation for the place. I dispute the assertion that the building does not exhibit key characteristics of Modernist architecture that warrant recognition for the reasons set out in the assessment.
- [155] It is noted that the property was not identified in Phillip Goad's 1992 thesis. Professor Goad's thesis was an exploration of the social, cultural and economic factors that gave rise to a particularly regional expression of Modernism in Victoria and was not intended as a complete catalogue of Modernist properties. The lack of reference of a particular property in a particular publication does not necessarily equate to a lack of local-level heritage significance.
- [156] While I agree that Alistair Knox is best known for his mudbrick houses in the Eltham area, this wasn't his sole approach to design and construction. Professor Goad notes in his thesis that Knox's name "became synonymous with a sensitive approach to building and the environment well into the 1980s" (p7/20) with construction in "timber, brick and mudbrick" (p7/18). The subject property is illustrative of his broader architectural approach and warrants inclusion in the Heritage Overlay of the Bayside Planning Scheme.
- [157] It remains my position that the property should be included in the Heritage Overlay of the Bayside Planning Scheme.

3.16 Mylius House, 9 Wolseley Grove, Brighton
(Proposed HO841)



Figure 24. 9 Wolseley Grove

(Source: GJM Heritage, November 2023).



Figure 25. 9 Wolseley Grove

(Source: GJM Heritage, December 2023).



Figure 26. 9 Wolseley Grove

(Source: GJM Heritage, December 2023).

[158] The McGlashan & Everist designed house (with later alterations designed by David Godsell) at 9 Wolseley Grove, Brighton is proposed to be included as an individual place within the Heritage Overlay.

[159] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1967 to a design by architects McGlashan & Everist with sensitively-designed additions and alterations by David Godsell, the Mylius House at 9 Wolseley Grove, Brighton is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture, its design principles, and the value of employing an architect. Mylius House at 9 Wolseley Grove makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).

Mylius House at 9 Wolseley Grove, Brighton is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architects McGlashan & Everist with sensitively-designed additions and alterations by David Godsell, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Brighton and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like forms with horizontal emphasis, stepped flat roofs with shallow eaves and deep timber fascias, an emphasis on privacy with unadorned brick walls, garden walls and internal courtyards, expansive timber-framed glazing with full-height windows to the north, prominent integrated carport and deeply recessed entry (Criterion D).

Mylius House at 9 Wolseley Grove, Brighton is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by renowned architects McGlashan & Everist with sensitively-designed additions and alterations by David Godsell, the house is characterised by its austere presentation to the street, its emphasis on privacy and retention of remnant vegetation including mature Eucalyptus sp. and its refined detailing. Mylius House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[160] Submitters 3 and 14 object to the Amendment for the following reasons:

- Submissions 3 and 14 assert that the majority of the property's visible elements from the street are not original with additions made in the mid-1980s and throughout 2022/23.
- 1980s changes are noted as:
 - Replacement of austere brick front façade walls with windows and glass doorways.

- 2022/23 changes are noted as:
 - Removal of eastern courtyard
 - Removal of three large trees
 - Garden structure dismantled
 - Removal of front brick fence
 - Removal of integrated carport
 - Removal of dark stained/painted timber fascia boards
 - Replacement of original timber windows
 - Removal of non-original timber letterbox.
- In respect of the assessment, Submission 14 asserts:
 - Criterion A is not met due to the significant alterations that have reduced the integrity of the building.
 - Criterion D is not met as the Executive Director of Heritage Victoria found the place was “not in original condition” and the house is no longer substantially intact.
 - Criterion E is not met because of the substantial changes and the fact that the property was not included in any reviews of McGlashan and Everist’s work.

[161] Historical building permit information was provided to GJM by Council in March 2022 and this information was reviewed prior to exhibition of Amendment C192bays. We note that following the initial design by McGlashan & Everist, prominent architect David Godsell was engaged to design sensitive alterations to the property comprising:

- Conversion of the garage into a ‘Hobbies Room’ in 1972
- Construction of a minor addition in the south-east corner of the house in 1985
- Insertion of windows and glazed doors into the southern elevation and construction of a brick boundary wall (to match existing brickwork) to the south-western frontage of the property in 1986.

[162] These works were undertaken by an acclaimed architect in a highly respectful manner and within the same Modernist idiom as the original design. It was therefore our view that they did not detract from the original design intent for the property.

[163] It is noted that the findings of the Executive Director in 2020 related to the potential of the place to meet the State-level threshold and the analysis provided against the nominated heritage criteria should not be relied upon to determine whether the place warrants inclusion in the Heritage Overlay as a locally significant place. Notably, the Executive Director’s letter concluded:

The evidence provided suggests that the place may be potentially significant at a local level to the City of Bayside.

[164] More recently, a substantial program of works to the place has commenced with approval being obtained prior to Amendment C192bays being progressed. As a result, no formal heritage assessment of the potential impacts of the proposed works was required and no heritage-related conditions could be applied to manage impacts over the course of the works. The works have included the removal of a substantial portion of the original and early building fabric including all timberwork, all windows and doors, the carport structure, roofing material and the front brick fence (see images above taken during a further inspection of the property from the public realm in November and December 2023).

[165] While at the completion of the works the property will likely still present as a Modernist-style house, there is little original material now remaining and the integrity has been reduced such that the application of the Heritage Overlay is no longer warranted.

[166] It is therefore my view that the property should be removed from Amendment C192bays.

3.17 1-4/16 Gillard Street, Brighton East (Proposed HO845)



Figure 27. 1-4/16 Gillard Street

(Source: GJM Heritage, November 2023).



Figure 28. West elevation, 1-4/16 Gillard Street

(Source: GJM Heritage, November 2023).

- [167] The David Sapir designed flats at 16 Gillard Street, Brighton East are proposed to be included as an individual place within the Heritage Overlay.
- [168] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

The Flats at 16 Gillard Street, Brighton East are illustrative of the suburban development in the City of Bayside in the post-war period when a number of multi-storey residential flats were constructed across the municipality. This type of development was largely the result of increased housing demand following World War II. The impetus for higher density living, combined with changes to strata title legislation (which allowed for the sale of individual units for the first time in Victoria), led to a proliferation of multi-unit developments in the 1960s and 1970s. The flats at 16 Gillard Street clearly demonstrate this shift towards lower-cost, higher density living which characterised suburban development in what is now the City of Bayside, and across Victoria more broadly, in the post-war period (Criterion A).

The flats at 16 Gillard Street, Brighton East are notable as a fine and substantially intact representative example of a small residential flat building constructed during the post-war period in the City of Bayside. Designed by architects David Sapir & Associates, the flats display a range of characteristics that are typical of Post-War Modernist design, including a two-storey box-like form with asymmetrical principal elevation, flat roof with broad eaves and deep fascia, expansive timber-framed glazing, shared driveway, hollow concrete block front fence, integrated carports and the use of contrasting materials such as brown brick, textured cream brick, concrete and steel to articulate the front elevation (Criterion D).

The flats at 16 Gillard Street, Brighton East are of aesthetic significance as a well-resolved and carefully detailed example of a small flat complex constructed in the Modernist style. Designed by architects David Sapir & Associates, the building is characterised by its distinctive balustrading, contrasting brickwork, expansive glazing and its refined detailing. The flats at 16 Gillard Street, Brighton East demonstrate the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E)..

[169] Submitters 2 and 24 provided the Heritage Opinion of Dr Aron Paul of Trethowan Architecture who does not support the inclusion of this property on the Heritage Overlay for the following reasons (in summary):

- The citation has not adequately demonstrated the property is significant historically, aesthetically or representatively.
- The materials and detailing are typical rather than distinctive of a c.1960s-70s apartment block (11 Tooronga Road, Malvern East cited as an example utilising similar materials and detailing).
- There are characteristics of Modernist residential design that are lacking in the subject site, including integration with landscape or special siting of the building within it. The building is not cantilevered over the carport or landscape (the front carport is created by a void between walls and the unit carports are not integrated). The glazing is not “particularly expansive”. The vertical battens are “idiosyncratic rather than characteristic of Modernist design”. As a result, the building does not meet the threshold for representativeness.
- The Comparative Analysis has not compared the property to other Modernist buildings on the Heritage Overlay, including 51 Lynch Crescent, Brighton and 21 Vardon Avenue, Beaumaris.
- The citation has not established the local significance of David Sapir, architect.
- The place does not have a high level of integrity. The streetscape façade has been subject to major changes with removal of the doorway, replacement of the window at ground level, and new brick panel at ground level under new windows. The current streetscape façade deviates from the “original design” included in the citation. The archway over the driveway has been reconstructed and the letter boxes replaced.
- Multi-storey flat development was less popular than single-storey unit development and the property has not been strata titled as the owners live in the front two-storey portion of the property. It is therefore not reflective of the historical pattern of post-war development dominant in Bayside.

[170] I disagree that the citation has not adequately demonstrated that the property is of heritage value. A heritage assessment has been completed in accordance with the guidance contained in *Planning Practice Note 1: Applying the Heritage Overlay* (2018) (PPN1) and reflects well-established

heritage practice for the preparation of such assessments. Responses to specific matters raised are addressed further below.

[171] While I agreed that the materials and detailing can generally be considered 'typical rather than distinctive' for the typology, the place is assessed as being of significance in part for its representativeness of Post-War Modernist architecture and the 'typical' materials and detailing used directly reflects this value. The heritage criteria do not require that places have to be 'distinctive' to be included in the Heritage Overlay. Notwithstanding this, the place does demonstrate a level of flamboyance of design within the otherwise constrained and pared-back Modernist aesthetic through the distinctive curved detailing that forms the threshold to the carport and driveway and through the incorporation of the steel batten 'fins' to the balcony on the street elevation. It is noted that the example provided to support the argument for the place utilising 'typical' materials and detailing is from the City of Stonnington and doesn't assist in a consideration of the local significance (to the City of Bayside) of the property. It is also noted that the Malvern East example does not demonstrate the same level of architectural finesse as the subject site, being a simple rectangular building without balconies, expansive glazing or notable architectural detailing.

[172] It is not necessary for a place to demonstrate all of the typical characteristics of post-war Modernist residential design for it to meet Criterion D. As the Panel for Amendment C387melb stated at p55:

Places need to demonstrate the principal characteristics of the class, which implies most of those characteristics... A representative place should demonstrate most of the principal characteristics of the class in a manner that is clearly evident.

[173] While the place does not demonstrate the 'special siting' of the building and integration of landscape this is not considered unusual given it is a multi-unit flat development rather than a single dwelling. Notwithstanding this, the place does demonstrate the vast majority of other key features of the typology in a manner that is clearly evident, and with a high degree of integrity to its original design. This includes a rectilinear form with strong horizontal emphasis, flat roof with broad eaves and deep fascia, expansive timber-framed glazing, face brick with decorative textured brick feature panels, integrated carport to the front townhouse and hollow concrete block front fence.

[174] I dispute that the building is not cantilevered over the carport (clearly the balcony and carport threshold element project forward of the main wall line of the building and have been designed to achieve a cantilever) and that the glazing isn't "particularly expansive" (the vast majority of the principal elevation is glazed – this can be contrasted with the Malvern East example which has smaller more discrete glazing). The vertical steel battens are unusual in the local context but are reflective of the Googie-style of 'jet-age' architecture originating as part of the Mid-Century Modernism popular in the United States of America. This element is therefore consistent with the broader Modernist typology. It remains my

view that the property meets the local threshold for Criterion D (representativeness).

- [175] The Comparative Analysis did not reference the examples at 51 Lynch Crescent, Brighton and 21 Vardon Avenue, Beaumaris, which were not in the Heritage Overlay at the time of the assessment. They are now included in Interim Heritage Overlays as a result of the recommendations of our study. I note that 21 Vardon Avenue is of a very different form to the subject site and is not a useful comparator. GJM's Comparative Analysis considered other similarly styled multi-unit Modernist buildings within the municipality (rather than individual houses like 51 Lynch Crescent) and this is considered to be the appropriate typology for comparison.
- [176] The assessment does not conclude that the property is significant for its association with architect David Sapir (under Criterion H) and therefore the assessment does not need to establish such significance.
- [177] Having undertaking a further on-site inspection of the property in December 2023, it remains my view that the property is highly intact to its period of construction (noting that the as-built conditions differed to the working architectural drawings provided in the citation). Dr Paul identifies three changes to the principal façade, however these are all related to one modification – the removal of single-leaf door and replacement with a window and introduction of a slightly different feature brick spandrel. This change is considered to be minor, has been completed sensitively, and has not altered the overall design intent for the property. It is noted that the concrete archway over the driveway has been reconstructed but this appears to have been done on a like-for-like basis which is appropriate and would be permitted under the Heritage Overlay as an as-of-right repair.
- [178] Our study acknowledges that multi-storey flat development was less popular than single-storey unit development in the post-war period, but it doesn't follow that the multi-storey typology should not be included in the Heritage Overlay. This typology is reflective of the opportunities taken to increase housing supply in the post-war period and it is appropriate that these places are recognised where the building remains highly intact to demonstrate that theme. I disagree with Dr Paul's proposition that because the property wasn't strata-titled it is not reflective of the historical pattern of post-war development dominant in Bayside. While the legal process of dividing the property into individual units did not occur in this instance, the intent of providing increased housing opportunities in the form of multi-flat development remains the same.
- [179] It is therefore remains my position that the property should be included in the Heritage Overlay of the Bayside Planning Scheme. I recommend that the Statement of Significance and Heritage Citation for the property be amended to note the minor alterations to the property as provided at Attachment 1 to this evidence.

3.18 Patrick House, 19 Olympic Avenue, Cheltenham (Proposed HO849)



Figure 29. 19 Olympic Avenue

(Source: GJM Heritage, November 2023).

[180] The house designed by Rex Patrick as his own home at 19 Olympic Avenue, Cheltenham is proposed to be included as an individual place within the Heritage Overlay.

[181] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Designed by architect Rex Patrick in three stages (1951, 1956 and the 1960s) as his own home, Patrick House at 19 Olympic Avenue, Cheltenham is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside area appealed to many architects who were drawn to settle on available land that was low-cost, but attractive and provided the opportunity for architects to experiment with Modernist principles and new construction methodologies in their own residences. These bayside suburbs became a centre of Modernist residential housing in the post-war period. Patrick House makes a strong contribution to this important phase in the development of the municipality (Criterion A).

Patrick House at 19 Olympic Avenue, Cheltenham is notable as a substantially intact representative example of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed and constructed in three stage by architect Rex Patrick, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Cheltenham and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like forms, shallow-pitched gabled roofs, broad eaves, expressed structural elements such as timber framing and rafters, expansive full-height timber-framed glazing, concealed and

recessed entry, prominently sited integrated carport, and the use of materials such as vertical timber cladding (Criterion D).

Patrick House at 19 Olympic Avenue, Cheltenham is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed and constructed in three stages by architect Rex Patrick of the noted firm Chancellor and Patrick and featured in Architecture & Arts in 1957, the house is characterised by its expressed structural elements, expansive glazing and its refined detailing. Patrick House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

Designed and constructed as his own residence, the house at 19 Olympic Avenue, Cheltenham has a special association with local architect and resident Rex Patrick, of noted architectural firm Chancellor and Patrick. Designed in three stages for himself and his family, Patrick resided at 19 Olympic Avenue from 1951 until 1978 (Criterion H).

- [182] Submitter 27 objects to the Amendment for the following reasons:
- The property is in a state of disrepair – the roof has been replaced but continues to leak. The metal pipes regularly block. The timber window framing is rotted and warped. Paint is peeling and flaking.
 - Changes have been made to the property, altering the external form, including removal of the broad eave to the north to accommodate an extension and the construction of two outbuildings attached to the house.
- [183] Planning Panels have consistently found that building condition is generally not a matter for consideration in determining whether a property should be included in the Heritage Overlay, unless the poor condition has degraded the intactness of a property to such a degree that its values can no longer be appreciated or rectification will require the introduction of such a degree of new fabric that it will undermine its assessed significance.
- [184] The submitter has provided photographic evidence of poor maintenance at the property. General maintenance is important for all properties – regardless of their age or heritage status. The Heritage Overlay does not require a planning permit for maintenance and repair works which replace like-for-like using the same details, specification and materials. It is my view that the required works can be undertaken in a manner that is respectful of the identified heritage values of the place and will not compromise its assessed significance.
- [185] The external changes identified by the submitter are minor and do not alter the original design intent or legibility of the house.
- [186] It remains my view that the place is a locally significant building designed by Rex Patrick (of prominent architectural firm Chancellor and Patrick) as his own home and that the place warrants inclusion in the Heritage Overlay.

3.19 Spedding House, 27 Bolton Avenue, Hampton
(Proposed HO850)



Figure 30. 27 Bolton Avenue

(Source: GJM Heritage,
November 2023).



Figure 31. 27 Bolton Avenue

(Source: GJM Heritage,
December 2023).

[187] The Bernard Joyce designed house at 27 Bolton Avenue, Hampton is proposed to be included as an individual place within the Heritage Overlay.

[188] The exhibited Statement of Significance identifies the place as being locally significant for the following reasons:

Built in 1963 to a design by architect Bernard Joyce, Spedding House at 27 Bolton Avenue, Hampton is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality for those with an appreciation of Modernist architecture, its design principles, and the value of employing an architect. Spedding House

at 27 Bolton Avenue makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).

Spedding House at 27 Bolton Avenue, Hampton is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architect Bernard Joyce, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Hampton and across Victoria more broadly, including low box-like forms with horizontal emphasis, flat roof, brick construction including front wall concealing the house and entry, internal courtyard, expansive timber-framed glazing, and prominent and integrated timber-framed carport (Criterion D).

Spedding House at 27 Bolton Avenue, Hampton is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect Bernard Joyce, the house is characterised by its austere presentation to the street, its emphasis on private open space and its refined detailing. Spedding House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

[189] Submission 23 provided a memorandum of advice by Bryce Raworth Pty Ltd that objects to the Amendment for the following reasons (in summary):

- The building is very altered, especially as viewed from the street.
- The carports, which present to the street, have been rebuilt, a room incorporated and the brickwork bagged and painted.
- The landscaping has been altered and letterbox replaced (in different format to the original).
- Interiors have been altered (noting internal controls are not proposed).
- Bernard Joyce was a well-respected architect, but this house has not been seen as a key example of his work and has not been listed in Philip Goad's *The Modern House in Melbourne 1945-1975* or in the *Australian Encyclopedia of Architecture*.
- Spedding House reveals very little to the public realm and therefore the Heritage Overlay – if applied – will be managing elements that are not able to be appreciated by the Bayside community. Given this, only the highest and best and most intact examples would warrant heritage controls.
- Given the changes and limited visibility, the application of Criteria A, D and E are questioned.

[190] Submission 23 also provided information on changes that have occurred to the property that include:

- The installation of a swimming pool in the front yard, behind the carports, in c1968, then removed with the pool installed in the rear in the 1970s. Grey cement paving replaced earlier landscaping in the former pool area.
- The construction of an extensive single-storey addition to the rear of the property in 1974. This accommodated a large games room, sauna, bathroom and bar.
- The modification of the carports in the 1970s to accommodate an additional room. They were also bagged and painted in the 1990s and 2000s.
- The bagging and painting of the exterior of the house (1998 & 2020).
- The replacement of the carport roof and original timber uprights (not like-for-like) in 2008.
- The construction of a later wooden shed to cover the original front brick shed.
- Replacement of the original front door and surrounds.
- Replacement of timber-framed windows with safety glass; rear glazing now aluminium framed glass doors.
- Paving is not original.
- The letterbox is not original.
- New front fencing installed.
- Landscaping has been modified.

[191] Building permit information was provided to GJM by Council in March 2022 and the changes identified were incorporated into the assessment at that time. A number of the changes identified appeared to be either largely like-for-like replacement (for example, the replacement of timber elements in the carport), or undertaken in such a manner that they did not compromise the original design intent of the property (for example, the location and form of the rear addition). Access was only provided on 18 December 2023 which has allowed me to fully understand the nature of other changes. This inspection confirmed that while the plan form and much of the detailing of the property remains highly intact, a cementitious render – which varies in thickness and quality from a thicker roughcast to a thin bagged finish – has been applied to the entirety of the exterior of property. This – generally irreversible – finish covers all original brickwork with the exception of a small area visible in the garden shed behind the carport. In light of that, it is my view that the rendering of the property has adversely impacted its significance to the point where inclusion in the Heritage Overlay is no longer warranted.

[192] In terms of other matters raised, the changes to landscaping and the replacement of the letterbox do not diminish the legibility of the property as a Post-war Modernist style house.

- [193] No internal controls were proposed so internal changes that had occurred did not impact the assessment of the place.
- [194] I also note that the lack of reference to this house within the entry for Bernard Joyce in Professor Goad's publications does not equate to a lack of local-level heritage significance.
- [195] I also note that it is relatively common for Post-war Modernist houses to be substantially concealed from the street and there is a long-standing acceptance by Panels that the protection of significant heritage fabric is not dependent on it being visible from the public realm².
- [196] Given the complete rendering of the property, it is my view that Spedding House should be removed from Amendment C192bays.

² See for example, C270ston Panel report, p.19.

4 CONCLUSION

- [197] It is my view that the Study provides a sound and robust basis for including one (1) group listing and fifty-four (54) individual places within the Heritage Overlay of the Bayside Planning Scheme in recognition of their local heritage significance.
- [198] The implementation of the Study through Amendment C192bays contributes to fulfilling the objective of Section 4(1)(d) of the *Planning and Environment Act 1987* (“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”) and Clause 15.03-1S ‘Heritage Conservation’ (“To ensure the conservation of places of heritage significance”) through the following Clause 15.03-1S strategies:
- *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 and man-made resources.*
 - *Provide for the conservation and enhancement of those places that are of aesthetic, archaeological, architectural, cultural, scientific or social significance.*
- [199] The Study has been conducted in accordance with the guidance set out in PPN1.
- [200] Subject to the changes recommended in my evidence and set out in Attachment 1, it is my view that Amendment C192bays should be adopted and implemented.

ATTACHMENT 1 - RECOMMENDED AMENDMENTS TO EXHIBITED DOCUMENTATION

Expert Witness Statement

Boroondara Planning Scheme Amendment C394boro



HERITAGE CITATION

Bellaire Court Estate, Beaumaris



Figure 1. 15 Bellaire Court, Beaumaris (GJM Heritage, April 2021).

DATE: December 2021, updated May 2022 and [December 2023](#)

BELLAIRE COURT ESTATE, BEAUMARIS

Place Type: Group of Houses	Architect/Designer: Martin Sachs
Construction Date: 1962-68	Builder: Martin Sachs
Recommendation: Include in the Heritage Overlay	Extent of Overlay: See Figure 16 17

The place documented in this citation is on the lands of the Bunurong People of the South-Eastern Kulin Nation, represented by the Bunurong Land Council Aboriginal Corporation. While this citation does not specifically consider the Aboriginal heritage values of the place, the historic and ongoing cultural importance of the Bunurong People to the City of Bayside is respectfully acknowledged.

Contextual History

The Post-War Bayside Landscape

The period from 1945 to 1975 was one of radical transformation for the former municipalities of Brighton and Sandringham, which now make up the City of Bayside.

In 1945, suburban residential development was concentrated in Brighton and parts of Brighton East in the north and along the coastal fringe of Port Phillip Bay at Hampton, Sandringham and Black Rock in the west. Some limited development was also evident adjacent to the Nepean Highway and around railway stations to the east. However, the intervening land – approximately one-third of the total area of the current municipality – was predominantly farmland south of Dendy Street, with golf courses in the central area and a large undeveloped tract of land at Beaumaris to the south.¹

By 1975 the two municipalities were completely urbanised.

Limited housing construction during the 1930s depression and throughout World War II led to a severe shortage of housing in suburban Melbourne in the immediate post-war period, when returning servicemen, post-war migration and an optimism in Australia's future fuelled an unprecedented demand for housing. As a result, large-scale residential subdivision of under-developed parts of suburban Melbourne occurred from the late 1940s. This development occurred rapidly within the municipalities of Brighton and Sandringham, particularly on the large tracts of available land further from the coastal fringe, in suburbs such as Brighton East, Hampton East, Highbury and Cheltenham and to the south in Beaumaris, where surviving rural properties were available for subdivision in the 1950s.²

At this time a particularly large tract of land at Beaumaris became available, enabling a concentration of post-war residential development to occur in this suburb. Planning to relocate operations to Beaumaris, the Dunlop-Perdieu Company had purchased approximately 300 acres (121.4 hectares) of subdivided³ land in the 1930s⁴ and developed an ambitious scheme for an industrial garden city.⁵ The extensive block of land was bounded by Balcombe Road to the north, Cromer Road to the east, Haydens Road to the west, and went as far south as Gibbs and Nautilus streets. This land remained undeveloped in the immediate post-war period and the scheme

¹ University of Melbourne, Melbourne 1945 Photo-map.

² For example, Coronet Hill and San Marino in Beaumaris and Stonehaven, Moorabbin (Allom Lovell & Associates, *Bayside Heritage Review: Thematic History*, 1999, p 19 & Heritage Alliance, *City of Bayside Inter-War & Post-War Heritage Study*, 2008, p 55).

³ *Argus* supplement, 18 November 1944.

⁴ *Herald*, 2 August 1939, p 1.

⁵ *Argus*, 9 December 1944, p 8.



was abandoned in 1950.⁶ When the land was finally released for sale from the early 1950s, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne.⁷

A unique opportunity for concentrated post-war development in Brighton became possible when the Melbourne Orphan Asylum relocated from the suburb in the mid-1960s. The orphanage, which opened in 1877, was bounded by Windermere Crescent to the north, New Street to the east, Dendy Street to the south and Whyte Street to the west. After demolition of the asylum complex, the 20-acre (8 hectare) tract of land became available for residential subdivision and a number of fine Modern houses were constructed.

The post-war dream of suburban home ownership reached its peak in the 1960s in the middle ring of Melbourne's suburbs, and the suburbs of Beaumaris, Brighton East, Hampton East, Highett and Cheltenham, bear witness to this residential growth.

Housing in the Post-War Period

Following World War II, a severe shortage of building materials and labour, coupled with government restrictions on home building,⁸ limited the construction of new houses demanded by the booming population. In response to these restrictive conditions, two contrasting lower-resource housing types emerged – a more conventional austere type and a Modern type.

With its L-shaped plan form and tile-clad hipped roof, the conventional austere type of housing quickly dominated the suburban landscape and, despite removal of building restrictions in 1952,⁹ little change was made to this standard form of housing through the 1950s and 1960s. Public authorities, private development companies and individuals created residential subdivisions dominated by this housing type in suburbs such as Brighton East, Hampton East, Highett and Cheltenham. This house type – built of either timber or brick veneer – is evident throughout the suburbs of the current City of Bayside, including estates of public housing constructed by the Housing Commission.

By contrast, the Modernist house type offered a radical alternative to this conservative post-war housing type. Driven by young architects and designers embracing the Modernist architectural movement, they shunned the conservative house forms and embraced the opportunity to address housing demands in an affordable but contemporary manner. They responded to the prevailing economic constraints by experimenting with lightweight materials and simple construction methods.

With its roots in the 1930s, Modernism in Melbourne emerged with force in the post-war period aided by overseas and local publications, post-war migration¹⁰ and 'rite of passage' overseas travel by young architects. Completely rejecting historic styles, young architects and designers were instead inspired by a broad range of architectural trends from overseas, including the United States, Europe, Japan and Great Britain, which embraced the principles of functionalism, simplicity and rationality. Architects utilised materials such as steel, concrete and glass, designing buildings that were characterised by plain, unadorned surfaces.¹¹ The Modernist house type, with its flat or shallow roof, box-like forms and generous glazing, flourished in the 1950s and 1960s, and came to embody the forward-looking optimism of the post-war era.

⁶ *Herald*, 29 September 1950, p 10.

⁷ Heritage Alliance, *City of Bayside Inter-War and Post-War Heritage Study*, Vol 1, 2008, p 21.

⁸ Restrictions were imposed to preserve resources for government building projects and to extend resources to maximise house construction. They included restricting the size of brick houses to 1250 ft² (111.5 m²) and timber houses to 1200 ft² (111.5 m²) (P Cuffley, *Australian Houses of the 1940s and 1950s*, Rowville, 2007, p 73) and limiting expenditure to £3000 (*Australian Home Beautiful*, January 1942 as quoted by P Cuffley, *Australian Houses of the 1940s and 1950s*, Rowville, 2007, p 55).

⁹ P Goad, *The Modern House in Melbourne 1945-1975*, thesis, University of Melbourne, 1992, p 5/1.

¹⁰ Émigré architects included Michael Feldhagen, Helen and John Holgar, Ernest Fooks, Kurt Popper, Anatol Kagan and Herbert Tisher.

¹¹ P Goad, 'Modernism' in P Goad & J Willis, *The Encyclopedia of Australian Architecture*, Port Melbourne, 2012, p 464-467.

Many Modernist houses were built in what was the City of Sandringham, with a concentration in Beaumaris – in heavily-vegetated areas where low-cost land was readily available and council regulations were less restrictive. Attractive to architects, designers and young homemakers interested in the Modern aesthetic, the suburb of Beaumaris became a centre of Modern post-war housing, particularly after the release of Dunlop-Perdieu Company-owned land during the 1950s. Even before the release of this land the suburb was described by Robin Boyd in 1949 as containing ‘the greatest concentration of first-class modern domestic architecture in Australia’¹² with ‘homes which have risen above the trials of current shortages...exemplifying the unpretentious, logical approach to building’.¹³

Place History

Prominent Melbourne builder Martin Sachs purchased 10 acres of land in Beaumaris in the 1950s and 1960s that originally formed part of Mayfield Poultry Farm and market garden.¹⁴ Mayfield Poultry Farm, Beaumaris, was owned by Basil David.¹⁵ Titles indicate that Basil and Florence David of 54 Cromer Road, Beaumaris, subdivided just under 6 acres of their holdings off Cromer Road in the late 1950s, creating Bellaire Court (Figures 2 & 3). The David’s on-sold lots from November 1958, primarily selling to builder Martin Sachs. Sachs acquired a majority of the lots on Bellaire Court in stages between 1958 and 1963.¹⁶

Austin et al write about Sachs’ Bellaire Court development in *Beaumaris Modern*:

There were over 40 blocks bought on an extended purchase plan at a rate of four block per year. Sachs tells how he financed the land: ‘I was originally offered the land at £1,000 per block but as I did not have the £50,000 required, I offered £5,000 per block, (no mistake here), which was five times in excess of the original asking price. This offer was readily accepted by the vendor and allowed me to develop the land over a number of years. There was no sewer and the roads led only to heaven or two feet deep in mud’, he explains.

Sachs only sold the land to a third party to design and build a house when he was ‘strapped for cash’ but he wanted to design the houses himself to ‘remove the impression of a rich man’s housing commission estate due to the same style next to each other’.¹⁷

In June 1959, an advertisement for the ‘new “Bellaire” Court (Off Cromer Rd., Beaumaris)’ was published, exclaiming ‘What a colossal new part this “Bellaire” Court will be!!’. In February 1961, land was advertised for sale in Beaumaris, in the ‘New Estate of Luxury Homes, “Bellaire Court” Estate (off Cromer Rd.). Midst all new luxury homes’.¹⁸ In August of the same year, two blocks were released for sale in ‘Bellaire Court Estate’, an exclusive court of ‘all luxury homes’. The advertisement noted ‘If required, owner builder will design and build’.¹⁹ Advertisements were also published in the 1960s for completed luxury homes within the estate.²⁰

Sachs built a series of houses in the court between 1962 and c1969, according to Council Valuation information.

¹² *The Age*, 24 August 1949, p 6, quoted from Victorian Architectural Students’ paper *Smudges*.

¹³ *The Age*, 24 August 1949, p 6.

¹⁴ F Austin, S Reeves & A Alexander, *Beaumaris Modern*, 2018, p 121; M Doyle & Sandringham and District Historical Society, *The street where you live*, Sandringham, Vic, 2012, p 23.

¹⁵ *Herald*, 9 October 1951, p 7; *The Age*, 10 October 1951, p 4.

¹⁶ Landata Victoria, Certificate of Title V8169/F996 and subsequent children titles.

¹⁷ F Austin, S Reeves & A Alexander, *Beaumaris Modern*, 2018, p 121.

¹⁸ *The Age*, 8 February 1961, p 25.

¹⁹ *The Age*, 17 August 1961, p 15.

²⁰ *The Age*, 15 September 1962, p 36.



The Sands & McDougall Directories confirm that the houses at 1-20 Bellaire Court were constructed by 1970, with the exception of nos. 16 and 17 which were listed as ‘Houses being built’ in 1970, and 3A Bellaire Court which was constructed by 1974. Numbers 21-24 Bellaire Court were listed in the Sands & McDougall Directories by 1974.²¹

Austin et al discuss Sachs’ design approach for the estate in *Beumaris Modern*:

[Sachs] designed all the houses to suit the shape of the land and the orientation ‘without the hindering of interested parties and archaic designs and building regulations current at the time’. All of Sachs’ houses had a double carport and were constructed on a concrete slab with ducted heating set into the slab. They had private courtyard gardens, a cocktail bar, an ensuite bathroom and walk-in wardrobe, beautiful timber joinery and often a swimming pool.

*The entire court was conceived as being a luxury modern estate, hence the name, Bellaire Court. His houses were built from either red or brown brick by a master Dutch bricklayer and, as Sachs says, ‘you could recognise these houses by their exceptionally clean brickwork with deep raked out and square ironed mortar joints’. The houses all had a flat roof as he believed ‘a flat roof was better for a good floor plan, which is almost impossible to achieve under a tiled roof’.*²²

Sachs’ houses were designed without fences to the front or side boundaries. The lots which Sachs sold to other developers are evident in their more traditional residential designs and pitched roofs.²³ An aerial photo dated 1968 shows Bellaire Court and the development of the estate by this date (see Figure 4). The flat-roofed houses of Martin Sachs’ design can be clearly seen. Some of the houses evident in the 1968 aerial photo have since been replaced. No. 5 Bellaire Court underwent works in 2008, with a large second-storey addition constructed.²⁴ Other known alterations include the addition of a garage door to the carport of 2 Bellaire Court.

Sales advertisements published in the 1970s and ‘80s continued to describe Sachs’ houses in Bellaire Court as executive residences in a prestigious estate or exclusive court.²⁵

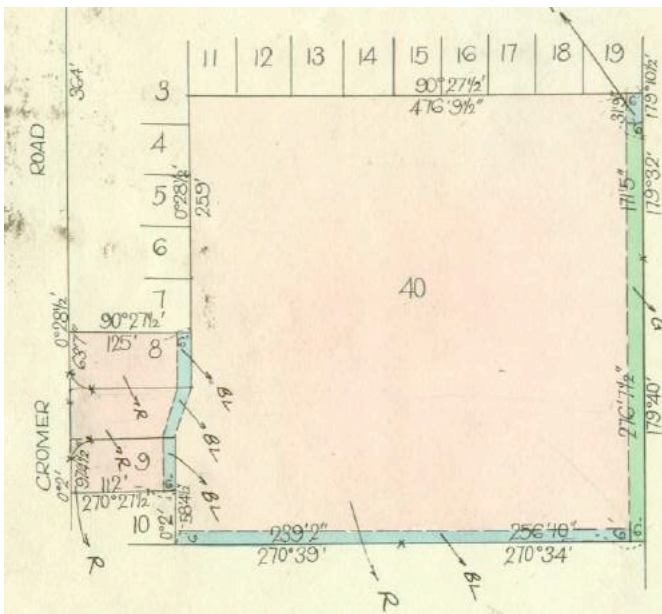


Figure 2. The David’s holdings on Cromer Road in 1957 (coloured red). Lot 40 was subdivided to form Bellaire Court (Source: Landata Victoria: V8169/F996).

²¹ S&M 1965, 1970, 1974.

²² F Austin, S Reeves & A Alexander, *Beumaris Modern*, 2018, p 121.

²³ F Austin, S Reeves & A Alexander, *Beumaris Modern*, 2018, p 121.

²⁴ Bayside City Council Valuation information.

²⁵ *The Age*, 31 March 1979, p 50; 17 May, 1980, p 43; 31 July 1982, p 41; 12 November 1983, p 48.



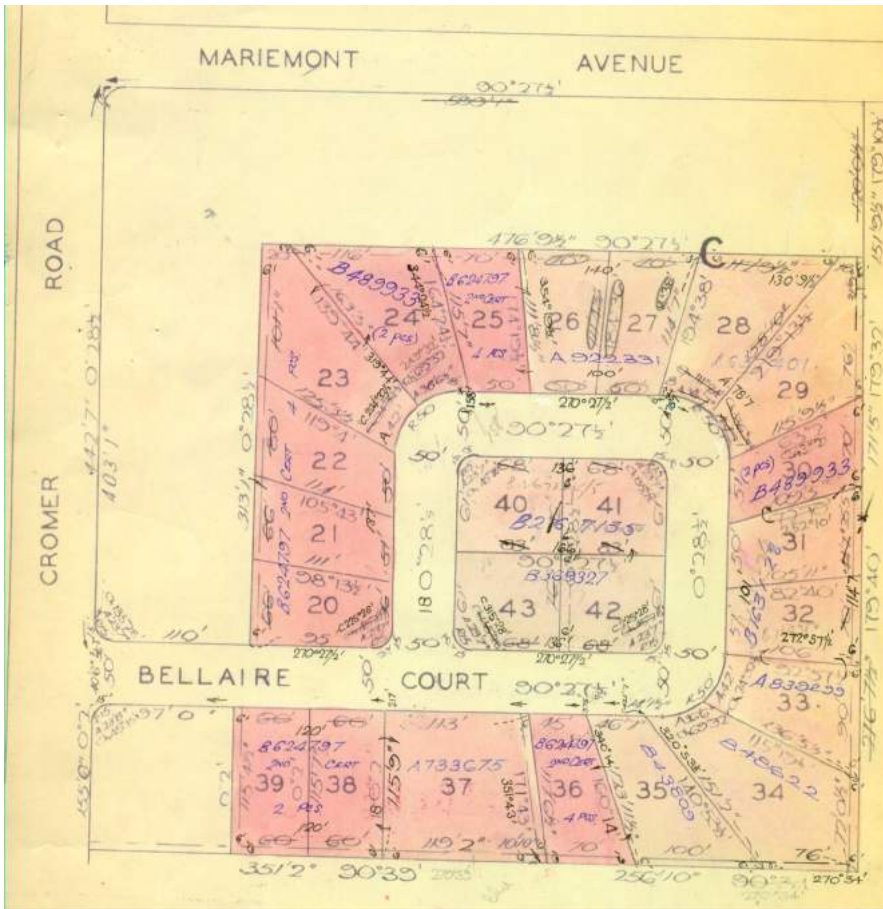


Figure 3. Subdivided lots on Bellaire Court (Source: Landata Victoria, V8169/F996, Lodged Plan 44234).



Figure 4. Bellaire Court and surrounds in 1968, annotated with the current Bellaire Court address numbers in yellow. No. 4 Bellaire Court is shown under construction (Source: Landata Victoria, aerial dated 1968).





Figure 5. Early photo of 8 Bellaire Court (undated) (Source: Beaumaris Modern archives, <<https://beaumarismodern.com.au/archive/8-bellaire-court/>>, accessed December 2021).



Figure 6. Illustration of 2 Bellaire Court, published in a 1983 sales notice (Source: *The Age*, 19 February 1983, p 37).



Figure 7. Illustration of 18 Bellaire Court, published in 1983 (Source: *The Age*, 26 November 1983, p 46).

Martin Sachs, designer and builder

Maksymilian (Martin or Max) Jozef Sachs (1925-2020) was born in Poland and worked as a chemist before migrating to Australia in 1949 and settling in the south-eastern suburbs of Melbourne. In 1953 Sachs moved to Elwood and was identified as a 'self-employed builder' by 1954.²⁶

He soon formed a professional association with fellow Elwood resident and young Modernist architect Harry Ernest (1930–), who had established his own practice in 1955. In the 1950s and 1960s Sachs built some of Ernest's most prominent residential designs. The pair shared an office in Brighton as well as an appreciation for a similar Modernist design aesthetic.²⁷ An example of their collaboration is the house at 1 Sara Avenue, Brighton East (1962).

Sachs also operated as an independent designer and builder, working primarily in the inner south-east suburbs of Melbourne. In 1964 he formed Martin Sachs & Associates Pty Ltd. Projects where he acted as designer and

²⁶ F Austin, S Reeves & A Alexander, *Beaumaris Modern*, 2018, p 122.

²⁷ F Austin, S Reeves & A Alexander, *Beaumaris Modern*, 2018, p 122.



builder include the houses in Bellaire Court, Beaumaris (1960s) and likely the 'craftsman built' luxury flats at 27 Ormond Road, Elwood (c1965).²⁸

By the mid-1960s, Sachs collaborated with various architects, including Murray Nankervis and Erwin Kaldor. From c1965 Sachs also worked with property developer Nathan Beller and architect Sol Sapir. Projects with Sapir included a number of multi-storey apartment buildings in the suburbs of St Kilda, Elwood, Albert Park, Middle Park, Prahran and South Yarra.²⁹ Key examples include the flats at 60 Clowes Street, South Yarra (1968)³⁰, 'Miami Towers' at 189 Beaconsfield Parade, Middle Park (1969) and 'Plaza 333' at 333 Beaconsfield Parade, St Kilda (1969).³¹

Sachs is also known to have built the flats at 14 Lansell Road, Toorak (c1965)³² and 10 Affleck Street, South Yarra (c1965) (designers not confirmed).³³

Historical Themes

The place illustrates the following themes as outlined in *Victoria's Framework of Historical Themes*:

- 6 Building towns, cities and the garden state
 - 6.7 Making homes for Victorians

Description

The following description has been prepared following an inspection from the public realm supplemented by information obtained from current owners, current and historical photography (including aerial imagery), real estate listings and publications noted in the reference section of this citation. An on-site inspection is required to confirm these details.

Bellaire Court is located to the east of Cromer Road between Mariemont Avenue and Powys Drive and is a looped court accessed from Cromer Road.

The court comprises 24 houses - 20 are located around the outer loop of the court and four are located within a central island. The majority of houses are single-storey brick houses which were constructed in the 1960s and 1970s in either a Modernist style, with metal-clad flat roofs, or in a traditional style, with tiled pitched roofs. A small number of houses appear to be of more recent construction and are two-storied (nos. 6 & 11) and a second-storey has been added to the Modernist style 1960s house at no. 5.

A group of ~~seven~~ **eight** houses, distributed around the outer loop of the court, remain substantially intact and display a consistent set of Modernist attributes. These houses at 2, 4, 8, ~~9~~, 10, 15, 18 and 19 Bellaire Court are single-storey brick houses with metal-clad flat roofs, eaves that are finished with deep timber fascias and expansive timber framed windows. Forms are low and box-like with a horizontal emphasis and incorporate prominent carports. These houses are generally sited to maximise natural lighting by responding to each particular site.

²⁸ *The Age*, 9 October 1965, p 52.

²⁹ F Austin, S Reeves & A Alexander, *Beaumaris Modern*, 2018, p 122.

³⁰ *The Age*, 20 April 1968, p 21.

³¹ *The Australian Jewish News*, 15 August 1969, p 7.

³² *The Age*, 17 July 1965, p 60.

³³ *The Age*, 16 January 1965, p 48.



2 Bellaire Court

The house at 2 Bellaire Court is located on the south side of Bellaire Court, near the entry to the court. It is positioned towards the rear of the block to enable a garden setting to the street frontage.

The house is single storey and is L-shaped in plan with an east facing courtyard located behind a prominent and integrated double garage (former carport). It is of brick construction with metal-clad flat roof and eaves that are finished with deep timber fascias.

The principal (north) elevation comprises a double garage (former carport) to the east, a set of windows above a feature panel of stacked orange brickwork to the west and a central door which provides access to the carport, courtyard and concealed house entry. Expansive timber framed full-height north and east-facing glazing to the courtyard provides abundant light to adjacent indoor spaces.

Walls are of red/orange face brick laid in a stretcher bond pattern, fascias are painted white and front window joinery is painted dark brown with white contrast.

4 Bellaire Court

The house at 4 Bellaire Court is located on the south side of Bellaire Court. It is positioned towards the rear of a wedge-shaped block to enable a garden setting to the street frontage.

The house is single-storey with front open space to the north-east and a prominent and integrated double carport to the front elevation. It is of brick construction with metal-clad flat roof and eaves that are finished with deep timber fascias.

The principal (north) elevation has a continuous eave-line above a carport to the west and an adjacent front bay with full-height window wall. Entry to the house is at the east elevation, adjacent to a perpendicular bay which extends to the eastern boundary. Expansive timber framed full-height windows are located at both the east and west elevations, providing connection to a small western courtyard and abundant light to interior spaces.

Walls are of deep cream face brick laid in a stretcher bond pattern, fascias are painted dark grey and window joinery is painted white with grey contrasts. Alterations to 4 Bellaire Court include partial removal of asbestos eaves, the construction of a small kitchen addition, replacement of some windows and doors, and the replacement of the roof.³⁴

8 Bellaire Court

The house at 8 Bellaire Court is located at the east end of Bellaire Court. It is positioned towards the rear of a wedge-shaped block to enable a garden setting to the street frontage.

The house is single storey and is approximately L-shaped in plan with rear open space to the north-east and a prominent and integrated carport to the front elevation. It is of brick construction with metal-clad flat roof and eaves that are finished with deep timber fascias.

The principal (west) elevation has a projecting central bay with a set of windows, flanked by a low-roofed carport to the south and a grey breezeblock screen to the north which conceals a small courtyard. Entry to the house is at the rear of the carport. Expansive timber framed full-height north and east-facing glazing to a rear courtyard connects the indoor and outdoor spaces and provides abundant light to the interior.

³⁴ Owner, personal communication via letter to Council, April 2022.

Walls are of red/orange face brick laid in a stretcher bond pattern, fascias are painted dark grey and window joinery is painted white.

Alterations to 8 Bellaire Court include the reconstruction of the carport and adjacent stone wall along the south boundary, the construction of small additions at the north-west and south-east corners of the house and recladding of the roof in 2013.³⁵

9 Bellaire Court

~~The house at 9 Bellaire Court is located at the east end of Bellaire Court. It is positioned towards the rear of a wedge-shaped block to enable a garden setting to the street frontage.~~

~~The house is single-storey, of low box-like form with a horizontal emphasis and is approximately L-shaped in plan with rear open space to the north-east and prominent and integrated carport to the front elevation. It is of brick construction with metal-clad flat roof and eaves that are finished with deep timber fascias.~~

~~The principal (west) elevation has a projecting central bay with a full-height window set which wraps around the north corner and continues across a recessed portion of the front wall to the north. Entry to the house is at the rear of a low-roofed carport to the north. Expansive timber-framed full-height north and east-facing glazing to a rear courtyard connects the indoor and outdoor spaces and provides abundant light to the interior.~~

~~Orange/red face brick walls have recently been rendered, with fascias painted dark brown/grey and window joinery painted white.~~

10 Bellaire Court

The house at 10 Bellaire Court is located at the east end of Bellaire Court. It is positioned towards the rear of a wedge-shaped block to enable a garden setting to the street frontage.

The house is single-storey and is approximately L-shaped in plan with rear open space to the north-east and a prominent and integrated carport located at the centre of the principal elevation. It is of brick construction with metal-clad flat roof and eaves that are finished with deep timber fascias.

The principal (west) elevation comprises a central low-roofed carport which is flanked by projecting bays with sets of full-height windows. Entry to the house is at the rear of the central carport. Expansive timber-framed full-height north and east-facing glazing to a rear courtyard connects the indoor and outdoor spaces and provides abundant light to the interior.

Walls are of red/orange face brick laid in a stretcher bond pattern and fascias and window joinery are painted dark grey.

15 Bellaire Court

The house at 15 Bellaire Court is located on the north side of Bellaire Court. It is positioned towards the rear of a wedge-shaped block to enable a garden setting to the street frontage.

The house is single-storey and is U-shaped in plan with west-facing side courtyard and prominent double carport to the front elevation. It is of brick construction with metal-clad flat roof and eaves that are finished with deep timber fascias.

The principal (south) elevation is dominated by a double carport which is set in front of the main house with entry from the west side. A key feature of the principal elevation is a panel of broad vertical louvres set above a brick base, which lines the side of the carport and contrasts with the horizontality of the eave fascias. Entry

³⁵ Bayside Council Building Files, City of Brighton, Building Permit plans for 8 Bellaire Court, Beaumaris, dated 2012.



to the house is protected by the carport. Expansive timber framed full-height glazing to the rear and to the west-facing courtyard connects the indoor and outdoor spaces and provides abundant light to the interior. Random stonework is set into a broad concrete driveway and further random stonework is used as cladding to garden edges and entrance pier.

Walls are of brown face brick laid in a stretcher bond pattern and fascias and window joinery are painted white.

18 Bellaire Court

The house at 18 Bellaire Court is located on the west side of Bellaire Court. It is positioned towards the rear of a wedge-shaped block to enable a garden setting to the street frontage.

The house is single-storey and is approximately L-shaped in plan with rear open space to the north-west and prominent and integrated carport to the front elevation. It is of brick construction with metal-clad flat roof and eaves that are finished with deep timber fascias.

The principal (east) elevation has a continuous eave-line above a carport to the south and an adjacent projecting central bay with a full-height window set. This window set wraps around the north corner of the bay and continues across a recessed portion of the front wall to the north. Entry to the house and a full-height window set are located at the rear of the carport. Expansive timber framed full-height north and west-facing glazing to a rear courtyard connects the indoor and outdoor spaces and provides abundant light to the interior. A pebblemix border and stone garden wall line the front entry path.

Walls are of dark red/orange face brick laid in a stretcher bond pattern and fascias and window joinery are painted white.

19 Bellaire Court

The house at 19 Bellaire Court is located on the west side of Bellaire Court. It is positioned towards the rear of a wedge-shaped block to enable a garden setting to the street frontage.

The house is single-storey and is approximately L-shaped in plan with open space and swimming pool to the north-west and prominent and integrated carport to the front elevation. It is of brick construction with metal-clad flat roof and eaves that are finished with deep timber fascias.

The principal (east) elevation has a continuous eave-line above a carport to the south and an adjacent projecting bay with a window set. Entry to the house is at the rear of the carport. Expansive timber framed full-height north and west-facing glazing to a rear courtyard and pool connects the indoor and outdoor spaces and provides abundant light to the interior.

Walls are of red/orange face brick laid in a stretcher bond pattern, fascias are painted dark grey and window joinery is painted white.

Key features of the houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court include:

- Site-specific planning to maximise the northern aspect.
- Modernist composition and form, including rectangular planning, low single-storey box-like forms with horizontal emphasis, flat roofs and prominent integrated carports.
- Modernist materials and detailing, including face brick walls, painted timber fascias, and expansive timber-framed glazing.



Figure 8. Bellaire Court, Beaumaris. Houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court are indicated (Source: nearmap, accessed December 2021)



Figure 9. 2 Bellaire Court, Beaumaris (GJM Heritage, April 2021)



Figure 10. 4 Bellaire Court, Beaumaris (GJM Heritage, April 2021)





Figure 11. 8 Bellaire Court, Beaumaris (GJM Heritage, April 2021)



Figure 12. 9 Bellaire Court, Beaumaris (GJM Heritage, April 2022)



Figure 12. 10 Bellaire Court, Beaumaris (GJM Heritage, April 2021)



Figure 13 ~~14~~. 15
Bellaire Court,
Beaumaris (GJM
Heritage, April 2021)



Figure 14 ~~15~~. 18
Bellaire Court,
Beaumaris (Google
Streetview, January
2019)



Figure 15 ~~16~~. 19
Bellaire Court,
Beaumaris (GJM
Heritage, April 2021)

Intactness/Integrity

The houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court retain a high degree of integrity in fabric, form and detail. They remain substantially intact and can be readily understood and appreciated as a coherent group of 1960s houses built in the Post-War Modernist style.

Comparative Analysis

In the immediate post-war period through to the mid-1970s, a large number of Modernist houses were constructed in the City of Bayside, often for those with an appreciation of Modernist architecture and its design principles. These houses were designed with a simplicity of structure and a sparseness of detail. The design of these houses generally responded to the orientation, topography or existing vegetation of each site. Plans were typically rectangular, with zoned wings arranged around courtyards, and forms were box-like and low with a horizontal emphasis. Shallow-pitched or flat roofs were clad with lightweight sheeting. Integrated carports were prominently placed at the front of the house while entries were commonly recessed or concealed from view. Walls were typically timber-framed and clad with timber, cement sheet or brick, or were of solid masonry construction.

Timber-framed glazing included bands of highlight windows and full-height window-walls to maximise sun penetration and provide visual and physical connection with the outdoors. Landscaping was commonly integrated into the overall design.

The houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court are a coherent group of fine and substantially intact residences built in close proximity to each other by the same builder/designer in the 1960s. They are all built in a Modernist style and display similar characteristics. The houses form a clearly identifiable group of Modernist style 1960s houses and no comparable group has been identified in the City of Bayside in previous studies or as part of this study.

The style and form of the houses have some comparison with a number of other substantially intact and well-resolved examples of the residential Post-War Modernist type not currently included in the Heritage Overlay. These places have been retained with sufficient integrity to demonstrate this particular class of place and to reflect its importance in the historical development of what is now the City of Bayside. These buildings clearly illustrate the application of Modernist principles to residential development and display the principal characteristics of the style. Those that are most comparable to the group of houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court in form, detailing and age of construction include:



1 (3) Sara Avenue, Brighton East (Harry Ernest, 1962)



89 Oak Street, Beaumaris (Sylvia Tutt, 1962-64) (substantially demolished 2022)



24 Balcombe Park Lane, Beaumaris (J Carmichael [attributed to Peter Carmichael], 1966)

Like the group of houses in Bellaire Court, the above examples comprise simple box-like forms with horizontal emphasis, flat roofs and prominent integrated carports. They are characterised by their rectangular plan forms and front facades comprising brick walls with expanses of glazing, and their siting to incorporate landscaped garden settings to the street frontage. Like the houses in Bellaire Court, these houses demonstrate a simplicity of design and lightness of material, being of brick construction with expansive timber-framed windows designed to maximise natural lighting and provide connection between the indoors and outdoors – a characteristic feature of Modernist housing design. The group of houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court retain a similarly high degree of integrity to their period of construction as the above examples and they remain substantially intact to clearly demonstrate a range of characteristics of the Modernist architectural style.

Similar to the small number of 1950s to mid-1970s buildings presently included in the Heritage Overlay of the Bayside Planning Scheme – and the other examples identified above – the group of houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris clearly demonstrate an important phase in the architectural development of suburban housing in the City of Bayside.

Assessment against Criteria

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

Criterion A: Importance to the course or pattern of our cultural or natural history

Designed and built between 1962 and 1968 by prominent builder Martin Sachs, the houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are illustrative of post-war suburban development in the City of Bayside, when a large number of Modernist houses were constructed across the municipality for those with an appreciation for Modernist architecture and its design principles. Beaumaris in particular appealed to many architects, designers and homemakers who were drawn to settle on low-cost, but attractive land and the suburb became a centre of Modernist residential housing in the post-war period. The group of houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris make a strong contribution to this important phase in the development of the City of Bayside.

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

The houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are notable as a substantially intact representative group of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed and built by Martin Sachs, the houses display a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like form with horizontal emphasis, flat roofs with broad eaves and deep fascias, expansive timber-framed glazing including full height windows, and prominent integrated carports.

Criterion E: Importance in displaying particular aesthetic characteristics

The houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are of aesthetic significance as a substantially intact collection of well-resolved and carefully detailed examples of suburban houses constructed in the Modernist style. Designed and built by renowned builder Martin Sachs in the 1960s, the houses are characterised by their similar forms and architectural expression, and their refined detailing. They demonstrate the key aesthetic qualities of Modernist design in the City of Bayside to a high standard.

Grading and Recommendations

It is recommended that the place be included in the Heritage Overlay of the Bayside Planning Scheme as a locally significant heritage place.

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

External Paint Controls?	No
Internal Alteration Controls?	No
Tree Controls?	No
Outbuildings or Fences not exempt under Clause 43.01-4?	No
Prohibited Uses Permitted?	No
Aboriginal Heritage Place?	No



Extent of the Recommended Heritage Overlay

To the extent of the green polygons as shown in Figure 16 ~~17~~ below.





Figure 16 ~~17~~. Recommended Extent of Heritage Overlay (Basemap Source: Vicplan)

Key

- Recommended extent of HO
- Existing Heritage Overlay

References

- Allom Lovell & Associates, *Bayside Heritage Review: Thematic History*, 1999.
- Austin, F, Reeves, S and Alexander, A, *Beaumaris Modern*, Melbourne, 2018.
- Australian Jewish News*.
- Bayside City Council Building Files.
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- Beaumaris Modern archives, <<https://beaumarismodern.com.au/archive/8-bellaire-court/>>, accessed December 2021.
- Cuffley, P, *Australian Houses of the 1940s and 1950s*, Rowville, 2007.
- Doyle, M & Sandringham and District Historical Society, *The street where you live : street names and their origins : Beaumaris, Black Rock, Hampton, Hampton East, Sandringham, and parts of Highett and Cheltenham*, Sandringham, Vic, 2012.
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- Heritage Alliance, *City of Bayside Inter-War & Post-War Heritage Study*, 2008.
- Landata Victoria.
- Personal communication.
- Sands & McDougall Directories (S&M).
- The Age*.
- The Argus*.
- University of Melbourne, Melbourne 1945 Photo-map.
- University of Melbourne, Melbourne School of Design, *Merchant Builders, towards a new archive*, Parkville, 2015.

Bellaire Court Estate, Beaumaris – Statement of Significance, ~~May 2022~~ December 2023

Heritage place: Bellaire Court Estate, 2, 4, 8, 9 , 10, 15, 18 & 19 Bellaire Court, Beaumaris	PS ref no.: H0853
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Figure 1. 15 Bellaire Court, Beaumaris (April 2021)

What is significant?

The group of ~~seven (7)~~ ~~eight (8)~~ houses at 2, 4, 8, ~~9~~, 10, 15, 18 & 19 Bellaire Court, Beaumaris, built from 1962-1968.

Elements that contribute to the significance of the group include (but are not limited to):

- The original external form, materials and detailing of each of the buildings
- The high level of integrity to each buildings' original design
- Site-specific planning to maximise the northern aspect
- Modernist composition and form, including rectangular planning, low single-storey box-like forms with horizontal emphasis, flat roofs and prominent integrated carports.
- Modernist materials and detailing, including face brick walls, painted timber fascias, and expansive timber-framed glazing.

Later alterations are not contributory.

How is it significant?

The group of ~~seven (7)~~ ~~eight (8)~~ houses at 2, 4, 8, ~~9~~, 10, 15, 18 & 19 Bellaire Court, Beaumaris is of local historical, representative (architectural) and aesthetic significance to the City of Bayside.

Why is it significant?

Designed and built between 1962 and 1968 by prominent builder Martin Sachs, the houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are illustrative of post-war suburban development in the City of Bayside, when a large number of Modernist houses were constructed across the municipality for those with an appreciation for Modernist architecture and its design principles. Beaumaris in particular appealed to many architects, designers and homemakers who were drawn to settle on low-cost, but attractive land and the suburb became a centre of Modernist residential housing in the post-war period. The group of houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris make a strong contribution to this important phase in the development of the City of Bayside. (Criterion A).

The houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are notable as a substantially intact representative group of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed and built by Martin Sachs, the houses display a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like form with horizontal emphasis, flat roofs with broad eaves and deep fascias, expansive timber-framed glazing including full height windows, and prominent integrated carports (Criterion D).

The houses at 2, 4, 8, 9, 10, 15, 18 and 19 Bellaire Court, Beaumaris are of aesthetic significance as a substantially intact collection of well-resolved and carefully detailed examples of suburban houses constructed in the Modernist style. Designed and built by renowned builder Martin Sachs in the 1960s, the houses are characterised by their similar forms and architectural expression, and their refined detailing. They demonstrate the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

Primary sources:

City of Bayside Post-War Modern Residential Heritage Study, GJM Heritage (2022)

HERITAGE CITATION

Gooch House, 19 Haywood Street, Beaumaris



Figure 1. 19 Haywood Street, Beaumaris (GJM Heritage, November 2021).

DATE: December 2021, updated May 2022 and [December 2023](#)

GOOCH HOUSE, 19 HAYWOOD STREET, BEAUMARIS

Place Type: House	Architect: Clarke Hopkins Clarke
Construction Date: 1969-70	Builder: Not known
Recommendation: Include in the Heritage Overlay	Extent of Overlay: To the extent of the property boundary

The place documented in this citation is on the lands of the Bunurong People of the South-Eastern Kulin Nation, represented by the Bunurong Land Council Aboriginal Corporation. While this citation does not specifically consider the Aboriginal heritage values of the place, the historic and ongoing cultural importance of the Bunurong People to the City of Bayside is respectfully acknowledged.

Contextual History

The Post-War Bayside Landscape

The period from 1945 to 1975 was one of radical transformation for the former municipalities of Brighton and Sandringham, which now make up the City of Bayside.

In 1945, suburban residential development was concentrated in Brighton and parts of Brighton East in the north and along the coastal fringe of Port Phillip Bay at Hampton, Sandringham and Black Rock in the west. Some limited development was also evident adjacent to the Nepean Highway and around railway stations to the east. However, the intervening land – approximately one-third of the total area of the current municipality – was predominantly farmland south of Dendy Street, with golf courses in the central area and a large undeveloped tract of land at Beaumaris to the south.¹

By 1975 the two municipalities were completely urbanised.

Limited housing construction during the 1930s depression and throughout World War II led to a severe shortage of housing in suburban Melbourne in the immediate post-war period, when returning servicemen, post-war migration and an optimism in Australia's future fuelled an unprecedented demand for housing. As a result, large-scale residential subdivision of under-developed parts of suburban Melbourne occurred from the late 1940s. This development occurred rapidly within the municipalities of Brighton and Sandringham, particularly on the large tracts of available land further from the coastal fringe, in suburbs such as Brighton East, Hampton East, Highett and Cheltenham and to the south in Beaumaris, where surviving rural properties were available for subdivision in the 1950s.²

At this time a particularly large tract of land at Beaumaris became available, enabling a concentration of post-war residential development to occur in this suburb. Planning to relocate operations to Beaumaris, the Dunlop-Perdieu Company had purchased approximately 300 acres (121.4 hectares) of subdivided³ land in the 1930s⁴ and developed an ambitious scheme for an industrial garden city.⁵ The extensive block of land was bounded by Balcombe Road to the north, Cromer Road to the east, Haydens Road to the west, and went as far south as Gibbs and Nautilus streets. This land remained undeveloped in the immediate post-war period and the scheme

¹ University of Melbourne, Melbourne 1945 Photo-map.

² For example, Coronet Hill and San Marino in Beaumaris and Stonehaven, Moorabbin (Allom Lovell & Associates, *Bayside Heritage Review: Thematic History*, 1999, p 19 & Heritage Alliance, *City of Bayside Inter-War & Post-War Heritage Study*, 2008, p 55).

³ *Argus* supplement, 18 November 1944.

⁴ *Herald*, 2 August 1939, p 1.

⁵ *Argus*, 9 December 1944, p 8.

was abandoned in 1950.⁶ When the land was finally released for sale from the early 1950s, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne.⁷

A unique opportunity for concentrated post-war development in Brighton became possible when the Melbourne Orphan Asylum relocated from the suburb in the mid-1960s. The orphanage, which opened in 1877, was bounded by Windermere Crescent to the north, New Street to the east, Dendy Street to the south and Whyte Street to the west. After demolition of the asylum complex, the 20-acre (8 hectare) tract of land became available for residential subdivision and a number of fine Modern houses were constructed.

The post-war dream of suburban home ownership reached its peak in the 1960s in the middle ring of Melbourne's suburbs, and the suburbs of Beaumaris, Brighton East, Hampton East, Highett and Cheltenham, bear witness to this residential growth.

Housing in the Post-War Period

Following World War II, a severe shortage of building materials and labour, coupled with government restrictions on home building,⁸ limited the construction of new houses demanded by the booming population. In response to these restrictive conditions, two contrasting lower-resource housing types emerged – a more conventional austere type and a Modern type.

With its L-shaped plan form and tile-clad hipped roof, the conventional austere type of housing quickly dominated the suburban landscape and, despite removal of building restrictions in 1952,⁹ little change was made to this standard form of housing through the 1950s and 1960s. Public authorities, private development companies and individuals created residential subdivisions dominated by this housing type in suburbs such as Brighton East, Hampton East, Highett and Cheltenham. This house type – built of either timber or brick veneer – is evident throughout the suburbs of the current City of Bayside, including estates of public housing constructed by the Housing Commission.

By contrast, the Modernist house type offered a radical alternative to this conservative post-war housing type. Driven by young architects and designer embracing the Modernist architectural movement, they shunned the conservative house forms and embraced the opportunity to address housing demands in an affordable but contemporary manner. They responded to the prevailing economic constraints by experimenting with lightweight materials and simple construction methods.

With its roots in the 1930s, Modernism in Melbourne emerged with force in the post-war period aided by overseas and local publications, post-war migration¹⁰ and 'rite of passage' overseas travel by young architects. Completely rejecting historic styles, young architects and designers were instead inspired by a broad range of architectural trends from overseas, including the United States, Europe, Japan and Great Britain, which embraced the principles of functionalism, simplicity and rationality. Architects utilised materials such as steel, concrete and glass, designing buildings that were characterised by plain, unadorned surfaces.¹¹ The Modernist house type, with its flat or shallow roof, box-like forms and generous glazing, flourished in the 1950s and 1960s, and came to embody the forward-looking optimism of the post-war era.

⁶ *Herald*, 29 September 1950, p 10.

⁷ Heritage Alliance, *City of Bayside Inter-War and Post-War Heritage Study*, Vol 1, 2008, p 21.

⁸ Restrictions were imposed to preserve resources for government building projects and to extend resources to maximise house construction. They included restricting the size of brick houses to 1250 ft² (111.5 m²) and timber houses to 1200 ft² (111.5 m²) (P Cuffley, *Australian Houses of the 1940s and 1950s*, Rowville, 2007, p 73) and limiting expenditure to £3000 (*Australian Home Beautiful*, January 1942 as quoted by P Cuffley, *Australian Houses of the 1940s and 1950s*, Rowville, 2007, p 55).

⁹ P Goad, *The Modern House in Melbourne 1945-1975*, thesis, University of Melbourne, 1992, p 5/1.

¹⁰ Émigré architects included Michael Feldhagen, Helen and John Holgar, Ernest Fooks, Kurt Popper, Anatol Kagan and Herbert Tisher.

¹¹ P Goad, 'Modernism' in P Goad & J Willis, *The Encyclopedia of Australian Architecture*, Port Melbourne, 2012, p 464-467.

Many Modern houses were built in what was the City of Sandringham, with a concentration in Beaumaris – in heavily-vegetated areas where low-cost land was readily available and council regulations were less restrictive. Attractive to architects, designers and young homemakers interested in the Modern aesthetic, the suburb of Beaumaris became a centre of Modern post-war housing, particularly after the release of Dunlop-Perdieu Company-owned land in the 1950s. Even before the release of this land the suburb was described by Robin Boyd in 1949 as containing ‘the greatest concentration of first-class modern domestic architecture in Australia’¹² with ‘homes which have risen above the trials of current shortages...exemplifying the unpretentious, logical approach to building’.¹³

A New Generation of Architects and Modernist Design

A new generation of architects and designers including Robin Boyd, Neil Clerehan, Mockridge Stahle and Mitchell, John and Phyllis Murphy, James Earle, John Baird, McGlashan & Everist, Geoffrey Woodfall, David Godsell, Ken Rendell and Chancellor and Patrick, designed houses in the municipalities of Sandringham and Brighton in the 1950s and 1960s. Influenced by a broad range of both local and overseas architectural trends, the designs of these often young architects clearly embraced the functional ideals of Modernism and, in some cases, the organic architecture of American Frank Lloyd Wright (e.g. Muckle Flugga, 2 High Street, Beaumaris by Chancellor & Patrick, 1958; Godsell House, 491 Balcombe Road, Beaumaris by David Godsell, 1960; and Rendell House, 33 Clonmore St, Beaumaris by Ken Rendell, 1967).

Beaumaris and its environs in particular appealed to many architects and designers in the post-war period who were drawn to settle on available land that was low-cost but attractive. Designing their own modest homes in the area, architects including David Godsell, Ken Atkins, Eric Lyon, Rex Patrick, Charles Bricknell and John Baird, supplemented the growing enclave of well-designed Modernist houses in the area.

A particularly high concentration of architect-designed houses from the 1950s and 1960s remain extant in the southern part of the current City of Bayside.

Modern house design matured through the more affluent years of the 1960s and early 1970s and a variety of work emerged including what Professor Phillip Goad described in 1992 in his doctoral thesis as ‘some of the most original expressions for the contemporary dwelling’.¹⁴ In the more affluent and established suburbs of Brighton, Sandringham and Black Rock, fine examples of Post-War Modernist houses replaced existing houses in well-established streetscapes, particularly in the late 1960s and early 1970s. A number of these were recognised by the Royal Australian Institute of Architects (RAIA) in the annual architectural awards between 1968 and 1976 – five in Brighton, one in Hampton and two in Beaumaris.¹⁵

Place History

The house at 19 Haywood Street, Beaumaris was constructed in the 1969-70 for David and Fayette Gooch to a design by architect Neil Biggin of architectural firm, Clarke Hopkins Clarke.¹⁶ The house comprised three

¹² *The Age*, 24 August 1949, p 6, quoted from Victorian Architectural Students’ paper *Smudges*.

¹³ *The Age*, 24 August 1949, p 6.

¹⁴ P Goad, *The Modern House in Melbourne 1945-1975*, thesis, University of Melbourne, 1992, p 5/12.

¹⁵ P Goad (ed), *Judging Architecture*, North Sydney, 2003, p 288-291: Breedon House, Brighton (G Woodfall, Citation 1968); Fletcher House, 8 Avonbury Crt, Brighton (Romberg & Boyd, Citation 1969); Fletcher House, 3 Roslyn St, Brighton (E Pirotta, Bronze Medal for House of the Year 1972); Abrahams House, 42 North Rd, Brighton (P Crone, Citation 1972); Mason House, Brighton (B Joyce & Assoc, Citation 1972); French House, 22 Alfred St, Beaumaris (J Baird Cuthbert & Partners, *The Age*/RAIA House of the Year 1973); Coakley House, 4 The Avenue, Hampton (P Crone, Citation 1976); Smith House, 16 Surf Ave, Beaumaris (J Baird Cuthbert & Partners, Citation 1976).

¹⁶ Beaumaris Modern Facebook, post dated 24 September 2015, <facebook.com/beaumarismodern>, accessed 29 November 2021.

bedrooms, a large dining and living area with a terrace to the north, and sun room to the rear. A carport was located to the front of the property.¹⁷

Minor alterations were made to the rear of the residence in 1987 and a small section of timber fascia to the street elevation and panelling to the side of the front door has been replaced with a stacked stone cladding.¹⁸ The house was first offered for sale in 2015.¹⁹

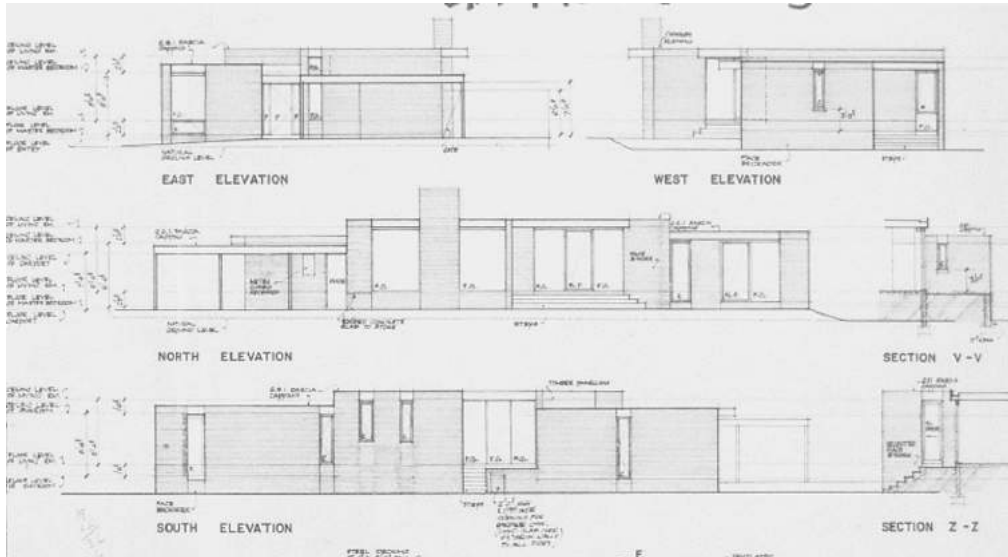


Figure 2. Working drawings, elevations for 19 Haywood Street, Beaumaris, 1969 (Source: Bayside Council Building Files)

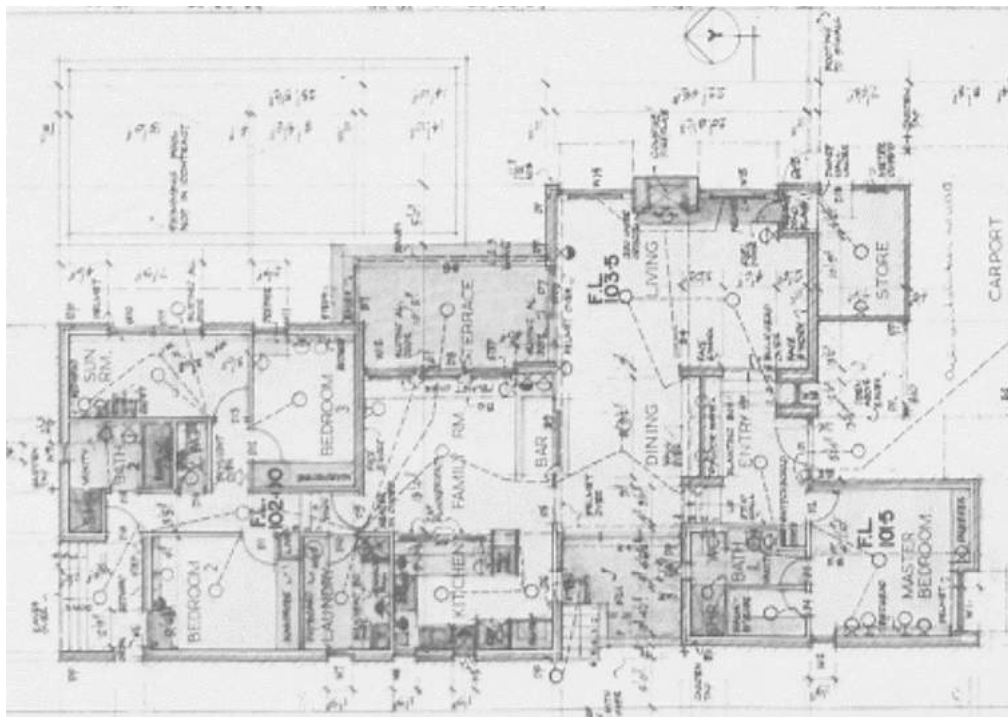


Figure 3. Site plan showing the layout of the house, 1969. North is to the top of the image (Source: Bayside Council Building Files)

¹⁷ Bayside Council Building Files, Working drawings for 19 Haywood Street, Beaumaris, 17 April 1969.

¹⁸ Bayside Council Building Files, Proposed alterations to residence at 19 Haywood Street, Beaumaris, 1987.

¹⁹ 19 Haywood Street, Beaumaris, <https://www.realestate.com.au/property//19-haywood-st-beaumaris-vic-3193>, accessed 29 November 2021.

Clarke Hopkins Clarke, architects

RMIT University architecture graduates Jack Clarke, David Hopkins and Les Clarke formed Clarke & Associates, later named Clarke Hopkins Clarke, in 1961. Jack Clarke was appointed director of the Royal Victorian Institute of Architects (RVIA) Small Homes Service between 1962 and 1965 and as a result, the firm received nationwide residential commissions. The firm also took on educational projects in the 1970s, including award-winning work at Eltham College.²⁰ Other key commissions included the Royal Park Boys Home, Parkville (1968).

Residential projects in the post-war period are known to include 21 Brewster Street, Essendon (1960s), 2 Ballara Court, Brighton (1961), 14 Cavell Court, Beaumaris (1964), 2 Ramsay Street, Brighton (1964), 25 Billson Street, Brighton East (1964) and 19 Haywood Street, Beaumaris (c1969). Les Clarke's design 'Pillaroo' in Montmerency won the Housing Institute of Australia's 1978 'House of the Year'.²¹ While the original directors have retired, the firm continues to operate today as ClarkeHopkinsClarke.

Historical Themes

The place illustrates the following themes as outlined in *Victoria's Framework of Historical Themes*:

- 6 Building towns, cities and the garden state
 - 6.7 Making homes for Victorians

Description

The following description has been prepared following an inspection from the public realm supplemented by information obtained from current and historical photography (including aerial imagery), real estate listings and publications noted in the reference section of this citation. An on-site inspection is required to confirm these details.

The house at 19 Haywood Street is located on the west side of Haywood Street, immediately south of the Victoria Golf Club. The site is rectangular and flat, and access is provided at the northern end of the eastern boundary via a single vehicular crossover.

The house is single-storey and comprises several rectilinear volumes in plan, with flat, parapeted roofs. The house is of masonry construction, with pale brown face brick walls forming a series of intersecting, perpendicular planes. A massive brick chimney at the north elevation is constructed in matching brick.

The principal (east) elevation has a low profile and is asymmetrically composed around a centrally-positioned and deeply recessed entry, which is access via a timber-framed canopied walkway that connects to the projecting carport. A gap between the various roof planes provides for a small planted courtyard to be positioned at the entry. Other details include the expansive glazing which, except for a strip of windowhead dressed with stone tiles, span the full floor-to-ceiling height.

The front garden is unfenced and sparsely planted, with a large lawn area adjacent to a brick-paved driveway. Two large *Eucalyptus* trees flank the driveway entry at the boundary and likely represent remnants of an original planting scheme. A privacy wall, matching the main walls of the house, with timber gate, screens views from the street to the north elevation. A pool is located at the far northwest corner of the site.

²⁰ Clarke Hopkins Clarke, 'About', <<https://www.chc.com.au/about>>, accessed 31 July 2021.

²¹ The Urban Developer, 'Architect Les Clarke AM retires from Melbourne's ClarkeHopkinsClarke', <<https://www.theurbandeveloper.com/articles/>>, accessed July 2021.



Key Features:

- Siting to maximise the northern aspect.
- Modernist composition and form, including rectilinear planning, low box-like form with horizontal emphasis, flat roofs extending to broad eaves with deep fascias above windows, expansive timber-framed windows, deeply recessed main entrance, and prominently sited carport.
- Modernist materials and detailing, including expansive glazing, painted timber fascias, face brick masonry construction, stone cladding detail to windowheads, and expressed structural timber elements to the carport and entry walkway.
- Landscape elements, including brick paved driveway and two mature *Eucalyptus* sp. flanking the driveway entry.



Figure 4. 19 Haywood Street, Beaumaris (Source: nearmap, accessed December 2021)



Figure 5. Street presentation (GJM Heritage, November 2021)



Figure 6. Carport and recessed entry (GJM Heritage, November 2021)

Intactness/Integrity

The house at 19 Haywood Street, Beaumaris retains a high degree of integrity in fabric, form and detail to its period of construction. [With the exception of some rear alterations and the introduction of a small amount of stacked stone cladding to the principal elevation,](#) the house remains substantially intact and retains the ability to be understood and appreciated as an example of a late 1960s/early 1970s house built in the Post-War Modernist style.

Comparative Analysis

In the immediate post-war period through to the mid-1970s, a large number of Modernist houses were constructed in the City of Bayside, often for those with an appreciation of Modernist architecture, its design principles and the value of employing an architect. These houses were designed with a simplicity of structure and a sparseness of detail. The design of these houses generally responded to the orientation, topography or existing vegetation of each site, with full advantage taken of the northerly aspect. Plans were typically rectangular, with zoned wings arranged around courtyards, and forms were box-like and low with a horizontal emphasis. Shallow-pitched or flat roofs were clad with lightweight sheeting. Integrated carports were prominently sited at the front of the house while entries were commonly recessed and concealed from view. Walls were typically timber-framed and clad with timber, cement sheet or brick, or were of solid masonry construction. A diverse range of clay and concrete bricks were available for wall construction.

Timber-framed glazing included bands of highlight windows and full-height north-facing window-walls to maximise sun penetration and provide visual and physical connection with the outdoors. Landscaping was commonly integrated into the overall design with high front walls, wing walls and hit-and-miss screens providing privacy.

Many Post-War Modernist houses were constructed in the former municipalities of Sandringham and Brighton from the 1950s through to the mid-1970s and a large number of these remain to demonstrate this historic



trend; however only a small number of examples are currently included in the Heritage Overlay of the Bayside Planning Scheme. These include:



451 Beach Road, Beaumaris (HO430) (Mockridge, Stahle & Mitchell, 1956)



1 Linacre Road, Hampton (HO528) (c1960)



74 Cromer Road, Beaumaris (HO475) (c1965)



Fletcher House, 8 Avonbury Court, Brighton (HO410) (Robin Boyd, 1967)



French House, 22 Alfred Street, Beaumaris (HO405) (John Baird, with Cuthbert & Partners, 1973)



Coakley House, 4 The Avenue, Hampton (HO611) (Peter Crone, 1974)

These six residences are representative of the important post-war development phase in the City of Bayside and are recognised as fine examples of the Post-War Modernist style as follows:

- 451 Beach Road, Beaumaris (Mockridge, Stahle & Mitchell, 1956) is of note for its expressed timber construction and bold skillion-profiled roof. Designed by the important Melbourne architectural firm, Mockridge, Stahle and Mitchell, the house is one of a number of mid-twentieth century architect-designed buildings in the municipality, and a representative example of the contemporary design of the period.
- 1 Linacre Road, Hampton (c1960) is of note as an interesting example of the Modernist style of the 1960s, characterised by the use of concrete blockwork and cubic forms recalling the work of Frank Lloyd Wright.
- 74 Cromer Road, Beaumaris (c1965) is of note as a fine and representative example of a Modernist residential house from the late 1950s-early 1960s.
- Fletcher House, 8 Avonbury Court, Brighton (Robin Boyd, 1967) is of note as an important work of notable architect, Robin Boyd and as one of a number of mid-twentieth century architect-designed buildings in the municipality that reflects the contemporary design of the period.
- French House, 22 Alfred Street, Beaumaris (John Baird, with Cuthbert & Partners, 1973) is of historic and aesthetic significance to the City of Bayside as a substantially intact and fine example of contemporary residential design of the 1970s. Designed as a house and studio for renowned artist, Leonard French, the house is of additional importance as the recipient of the RIAA Bronze Medal for 1973 House of the Year.
- Coakley House, 4 The Avenue, Hampton (Peter Crone, 1974) is of note as one of a number of mid-twentieth century architect-designed buildings in the municipality, as a representative example of the contemporary design of the period. Designed by noted architect, Peter Crone, the house received a citation in the RIAA House of the Year award in 1976.

In addition to the above, two houses – Grant House, 14 Pasadena Avenue, Beaumaris (VHR2392 & HO774) and David Godsell House, 491 Balcombe Road, Beaumaris (VHR H2379 & HO412) – have identified significance at the State-level and are included in the Victorian Heritage Register.

Further to the above, a number of substantially intact and well-resolved examples of the residential Post-War Modernist type not currently included in the Heritage Overlay have been retained with sufficient integrity to demonstrate this particular class of place and to reflect its importance in the historical development of what is now the City of Bayside. These buildings clearly illustrate the application of Modernist principles to residential development and display the principal characteristics of the style. Examples that are most comparable to 19 Haywood Street in form, detailing and age of construction include:



9 Wolseley Grove, Brighton (McGlashan & Everist, 1967)



9 Merton Avenue, Brighton (Ernest Fooks, 1968)



40 Sussex Street, Brighton (Neil Clerehan, 1970)



1 Hutchison Avenue, Beaumaris (S G L Baker, 1970)



28 Gladstone Street, Sandringham (Neil Clerehan, 1973)

Like 19 Haywood Street, these places comprise single-storey box-like forms with horizontal emphasis, flat roofs, prominent integrated carports, and enclosed courtyards. Like 19 Haywood Street, these examples all are designed with privacy and site-specific orientation in mind; oriented to respond to the site, rather than designed to address the street. They feature extensive full-height north-facing windows designed to maximise natural lighting and provide a connection between the indoors and outdoors – a characteristic feature of Modernist housing design. Like the examples above, 19 Haywood Street, Beaumaris retains a high degree of

integrity to its period of construction and remains substantially intact to clearly demonstrate a range of the principal characteristics of the Modernist architectural style.

Similar to the small number of 1950s to mid-1970s buildings presently included in the Heritage Overlay of the Bayside Planning Scheme – and the other examples identified above – 19 Haywood Street, Beaumaris clearly demonstrates an important phase in the architectural development of suburban housing in the City of Bayside.

Assessment against Criteria

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

Criterion A: Importance to the course or pattern of our cultural or natural history

Built in 1969-70 to a design by architects Clarke Hopkins Clarke, the Gooch House at 19 Haywood Street, Beaumaris is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality for those with an appreciation for Modernist architecture, its design principles, and the value of employing an architect. Beaumaris in particular appealed to many architects, designers and homemakers who were drawn to settle on low-cost, but attractive land and the suburb became a centre of Modernist residential housing in the post-war period. Gooch House at 19 Haywood Street makes a strong contribution to this important phase in the development of the City of Bayside.

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

Gooch House at 19 Haywood Street, Beaumaris is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architects Clarke Hopkins Clarke, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in ~~Brighton~~ Beaumaris and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like form with horizontal emphasis, flat roof extending to broad eaves with deep fascias above windows, expansive glazing including full-height windows to the north, prominent integrated carport, and recessed entry.

Criterion E: Importance in displaying particular aesthetic characteristics

Gooch House at 19 Haywood Street, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by renowned architects Clarke Hopkins Clarke, the house is characterised by its low-profile and muted presentation to the street, its orientation to maximise the northern aspect, and its refined detailing. Gooch House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard.

Grading and Recommendations

It is recommended that the place be included in the Heritage Overlay of the Bayside Planning Scheme as a locally significant heritage place.

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

External Paint Controls?	No
Internal Alteration Controls?	No
Tree Controls?	Yes
Outbuildings or Fences not exempt under Clause 43.01-4?	Yes – carport

Prohibited Uses Permitted?	No
Aboriginal Heritage Place?	No

Extent of the Recommended Heritage Overlay

To the extent of the property boundary as shown in Figure 7 below.



Figure 7. Recommended Extent of Heritage Overlay
(Basemap Source: Vicplan)

- Key**
- Recommended extent of HO
 - Existing Heritage Overlay



References

Allom Lovell & Associates, *Bayside Heritage Review: Thematic History*, 1999.

Bayside Council Building Files.

Cuffley, P, *Australian Houses of the 1940s and 1950s*, Rowville, 2007.

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Grow, R, & S Reeves, *MELMO - Modernist Architecture in Melbourne*, 2021.

Herald.

Heritage Alliance, *City of Bayside Inter-War & Post-War Heritage Study*, 2008.

The Age.

University of Melbourne, Melbourne 1945 Photo-map.

Gooch House, Beaumaris – Statement of Significance, ~~May 2022~~ December 2023

Heritage place: Gooch House, 19 Haywood Street,
Beaumaris

PS ref no.: HO806



Figure 1. 19 Haywood Street, Beaumaris (November 2021)

What is significant?

Gooch House at 19 Haywood Street, Beaumaris, built in 1969-70.

Elements that contribute to the significance of the place include (but are not limited to):

- The original external form, materials and detailing of the building
- The building's high level of integrity to its original design
- Siting to maximise the northern aspect
- Modernist composition and form, including rectilinear planning, low box-like form with horizontal emphasis, flat roofs extending to broad eaves with deep fascias above windows, expansive timber-framed windows, deeply recessed main entrance, and prominently sited carport
- Modernist materials and detailing, including expansive glazing, painted timber fascias, face brick masonry construction, stone cladding detail to windowheads, and expressed structural timber elements to the carport and entry walkway
- Landscape elements, including brick paved driveway and two mature *Eucalyptus* sp. flanking the driveway entry.

Later alterations including rear alterations and the stacked stone cladding to the principal elevation are not contributory.

How is it significant?

Gooch House at 19 Haywood Street, Beaumaris is of local historical, representative (architectural) and aesthetic significance to the City of Bayside.

Why is it significant?

Built in 1969-70 to a design by architects Clarke Hopkins Clarke, the Gooch House at 19 Haywood Street, Beaumaris is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality for those with an appreciation for Modernist architecture, its design principles, and the value of employing an architect. Beaumaris in particular appealed to many architects, designers and homemakers who were drawn to settle on low-cost, but attractive land and the suburb became a centre of Modernist residential housing in the post-war period. Gooch House at 19 Haywood Street makes a strong contribution to this important phase in the development of the City of Bayside (Criterion A).

Gooch House at 19 Haywood Street, Beaumaris is notable as a substantially intact representative example of a Modernist suburban house constructed during the post-war period in the City of Bayside. Designed by architects Clarke Hopkins Clarke, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Brighton Beaumaris and across Victoria more broadly, including site-specific orientation, rectangular planning, low box-like form with horizontal emphasis, flat roof extending to broad eaves with deep fascias above windows, expansive glazing including full-height windows to the north, prominent integrated carport, and recessed entry (Criterion D).

Gooch House at 19 Haywood Street, Beaumaris is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by renowned architects Clarke Hopkins Clarke, the house is characterised by its low-profile and muted presentation to the street, its orientation to maximise the northern aspect, and its refined detailing. Gooch House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

Primary sources:

City of Bayside Post-War Modern Residential Heritage Study, GJM Heritage (2022)

House, 15 Mariemont Avenue, Beaumaris – Statement of Significance, ~~May 2022~~ December 2023

Heritage place: House, 15 Mariemont Avenue, Beaumaris	PS ref no.: TBC
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Figure 1. 15 Mariemont Avenue, Beaumaris (April 2021)

What is significant?

The House at 15 Mariemont Avenue, Beaumaris, built in 1955.

Elements that contribute to the significance of the place include (but are not limited to):

- The original external form, materials and detailing of the building
- The building's high level of integrity to its original design
- Elevated siting with deep setback
- Modernist composition and form, including box-like form with horizontal emphasis, shallow gable roof, geometry across the principal façade, expansive glazing, deep recesses to the central bays at both levels, and prominent integrated carport
- Modernist materials, including pale orange brick walls and timber-framed windows
- Expression of structural elements, including wing walls and the continuous post spanning from the ground to the roof ridgeline at the centre of the principal elevation
- Volcanic rock retaining walls to front garden.

Later alterations are not significant, including the window to the eastern end of the front façade, the external stair leading from the ground floor to the first level and the balcony balustrading.

How is it significant?

The House at 15 Mariemont Avenue, Beaumaris is of local historical, representative (architectural), and aesthetic significance to the City of Bayside.

Why is it significant?

Built in 1955 to a design by architect John Baird, the house at 15 Mariemont Avenue, Beaumaris has a clear association with post-war suburban development in the City of Bayside when a large number of architect-designed Modernist houses were constructed across the municipality. The bayside suburb of Beaumaris was particularly attractive to architects, designers and young homemakers interested in the Modern aesthetic and it became a centre of Modernist post-war housing. The house at 15 Mariemont Avenue clearly demonstrates this important phase in the development of the City of Bayside (Criterion A).

The house at 15 Mariemont Avenue is notable as a fine and substantially intact representative example of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed by architect John Baird, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including its site-specific orientation, rectangular planning, elevated presentation to the street frontage with horizontal emphasis, prominently sited and integrated carport, expansive timber-framed glazing, shallow-pitched gabled roof, expressed structural elements including wing walls, vertical posts and concrete slab, brick construction and the extensive use of volcanic rock retaining walls for landscaping (Criterion D).

The house at 15 Mariemont Avenue is of aesthetic significance as a well-resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect John Baird, the house is characterised by its bold elevated street frontage and its refined detailing. 15 Mariemont Avenue is set within an integrated landscaped setting comprising substantial volcanic rock retaining walls and a native garden. 15 Mariemont Avenue remains as a refined and substantially intact example of John Baird's body of work within the municipality (Criterion E).

Primary sources:

City of Bayside Post-War Modern Residential Heritage Study, GJM Heritage (2022)

HERITAGE CITATION

Kirk House, 82 Reserve Road, Beaumaris



Figure 1. 82 Reserve Road, Beaumaris (GJM Heritage, November 2021).

DATE: December 2021, updated May 2022 and [December 2023](#)

KIRK HOUSE, 82 RESERVE ROAD, BEAUMARIS

Place Type: House	Architect: John Kirk
Construction Date: 1961	Builder: L Merenyi & Co
Recommendation: Include in the Heritage Overlay	Extent of Overlay: To the extent of the property boundary

The place documented in this citation is on the lands of the Bunurong People of the South-Eastern Kulin Nation, represented by the Bunurong Land Council Aboriginal Corporation. While this citation does not specifically consider the Aboriginal heritage values of the place, the historic and ongoing cultural importance of the Bunurong People to the City of Bayside is respectfully acknowledged.

Contextual History

The Post-War Bayside Landscape

The period from 1945 to 1975 was one of radical transformation for the former municipalities of Brighton and Sandringham, which now make up the City of Bayside.

In 1945, suburban residential development was concentrated in Brighton and parts of Brighton East in the north and along the coastal fringe of Port Phillip Bay at Hampton, Sandringham and Black Rock in the west. Some limited development was also evident adjacent to the Nepean Highway and around railway stations to the east. However, the intervening land – approximately one-third of the total area of the current municipality – was predominantly farmland south of Dendy Street, with golf courses in the central area and a large undeveloped tract of land at Beaumaris to the south.¹

By 1975 the two municipalities were completely urbanised.

Limited housing construction during the 1930s depression and throughout World War II led to a severe shortage of housing in suburban Melbourne in the immediate post-war period, when returning servicemen, post-war migration and an optimism in Australia's future fuelled an unprecedented demand for housing. As a result, large-scale residential subdivision of under-developed parts of suburban Melbourne occurred from the late 1940s. This development occurred rapidly within the municipalities of Brighton and Sandringham, particularly on the large tracts of available land further from the coastal fringe, in suburbs such as Brighton East, Hampton East, Highett and Cheltenham and to the south in Beaumaris, where surviving rural properties were available for subdivision in the 1950s.²

At this time a particularly large tract of land at Beaumaris became available, enabling a concentration of post-war residential development to occur in this suburb. Planning to relocate operations to Beaumaris, the Dunlop-Perdieu Company had purchased approximately 300 acres (121.4 hectares) of subdivided³ land in the 1930s⁴ and developed an ambitious scheme for an industrial garden city.⁵ The extensive block of land was bounded by Balcombe Road to the north, Cromer Road to the east, Haydens Road to the west, and went as far south as Gibbs and Nautilus streets. This land remained undeveloped in the immediate post-war period and the scheme

¹ University of Melbourne, Melbourne 1945 Photo-map.

² For example, Coronet Hill and San Marino in Beaumaris and Stonehaven, Moorabbin (Allom Lovell & Associates, *Bayside Heritage Review: Thematic History*, 1999, p 19 & Heritage Alliance, *City of Bayside Inter-War & Post-War Heritage Study*, 2008, p 55).

³ *Argus* supplement, 18 November 1944.

⁴ *Herald*, 2 August 1939, p 1.

⁵ *Argus*, 9 December 1944, p 8.



was abandoned in 1950.⁶ When the land was finally released for sale from the early 1950s, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne.⁷

A unique opportunity for concentrated post-war development in Brighton became possible when the Melbourne Orphan Asylum relocated from the suburb in the mid-1960s. The orphanage, which opened in 1877, was bounded by Windermere Crescent to the north, New Street to the east, Dendy Street to the south and Whyte Street to the west. After demolition of the asylum complex, the 20-acre (8 hectare) tract of land became available for residential subdivision and a number of fine Modern houses were constructed.

The post-war dream of suburban home ownership reached its peak in the 1960s in the middle ring of Melbourne's suburbs, and the suburbs of Beaumaris, Brighton East, Hampton East, Highett and Cheltenham, bear witness to this residential growth.

Housing in the Post-War Period

Following World War II, a severe shortage of building materials and labour, coupled with government restrictions on home building,⁸ limited the construction of new houses demanded by the booming population. In response to these restrictive conditions, two contrasting lower-resource housing types emerged – a more conventional austere type and a Modern type.

With its L-shaped plan form and tile-clad hipped roof, the conventional austere type of housing quickly dominated the suburban landscape and, despite removal of building restrictions in 1952,⁹ little change was made to this standard form of housing through the 1950s and 1960s. Public authorities, private development companies and individuals created residential subdivisions dominated by this housing type in suburbs such as Brighton East, Hampton East, Highett and Cheltenham. This house type – built of either timber or brick veneer – is evident throughout the suburbs of the current City of Bayside, including estates of public housing constructed by the Housing Commission.

By contrast, the Modernist house type offered a radical alternative to this conservative post-war housing type. Driven by often young architects and designers embracing the Modernist architectural movement, they shunned the conservative house forms and embraced the opportunity to address housing demands in an affordable but contemporary manner. They responded to the prevailing economic constraints by experimenting with lightweight materials and simple construction methods.

With its roots in the 1930s, Modernism in Melbourne emerged with force in the post-war period aided by overseas and local publications, post-war migration¹⁰ and 'rite of passage' overseas travel by young architects. Completely rejecting historic styles, young architects and designers were instead inspired by a broad range of architectural trends from overseas, including the United States, Europe, Japan and Great Britain, which embraced the principles of functionalism, simplicity and rationality. Architects utilised materials such as steel, concrete and glass, designing buildings that were characterised by plain, unadorned surfaces.¹¹ The Modernist house type, with its flat or shallow roof, box-like forms and generous glazing, flourished in the 1950s and 1960s, and came to embody the forward-looking optimism of the post-war era.

⁶ *Herald*, 29 September 1950, p 10.

⁷ Heritage Alliance, *City of Bayside Inter-War and Post-War Heritage Study*, Vol 1, 2008, p 21.

⁸ Restrictions were imposed to preserve resources for government building projects and to extend resources to maximise house construction. They included restricting the size of brick houses to 1250 ft² (111.5 m²) and timber houses to 1200 ft² (111.5 m²) (P Cuffley, *Australian Houses of the 1940s and 1950s*, Rowville, 2007, p 73) and limiting expenditure to £3000 (*Australian Home Beautiful*, January 1942 as quoted by P Cuffley, *Australian Houses of the 1940s and 1950s*, Rowville, 2007, p 55).

⁹ P Goad, *The Modern House in Melbourne 1945-1975*, thesis, University of Melbourne, 1992, p 5/1.

¹⁰ Émigré architects included Michael Feldhagen, Helen and John Holgar, Ernest Fooks, Kurt Popper, Anatol Kagan and Herbert Tisher.

¹¹ P Goad, 'Modernism' in P Goad & J Willis, *The Encyclopedia of Australian Architecture*, Port Melbourne, 2012, p 464-467.

Many Modern houses were built in what was the City of Sandringham, with a concentration in Beaumaris – in heavily-vegetated areas where low-cost land was readily available and council regulations were less restrictive. Attractive to architects, designers and young homemakers interested in the Modern aesthetic, the suburb of Beaumaris became a centre of Modern post-war housing, particularly after the release of Dunlop-Perdieu Company-owned land in the 1950s. Even before the release of this land the suburb was described by Robin Boyd in 1949 as containing ‘the greatest concentration of first-class modern domestic architecture in Australia’¹² with ‘homes which have risen above the trials of current shortages...exemplifying the unpretentious, logical approach to building’.¹³

A New Generation of Architects and Modernist Design

A new generation of architects and designers including Robin Boyd, Neil Clerehan, Mockridge Stahle and Mitchell, John and Phyllis Murphy, James Earle, John Baird, McGlashan & Everist, Geoffrey Woodfall, David Godsell, Ken Rendell and Chancellor and Patrick, designed houses in the municipalities of Sandringham and Brighton in the 1950s and 1960s. Influenced by a broad range of both local and overseas architectural trends, the designs of these often young architects clearly embraced the functional ideals of Modernism and, in some cases, the organic architecture of American Frank Lloyd Wright (e.g. Muckle Flugga, 2 High Street, Beaumaris by Chancellor & Patrick, 1958; Godsell House, 491 Balcombe Road, Beaumaris by David Godsell, 1960; and Rendell House, 33 Clonmore St, Beaumaris by Ken Rendell, 1967).

Beaumaris and its environs in particular appealed to many architects and designers in the post-war period who were drawn to settle on available land that was low-cost but attractive. Designing their own modest homes in the area, architects including David Godsell, Ken Atkins, Eric Lyon, Rex Patrick, Charles Bricknell and John Baird, supplemented the growing enclave of well-designed Modernist houses in the area.

A particularly high concentration of architect-designed houses from the 1950s and 1960s remain extant in the southern part of the current City of Bayside.

Modern house design matured through the more affluent years of the 1960s and early 1970s and a variety of work emerged including what Professor Phillip Goad described in 1992 in his doctoral thesis as ‘some of the most original expressions for the contemporary dwelling’¹⁴. In the more affluent and established suburbs of Brighton, Sandringham and Black Rock, refined examples of Post-War Modernist houses replaced existing houses in well-established streetscapes, particularly in the late 1960s and early 1970s. A number of these were recognised by the Royal Australian Institute of Architects (RAIA) in the annual architectural awards between 1968 and 1976 – five in Brighton, one in Hampton and two in Beaumaris.¹⁵

Place History

The house at 82 Reserve Road, Beaumaris was constructed in 1961 to a design by architect, John Kirk as his own residence.¹⁶ The builder for the works was L Merenyi & Co.¹⁷ The five-roomed brick veneer house was located on vacant land that formed part of the Dunlop-Perdieu Company subdivision. This substantial tract of land had been purchased by the Dunlop-Perdieu Company in the 1930s for the creation of a garden city that

¹² *The Age*, 24 August 1949, p 6, quoted from Victorian Architectural Students’ paper *Smudges*.

¹³ *The Age*, 24 August 1949, p 6.

¹⁴ P Goad, *The Modern House in Melbourne 1945-1975*, thesis, University of Melbourne, 1992, p 5/12.

¹⁵ P Goad (ed), *Judging Architecture*, North Sydney, 2003, p 288-291: Breedon House, Brighton (G Woodfall, Citation 1968); Fletcher House, 8 Avonbury Crt, Brighton (Romberg & Boyd, Citation 1969); Fletcher House, 3 Roslyn St, Brighton (E Pirota, Bronze Medal for House of the Year 1972); Abrahams House, 42 North Rd, Brighton (P Crone, Citation 1972); Mason House, Brighton (B Joyce & Assoc, Citation 1972); French House, 22 Alfred St, Beaumaris (J Baird Cuthbert & Partners, *The Age*/RAIA House of the Year 1973); Coakley House, 4 The Avenue, Hampton (P Crone, Citation 1976); Smith House, 16 Surf Ave, Beaumaris (J Baird Cuthbert & Partners, Citation 1976).

¹⁶ City of Sandringham Rate and Valuation Cards, South Ward, VPRS 14661, P2 Unit 81, Public Record Office Victoria; S&M 1965.

¹⁷ Personal communication via letter to Council, April 2022.

would accommodate a factory and housing for staff. Following the abandonment of the ambitious scheme in the early 1950s, the land was progressively released for sale.¹⁸

Kirk continued to reside at the property into the 2010s. Desktop research could not determine the details of the career or work of architect John Kirk. Electoral Roll information determined that John Charles L Kirk was a student in the mid-1950s, and by 1963 was listed as an architect, residing at 82 Reserve Road. The Victoria Government Gazette records that 'John L Kirk' of 82 Reserve Road, Beaumaris, registered as an architect in 1975.¹⁹ He continued to be listed as an architect in the electoral rolls until at least 1980.

Alterations to the property occurred in 2023 which resulted in the partial enclosure of the integrated carport with slatted vertical timber battens and horizontally laid corrugated Colorbond, removal of the concrete driveway, letter box and some garden plantings, and the application of fibre cement sheeting to the western end of the principal façade.

Historical Themes

The place illustrates the following themes as outlined in *Victoria's Framework of Historical Themes*:

- 6 Building towns, cities and the garden state
 - 6.7 Making homes for Victorians

Description

The following description has been prepared following an inspection from the public realm supplemented by information obtained from current and historical photography (including aerial imagery), real estate listings and publications noted in the reference section of this citation. An on-site inspection is required to confirm these details.

The house at 82 Reserve Road, Beaumaris is located on a corner site on the east side of Reserve Road and the southern side of Victor Street. The site is rectangular and slopes slightly down from the western boundary to the east. Access is provided from Victor Street via a single-vehicle cross-over.

The house is single-storey, rectangular in plan, and is oriented to the Victor Street frontage, with a shallow-pitched gable roof with gable end presenting to the principal (north) elevation. Broad eaves are clad in fibre cement sheeting and supported to the north and south on projecting, painted timber rafter ends. The western roof slope extends to form a prominent, integrated carport. The walls of the house are finished in a pale brown face brick. A particularly striking detail is the symmetrically-arranged timber-framed window wall with central main entry via French doors at the principal elevation. The highlight windows in this glazing suite provide views through to the exposed internal ceiling framing.

The garden setting is unfenced along both the Reserve Road and Victor Street boundaries, and contains dense native plantings and mature tree specimens. A freestanding letterbox is located at the driveway entry.

Key Features:

- Siting to maximise the northern aspect.
- Modernist composition and form, including low box-like form with horizontal emphasis, rectangular planning, symmetrical arrangement of architectural features at the principal elevation, shallow-

¹⁸ *Herald*, 29 September 1950, p 10; *Rydges*, June 1945, p 415 via Beaumaris Conservation Society, 'Dunlop Rubber Company's Plans for Beaumaris 1939-45', <https://www.bcs.asn.au>, accessed August 2021.

¹⁹ Victoria Government Gazette, No. 47, 12 June 1975, 'The Register of all persons registered under the Architects Acts 1st January, 1975'.

pitched gable roof with broad eaves, expansive timber-framed windows, and prominent integrated carport (now partially enclosed).

- Modernist materials and detailing, including timber-framed glazing, pale brown face brick, and expressed structural timber elements including projecting timber rafter ends.
- Landscape elements, including mature native garden plantings, ~~concrete paved driveway and freestanding letterbox.~~



Figure 2. (Source: nearmap, accessed December 2021)



Figure 3. Street presentation (GJM Heritage, November 2021)

Intactness/Integrity

The house at 82 Reserve Road, Beaumaris retains a high degree of integrity in fabric, form and detailing to its period of construction. Despite alterations to the property which occurred in 2023 (comprising the partial enclosure of the integrated carport with slatted vertical timber battens and horizontally laid corrugated Colorbond, removal of the concrete driveway, letter box and some garden plantings, and the application of fibre cement sheeting to the western end of the principal façade), the original form and detailing of the house

remains highly legible and it retains the ability to be understood and appreciated as an example of a 1960s house built in the Post-War Modernist style.

Comparative Analysis

In the immediate post-war period through to the mid-1970s, a large number of Modernist houses were constructed in the City of Bayside for those with an appreciation of Modernist architecture and its design principles. These houses were designed with a simplicity of structure and a sparseness of detail. The design of these houses responded to the orientation, topography or existing vegetation of each site, with full advantage taken of the northerly aspect. Plans were typically rectangular, with zoned wings, and forms were box-like with a horizontal emphasis. Shallow-pitched or flat roofs were clad with lightweight sheeting and walls were typically timber-framed and clad with timber, cement sheet or brick, or were of solid masonry construction.

Timber-framed glazing included bands of highlight windows and full-height window-walls to maximise sun penetration and to provide visual and physical connection with the outdoors. Landscaping was commonly integrated into the overall design.

Many of these Post-War Modernist houses remain in the municipality to demonstrate this historic trend; however only a small number of examples are currently included in the Heritage Overlay of the Bayside Planning Scheme. In contrast to the house at 82 Reserve Road, Beaumaris, these are generally more substantial dwellings or are of a later period of construction. They are:



451 Beach Road, Beaumaris (HO430) (Mockridge, Stahle & Mitchell, 1956)



1 Linacre Road, Hampton (HO528) (c1960)



74 Cromer Road, Beaumaris (HO475) (c1965)



Fletcher House, 8 Avonbury Court, Brighton (HO410) (Robin Boyd, 1967)



French House, 22 Alfred Street, Beaumaris (HO405) (John Baird, with Cuthbert & Partners, 1973)



Coakley House, 4 The Avenue, Hampton (HO611) (Peter Crone, 1974)

These six residences are representative of the important post-war development phase in the City of Bayside and are recognised as fine examples of the Post-War Modernist style as follows:

- 451 Beach Road, Beaumaris (Mockridge, Stahle & Mitchell, 1956) is of note for its expressed timber construction and bold skillion-profiled roof. Designed by the important Melbourne architectural firm, Mockridge, Stahle and Mitchell, the house is one of a number of mid-twentieth century architect-designed buildings in the municipality, and a representative example of the contemporary design of the period.
- 1 Linacre Road, Hampton (c1960) is of note as an interesting example of the Modernist style of the 1960s, characterised by the use of concrete blockwork and cubic forms recalling the work of Frank Lloyd Wright.
- 74 Cromer Road, Beaumaris (c1965) is of note as a fine and representative example of a Modernist residential house from the late 1950s-early 1960s.
- Fletcher House, 8 Avonbury Court, Brighton (Robin Boyd, 1967) is of note as an important work of notable architect, Robin Boyd and as one of a number of mid-twentieth century architect-designed buildings in the municipality that reflects the contemporary design of the period.
- French House, 22 Alfred Street, Beaumaris (John Baird, with Cuthbert & Partners, 1973) is of historic and aesthetic significance to the City of Bayside as a substantially intact and fine example of contemporary residential design of the 1970s. Designed as a house and studio for renowned artist, Leonard French, the house is of additional importance as the recipient of the RIAA Bronze Medal for 1973 House of the Year.

- Coakley House, 4 The Avenue, Hampton (Peter Crone, 1974) is of note as one of a number of mid-twentieth century architect-designed buildings in the municipality, as a representative example of the contemporary design of the period. Designed by noted architect, Peter Crone, the house received a citation in the RAlA House of the Year award in 1976.

In addition to the above, two houses – Grant House, 14 Pasadena Avenue, Beaumaris (VHR2392 & HO774) and David Godsell House, 491 Balcombe Road, Beaumaris (VHR H2379 & HO412) – have identified significance at the State-level and are included in the Victorian Heritage Register.

Further to the above, a number of substantially intact and well-resolved examples of the residential Post-War Modernist type not currently included in the Heritage Overlay have been retained with sufficient integrity to demonstrate this particular class of place and to reflect its importance in the historical development of what is now the City of Bayside. These buildings clearly illustrate the application of Modernist principles to residential development and display the principal characteristics of the style. Examples that are most comparable to 82 Reserve Road, Beaumaris in form, detailing and age of construction include:



242 Beach Road, Black Rock (Robin Boyd, 1954)



54 Haldane Street, Beaumaris (James Earle, 1956)



11-13 Lang Street, Beaumaris (Yuncken Freeman, 1957)



23 Clonmore Street, Beaumaris (Eric Rice, 1961)



19 Haldane Street, Beaumaris (B K Hanmer, 1960-65)

Like 82 Reserve Road Beaumaris, these places comprise simple, single-storey box-like forms with horizontal emphasis and shallow-pitched gabled roofs which present as a gable to the street front. They are designed with site-specific orientation in mind; oriented to respond to the site, rather than designed to address the principal street. Houses are of north-south orientation and expansive glazing is positioned to the front and rear of the building to maximise natural lighting and provide a connection between the indoors and outdoors – a characteristic feature of Modernist housing design. Like the examples above, 82 Reserve Road, Beaumaris retains a high degree of integrity to its period of construction and remains substantially intact to clearly demonstrate a range of the principal characteristics of the Modernist architectural style.

Similar to the small number of 1950s to mid-1970s buildings presently included in the Heritage Overlay of the Bayside Planning Scheme – and the other examples identified above – 82 Reserve Road, Beaumaris clearly demonstrates an important phase in the architectural development of suburban housing in the City of Bayside.

Architect's own residences in the City of Bayside

The house at 82 Reserve Road, Beaumaris was designed by architect, John Kirk as his own residence.

Beaumaris and its environs particularly appealed to architects and designers in the post-war period who were drawn to settle on available land that was low-cost but attractive. Designing their own modest homes in the area, architects including David Godsell, Rex Patrick, Ken Atkins, Eric Lyon, Rex Patrick, and Ken Rendell supplemented the growing enclave of well-designed modernist houses in the area.

A number of architect-designed and owned Modernist houses remain in the municipality to demonstrate this historic trend, however only one example is currently included in the Heritage Overlay of the Bayside Planning Scheme (by virtue of its inclusion in the Victorian Heritage Register). This is 491 Balcombe Road, Beaumaris (VHR H2379 & HO412), which was designed by architect David Godsell in 1960 as his own residence. This house is included in the Victorian Heritage Register as a notable example of Post-War Modernist residential architecture in Victoria.



491 Balcombe Road, Beaumaris (VHR H2379 & HO412)

In addition to Godsell House, there are a small number of other substantially intact and well-resolved examples of architect's own residences not currently included in the Heritage Overlay.

Examples of these include:



19 Olympic Avenue, Cheltenham (Rex Patrick, 1951)



29 Scott Street, Beaumaris (Charles Bricknell, 1952) (Image: Context Pty Ltd)



10 Valmont Avenue, Beaumaris (Eric Lyon, 1952 & 1957)



53 Scott Street, Beaumaris (Ken Atkins, 1953)



18 Hume Street, Beaumaris (John Baird, 1957)



33 Clonmore Street, Beaumaris (Ken Rendell, 1964-67)

These properties, though varying in scale and form, all display characteristics which have strong associations with the Modernist style. Like the above examples, Kirk's design for 82 Reserve Road features a simple box-like form with horizontal emphasis, expansive timber-framed glazing and expressed structural elements including timber posts and beams.

Designed by architect John Kirk, the house at 82 Reserve Road is a substantially intact example of an architect-designed house in the City of Bayside. It is one of a small number of architect-designed and owned Modernist houses that remain in the municipality.

Assessment against Criteria

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

Criterion A: Importance to the course or pattern of our cultural or natural history

Designed by architect John Kirk in 1961 as his own home, the house at 82 Reserve Road, Beaumaris is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality. Beaumaris in particular appealed to many architects and designers who were drawn to settle on available land that was low-cost, but attractive and provided the opportunity for architects to experiment with Modernist principles and new construction methodologies in their own residences. The suburb became a centre of Modernist residential housing in the post-war period. Kirk House makes a strong contribution to this important phase in the development of the municipality.

Kirk House also has clear associations with the concentration of post-war residential development that occurred in Beaumaris in the 1950s and 60s following the release of an extensive tract of land owned by the Dunlop-Perdieu Company. When the land was offered for sale, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne. Constructed on a vacant allotment purchased from the Dunlop-Perdieu Estate, Kirk House at 82 Reserve Road, Beaumaris clearly illustrates this important phase of development in Beaumaris.

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

Kirk House at 82 Reserve Road, Beaumaris is notable as a substantially intact representative example of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed by architect John Kirk, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including a low box-like form with horizontal emphasis, rectangular planning, broad shallow-pitched gable roof which extends to form an integrated carport, broad eaves, expressed structural elements, and expansive timber-framed glazing including full-height windows.

Criterion E: Importance in exhibiting particular aesthetic characteristics

Kirk House at 82 Reserve Road, Beaumaris is of aesthetic significance as a well resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect John Kirk, the house is characterised by its simple gabled roof form, its bold symmetrical frontage to Victor Street and its refined detailing. Kirk House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard.

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



~~Designed and constructed as his own residence, the house at 82 Reserve Road, Beaumaris has a special association with local architect and long time Beaumaris resident John Kirk. Designed in 1961 for himself and his family, the Kirk family resided at 82 Reserve Road from 1961 until the late 2010s.~~

Grading and Recommendations

It is recommended that the place be included in the Heritage Overlay of the Bayside Planning Scheme as a locally significant heritage place.

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

External Paint Controls?	No
Internal Alteration Controls?	No
Tree Controls?	No
Outbuildings or Fences not exempt under Clause 43.01-4?	Yes - carport
Prohibited Uses Permitted?	No
Aboriginal Heritage Place?	No

Extent of the Recommended Heritage Overlay

To the extent of the property boundary as shown in Figure 4 below.



Figure 4. Recommended Extent of Heritage Overlay
(Basemap Source: Vicplan)

Key

- Recommended extent of HO
- Existing Heritage Overlay

References

Allom Lovell & Associates, *Bayside Heritage Review: Thematic History*, 1999.

Beaumaris Modern, personal communication via letter to Council, April 2022.

City of Sandringham Rate and Valuation Cards, Public Record Office Victoria.

Cuffley, P, *Australian Houses of the 1940s and 1950s*, Rowville, 2007.

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The Age.

The Argus.

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Victoria Government Gazette, No. 47, 12 June 1975, 'The Register of all persons registered under the Architects Acts 1st January, 1975'.

Kirk House, Beaumaris – Statement of Significance, ~~May 2022~~ December 2023

Heritage place: Kirk House, 82 Reserve Road, Beaumaris

PS ref no.: HO814



Figure 1. 82 Reserve Road, Beaumaris (November 2021)

What is significant?

Kirk House at 82 Reserve Road, Beaumaris, built 1961.

Elements that contribute to the significance of the place include (but are not limited to):

- The original external form, materials and detailing of the building
- The building's high level of integrity to its original design
- Siting to maximise the northern aspect
- Modernist composition and form, including low box-like form with horizontal emphasis, rectangular planning, symmetrical arrangement of architectural features at the principal elevation, shallow-pitched gable roof with broad eaves, expansive timber-framed windows, and prominent integrated carport (**now partially enclosed**)
- Modernist materials and detailing, including timber-framed glazing, pale brown face brick, and expressed structural timber elements including projecting timber rafter ends
- Landscape elements, including mature native garden plantings, ~~concrete paved driveway and freestanding letterbox.~~

Later alterations are not contributory.

How is it significant?

Kirk House at 82 Reserve Road, Beaumaris is of local historical, representative (architectural), **and** aesthetic ~~and associative~~ significance to the City of Bayside.

Why is it significant?

Designed by architect John Kirk in 1961 as his own home, the house at 82 Reserve Road, Beaumaris is illustrative of post-war suburban development in the City of Bayside, when a large number of architect-designed Modernist houses were constructed across the municipality. Beaumaris in particular appealed to many architects and designers who were drawn to settle on available land that was low-cost, but attractive and provided the opportunity for architects to experiment with Modernist principles and new construction methodologies in their own residences. The suburb became a centre of Modernist residential housing in the post-war period. Kirk House makes a strong contribution to this important phase in the development of the municipality (Criterion A).

Kirk House also has clear associations with the concentration of post-war residential development that occurred in Beaumaris in the 1950s and 60s following the release of an extensive tract of land owned by the Dunlop-Perdieu Company. When the land was offered for sale, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne. Constructed on a vacant allotment purchased from the Dunlop-Perdieu Estate, Kirk House at 82 Reserve Road, Beaumaris clearly illustrates this important phase of development in Beaumaris (Criterion A).

Kirk House at 82 Reserve Road, Beaumaris is notable as a substantially intact representative example of Modernist suburban housing constructed during the post-war period in the City of Bayside. Designed by architect John Kirk, it displays a range of characteristics that are typical of Post-War Modernist housing from this period in Beaumaris and across Victoria more broadly, including a low box-like form with horizontal emphasis, rectangular planning, broad shallow-pitched gable roof which extends to form an integrated carport, broad eaves, expressed structural elements, and expansive timber-framed glazing including full-height windows (Criterion D).

Kirk House at 82 Reserve Road, Beaumaris is of aesthetic significance as a well resolved and carefully detailed example of a suburban house constructed in the Modernist style. Designed by architect John Kirk, the house is characterised by its simple gabled roof form, its bold symmetrical frontage to Victor Street and its refined detailing. Kirk House demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

~~Designed and constructed as his own residence, the house at 82 Reserve Road, Beaumaris has a special association with local architect and long-time Beaumaris resident John Kirk. Designed in 1961 for himself and his family, the Kirk family resided at 82 Reserve Road from 1961 until the late 2010s (Criterion H).~~

Primary sources:

City of Bayside Post-War Modern Residential Heritage Study, GJM Heritage (2022)

HERITAGE CITATION

Flats 1-4/16 Gillard Street, Brighton East



Figure 1. Flats 1-4, 16 Gillard Street, Brighton East (GJM Heritage, April 2021).

DATE: November 2021, updated May 2022 and [December 2023](#)

FLATS, 1-4/16 GILLARD STREET, BRIGHTON EAST

Place Type: Flats	Architect: David Sapir & Associates
Construction Date: 1968	Builder: H R Hooper
Recommendation: Include in the Heritage Overlay	Extent of Overlay: To the extent of the property boundary

The place documented in this citation is on the lands of the Bunurong People of the South-Eastern Kulin Nation, represented by the Bunurong Land Council Aboriginal Corporation. While this citation does not specifically consider the Aboriginal heritage values of the place, the historic and ongoing cultural importance of the Bunurong People to the City of Bayside is respectfully acknowledged.

Contextual History

The Post-War Bayside Landscape

The period from 1945 to 1975 was one of radical transformation for the former municipalities of Brighton and Sandringham, which now make up the City of Bayside.

In 1945, suburban residential development was concentrated in Brighton and parts of Brighton East in the north and along the coastal fringe of Port Phillip Bay at Hampton, Sandringham and Black Rock in the west. Some limited development was also evident adjacent to the Nepean Highway and around railway stations to the east. However, the intervening land – approximately one-third of the total area of the current municipality – was predominantly farmland south of Dendy Street, with golf courses in the central area and a large undeveloped tract of land at Beaumaris to the south.¹

By 1975 the two municipalities were completely urbanised.

Limited housing construction during the 1930s depression and throughout World War II led to a severe shortage of housing in suburban Melbourne in the immediate post-war period, when returning servicemen, post-war migration and an optimism in Australia's future fuelled an unprecedented demand for housing. As a result, large-scale residential subdivision of under-developed parts of suburban Melbourne occurred from the late 1940s. This development occurred rapidly within the municipalities of Brighton and Sandringham, particularly on the large tracts of available land further from the coastal fringe, in suburbs such as Brighton East, Hampton East, Highett and Cheltenham and to the south in Beaumaris, where surviving rural properties were available for subdivision in the 1950s.²

At this time a particularly large tract of land at Beaumaris became available, enabling a concentration of post-war residential development to occur in this suburb. Planning to relocate operations to Beaumaris, the Dunlop-Perdieu Company had purchased approximately 300 acres (121.4 hectares) of subdivided³ land in the 1930s⁴ and developed an ambitious scheme for an industrial garden city.⁵ The extensive block of land was bounded by Balcombe Road to the north, Cromer Road to the east, Haydens Road to the west, and went as far south as Gibbs and Nautilus streets. This land remained undeveloped in the immediate post-war period and the scheme

¹ University of Melbourne, Melbourne 1945 Photo-map.

² For example, Coronet Hill and San Marino in Beaumaris and Stonehaven, Moorabbin (Allom Lovell & Associates, *Bayside Heritage Review: Thematic History*, 1999, p 19 & Heritage Alliance, *City of Bayside Inter-War & Post-War Heritage Study*, 2008, p 55).

³ *Argus* supplement, 18 November 1944.

⁴ *Herald*, 2 August 1939, p 1.

⁵ *Argus*, 9 December 1944, p 8.



was abandoned in 1950.⁶ When the land was finally released for sale from the early 1950s, it was one of the last substantial pockets of undeveloped land in the suburbs of Melbourne.⁷

A unique opportunity for concentrated post-war development in Brighton became possible when the Melbourne Orphan Asylum relocated from the suburb in the mid-1960s. The orphanage, which opened in 1877, was bounded by Windermere Crescent to the north, New Street to the east, Dendy Street to the south and Whyte Street to the west. After demolition of the asylum complex, the 20-acre (8 hectare) tract of land became available for residential subdivision and a number of fine Modern houses were constructed.

The post-war dream of suburban home ownership reached its peak in the 1960s in the middle ring of Melbourne's suburbs, and the suburbs of Beaumaris, Brighton East, Hampton East, Highett and Cheltenham, bear witness to this residential growth.

Housing in the Post-War Period

Following World War II, a severe shortage of building materials and labour, coupled with government restrictions on home building,⁸ limited the construction of new houses demanded by the booming population. In response to these restrictive conditions, two contrasting lower-resource housing types emerged – a more conventional austere type and a Modern type.

With its L-shaped plan form and tile-clad hipped roof, the conventional austere type of housing quickly dominated the suburban landscape and, despite removal of building restrictions in 1952,⁹ little change was made to this standard form of housing through the 1950s and 1960s. Public authorities, private development companies and individuals created residential subdivisions dominated by this housing type in suburbs such as Brighton East, Hampton East, Highett and Cheltenham. This house type – built of either timber or brick veneer – is evident throughout the suburbs of the current City of Bayside, including estates of public housing constructed by the Housing Commission.

By contrast, the Modernist house type offered a radical alternative to this conservative post-war housing type. Driven by young architects and designers embracing the Modernist architectural movement, they shunned the conservative house forms and embraced the opportunity to address housing demands in an affordable but contemporary manner. They responded to the prevailing economic constraints by experimenting with lightweight materials and simple construction methods.

With its roots in the 1930s, Modernism in Melbourne emerged with force in the post-war period aided by overseas and local publications, post-war migration¹⁰ and 'rite of passage' overseas travel by young architects. Completely rejecting historic styles, young architects and designers were instead inspired by a broad range of architectural trends from overseas, including the United States, Europe, Japan and Great Britain, which embraced the principles of functionalism, simplicity and rationality. Architects utilised materials such as steel, concrete and glass, designing buildings that were characterised by plain, unadorned surfaces.¹¹ The Modernist house type, with its flat or shallow roof, box-like forms and generous glazing, flourished in the 1950s and 1960s, and came to embody the forward-looking optimism of the post-war era.

⁶ *Herald*, 29 September 1950, p 10.

⁷ Heritage Alliance, *City of Bayside Inter-War and Post-War Heritage Study*, Vol 1, 2008, p 21.

⁸ Restrictions were imposed to preserve resources for government building projects and to extend resources to maximise house construction. They included restricting the size of brick houses to 1250 ft² (111.5 m²) and timber houses to 1200 ft² (111.5 m²) (P Cuffley, *Australian Houses of the 1940s and 1950s*, Rowville, 2007, p 73) and limiting expenditure to £3000 (*Australian Home Beautiful*, January 1942 as quoted by P Cuffley, *Australian Houses of the 1940s and 1950s*, Rowville, 2007, p 55).

⁹ P Goad, *The Modern House in Melbourne 1945-1975*, thesis, University of Melbourne, 1992, p 5/1.

¹⁰ Émigré architects included Michael Feldhagen, Helen and John Holgar, Ernest Fooks, Kurt Popper, Anatol Kagan and Herbert Tisher.

¹¹ P Goad, 'Modernism' in P Goad & J Willis, *The Encyclopedia of Australian Architecture*, Port Melbourne, 2012, p 464-467.

Many Modern houses were built in what was the City of Sandringham, with a concentration in Beaumaris – in heavily-vegetated areas where low-cost land was readily available and council regulations were less restrictive. Attractive to architects, designers and young homemakers interested in the Modern aesthetic, the suburb of Beaumaris became a centre of Modern post-war housing, particularly after the release of Dunlop-Perdieu Company-owned land in the 1950s. Even before the release of this land the suburb was described by Robin Boyd in 1949 as containing ‘the greatest concentration of first-class modern domestic architecture in Australia’¹² with ‘homes which have risen above the trials of current shortages...exemplifying the unpretentious, logical approach to building’.¹³

Developing Higher-Density Living Options

After World War II, higher density living became increasingly popular in suburban Melbourne, enabling larger populations to be housed economically and conveniently throughout the suburbs. Houses on suburban blocks were demolished to enable the construction of multi-storey blocks of flats (particularly in the 1950s and 1960s), and groups of single-storey villa units (in the 1960s and 1970s). The introduction of the Stratum Title in 1960 and the *Strata Title Act 1967*¹⁴ further stimulated higher density development throughout the suburbs, with units able to be sold separately for the first time.

Single-storey villa units were a particularly popular form of higher density housing in the municipalities of Brighton and Sandringham, with many groups built in the 1960s and early 1970s. This form remains a dominant housing type in the City of Bayside. Construction of this housing type required the purchase of a single or adjacent allotments and the replacement of existing houses with typically four to eight units. These were commonly constructed by builders and developers using a basic hipped-roof design and this conventional austere unit type is illustrated throughout the City of Bayside. In contrast, a Modernist approach was occasionally applied to unit design and a small number of unit developments in the municipality display these characteristics.

Although multi-storey blocks of flats were constructed in the municipalities of Brighton and Sandringham, it appears to have been a less popular form of higher density housing in the Bayside suburbs. A small number of notable examples remain to demonstrate the characteristics of this typology in the City of Bayside.

Place History

The four flats at 16 Gillard Street, Brighton East were constructed in 1968 for R & M Gluck of 6 Ward Street, East Brighton to a design by architect David Sapir & Associates.¹⁵ The two-storey block of four flats was built by H R Hooper.¹⁶

The flats were advertised for rent the following year as ‘luxury flats’¹⁷ comprising 2 and 3 bedrooms, spacious lounges, family kitchens, tiled bathrooms, laundries and carports.

¹⁴ R Grow & S Reeves, *MELMO - Modernist Architecture in Melbourne*, 2021, p 172. This Act governed building subdivision in Victoria at the time and allowed land to be attached to titles.

¹⁵ Bayside Council Building Files, City of Brighton, Building Permit Application, 16 Gillard Street, Brighton East, 26 November 1968 & Working drawings, May & Sept 1968.

¹⁶ Bayside Council Building Files, City of Brighton, Building Permit Application, 16 Gillard Street, Brighton East, 26 November 1968.

¹⁷ *The Age*, 16 July 1969, p 22.



Figure 2. Proposal sketch, front elevation, dated May 1968 (Source: Bayside Council Building Files)

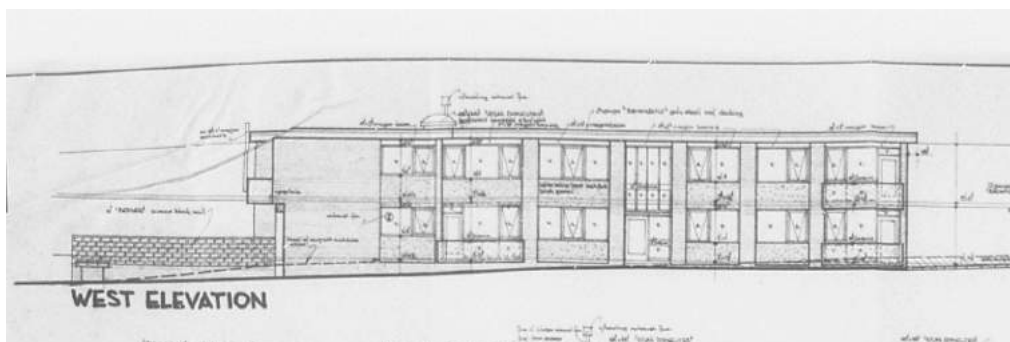


Figure 3. Working Drawings, West elevation for Units at 16 Gillard Street, Brighton (Source: Bayside Council Building Files)

David Sapir & Associates, architect

David Sapir (1933-1995) registered as an architect in Victoria in 1958. Establishing David Sapir & Associates, he is known to have taken on residential and commercial commissions. His residential projects encompassed houses and flats¹⁸, an example being the flats at 16 Gillard Street, Brighton East (1968). Other known projects include the drive-in bottle shop at 64 Foster Street, Dandenong (1967)¹⁹. In the 1970s Sapir established an association with the Commonwealth Savings Bank of Australia, designing new branches at 14-16 Brice Avenue, Mooroolbark (1975)²⁰ and 264-266 Springvale Road, Springvale (1978)²¹, and additions and alterations to the branches at 18 Derby Road, Caulfield East (1978)²² and 9 Rose Street, Essendon (1982).²³

Historical Themes

The place illustrates the following themes as outlined in *Victoria's Framework of Historical Themes*:

- 6 Building towns, cities and the garden state
 - 6.7 Making homes for Victorians

¹⁸ *The Australian Jewish News*, 7 December 1973, p 22; 30 June 1978, p 37; *The Age*, 24 May 1969, p 74; 2 September 1970, p 25.

¹⁹ Heritage Alliance, *Survey of Post-War Built Heritage in Victoria: Stage One, Volume 1*, 2008, p 87.

²⁰ *The Age*, 18 October 1975, p 92.

²¹ *The Age*, 18 March 1978, p 111.

²² *The Age*, 18 February 1978, p 145.

²³ *The Age*, 12 June 1982, p 63.



Description

The following description has been prepared following an inspection from the public realm supplemented by information obtained from current and historical photography (including aerial imagery), real estate listings and publications noted in the reference section of this citation. An on-site inspection is required to confirm these details.

The flats at 16 Gillard Street are located on the south side of Gillard Street between Hornby and Clinton Streets on a flat and rectangular site. The flats at the rear are accessed via a single vehicular crossover at the western end of the boundary to Gillard Street, and the frontmost (northernmost) flats have their own, separate crossover and driveway.

The building is two-storeys with a flat roof clad in profiled metal sheeting and broad eaves finished with deep painted timber fascias and fibre cement soffits. Walls are of brick construction in a dark brown face brick except at the spandrels beneath window suites, where the brick is a textured, light cream face brick. Windows are expansive and timber-framed, typically extending up to ceiling height.

In elevation, the building differs from the symmetrical composition shown in the proposal drawings; instead the principal elevation demonstrates an asymmetry with the central section including a balcony (with carport below) that projects from the bay at the eastern end of the elevation. The balcony has a solid, rendered concrete balustrade and three striking vertical motifs that are positioned off-centre and span from the balustrade to above the roofline. They appear to comprise single parallel, straight lengths of steel batten, painted white and fixed at the balustrade and the fascia. Another distinctive architectural feature is the concrete post and beam structure that supports the first-floor level over the carport. This structure has curved corner junctions and extends across the driveway.

Landscape features include the driveway arch structure, a hollow concrete block garden wall that partially encloses the front garden, a large tree (Jacarandah) at the northeast corner of the site, a mature palm tree at the south boundary, and established hedge plantings along the common driveway. The concrete driveway surfaces and a short length of pebble mix concrete path are likely also original.

Key Features:

- Modernist composition and form, including box-like form with horizontal emphasis, flat roof with broad eaves and deep fascia, expansive glazing, steel batten motif, decorative concrete post and beam structure providing an entrance archway to the shared side driveway and associated carports.
- Modernist materials and detailing, including brown brick, textured cream brick, concrete, steel battens, and expansive timber-framed windows.
- Landscape features including hollow concrete block wall, pebble mix path and concrete driveway.



Figure 4. 16 Gillard Street, Brighton East (Source: nearmap, accessed September 2021)



Figure 5. Street presentation showing hollow concrete block wall (GJM Heritage, April 2021)



Figure 6. Driveway and contrasting brickwork (GJM Heritage, April 2021)

Intactness/Integrity

The flats at 16 Gillard Street retain a high degree of integrity in fabric, form and detail to their period of construction. A single-leaf door to the ground-floor of the front elevation has been removed and replaced with glazing to match the existing bank of windows, with infill brickwork spandrel panel below. The decorative arch across the side driveway entrance has been rebuilt on a like-for-like basis to address a structural issue. Despite these minor changes, the flats remain highly intact and retain the ability to be understood and appreciated as an example of a 1970s multi-residential development in the Post-War Modernist style.

Comparative Analysis

The introduction of the Stratum Title in 1960 and the *Strata Title Act 1967*²⁴ stimulated higher density development throughout the suburbs, with flats and units able to be sold separately for the first time. This housing type was promoted as a means of solving the severe housing shortages experienced across Melbourne following World War II, leading to an explosion of flat and unit developments in the post-war period. Multi-storey blocks of flats were constructed in the municipalities of Brighton and Sandringham; however, they appear to have been a less popular form of higher density living than the single-storey villa unit in the Bayside suburbs.

A number of multi-storey flats dating to the Post-War period remain throughout the City of Bayside. A large number of these display no particular architectural input or merit, however a small number apply a Modernist approach to their design, using brick construction, low-pitched roofs, large areas of glazing (particularly to the north) and feature panels of various decorative materials. These flats were often situated in a landscaped setting, with side driveway and integrated carports.

The flats at 16 Gillard Street, Brighton East are one of a small number of highly intact and well-resolved examples of Modernist flats which were built, and remain sufficiently intact, to demonstrate the characteristics of this typology within the City of Bayside. There are currently no examples of flats constructed in the post-war period included in the Heritage Overlay of the Bayside Planning Scheme on an individual basis or that are identified as contributing to the significance of a precinct. However, there are a small number of fine representative examples of this building type that have been retained with sufficient integrity to demonstrate this class of place and to reflect their importance in the historical development of what is now the City of Bayside. These buildings clearly illustrate the application of Modernist principles to flat design and display a range of the principal characteristics of the style. Examples of these include:



'The Point', 1-15/405 Beach Road, Beaumaris (1959)

²⁴ R Grow & S Reeves, *MELMO - Modernist Architecture in Melbourne*, 2021, p 172. This Act governed building subdivision in Victoria at the time and allowed land to be attached to titles.



1-6/16 Clive Street, Brighton East (1960)



1-7/150 Beach Road Sandringham (1960)

The flats at 16 Gillard Street, Brighton East are a small complex of four residential flats, situated in a residential setting, which are designed to appear as a single house on a standard-sized block. Like 16 Gillard Street, the above examples are two-storeys, comprise box-like forms with a horizontal emphasis, and expansive glazing. These examples all retain a high degree of integrity to their period of construction and clearly demonstrate the characteristics of the Modernist style applied to 1960s flats.

Assessment against Criteria

Following is an assessment of the place against the recognised heritage criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018).

Criterion A: Importance to the course or pattern of our cultural or natural history

The flats at 16 Gillard Street, Brighton East are illustrative of the suburban development in the City of Bayside in the post-war period when a number of multi-storey residential flats were constructed across the municipality. This type of development was largely the result of increased housing demand following World War II. The impetus for higher density living, combined with changes to strata title legislation (which allowed for the sale of individual units for the first time in Victoria), led to a proliferation of multi-unit developments in the 1960s and 1970s. The flats at 16 Gillard Street clearly demonstrate this shift towards lower-cost, higher density living which characterised suburban development in what is now the City of Bayside, and across Victoria more broadly, in the post-war period.

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

The flats at 16 Gillard Street, Brighton East are notable as a fine and substantially intact representative example of a small residential flat building constructed during the post-war period in the City of Bayside. Designed by architects David Sapir & Associates, the flats display a range of characteristics that are typical of Post-War Modernist design, including a two-storey box-like form with asymmetrical principal elevation, flat roof with broad eaves and deep fascia, expansive timber-framed glazing, shared driveway, integrated carports and the use of contrasting materials such as brown brick, textured cream brick, concrete and steel to articulate the front elevation.

Criterion E: Importance in displaying particular aesthetic characteristics

The flats at 16 Gillard Street, Brighton East are of aesthetic significance as a well-resolved and carefully detailed example of a small flat complex constructed in the Modernist style. Designed by architects David Sapir & Associates, the building is characterised by its distinctive balustrading, contrasting brickwork, expansive glazing and its refined detailing. The flats at 16 Gillard Street, Brighton East demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard.

Grading and Recommendations

It is recommended that the place be included in the Heritage Overlay of the Bayside Planning Scheme as a locally significant heritage place.

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

External Paint Controls?	No
Internal Alteration Controls?	No
Tree Controls?	No
Outbuildings or Fences not exempt under Clause 43.01-4?	Yes – front wall and carports
Prohibited Uses Permitted?	No
Aboriginal Heritage Place?	No

Extent of the Recommended Heritage Overlay

To the extent of the property boundary as shown in Figure 7 below.

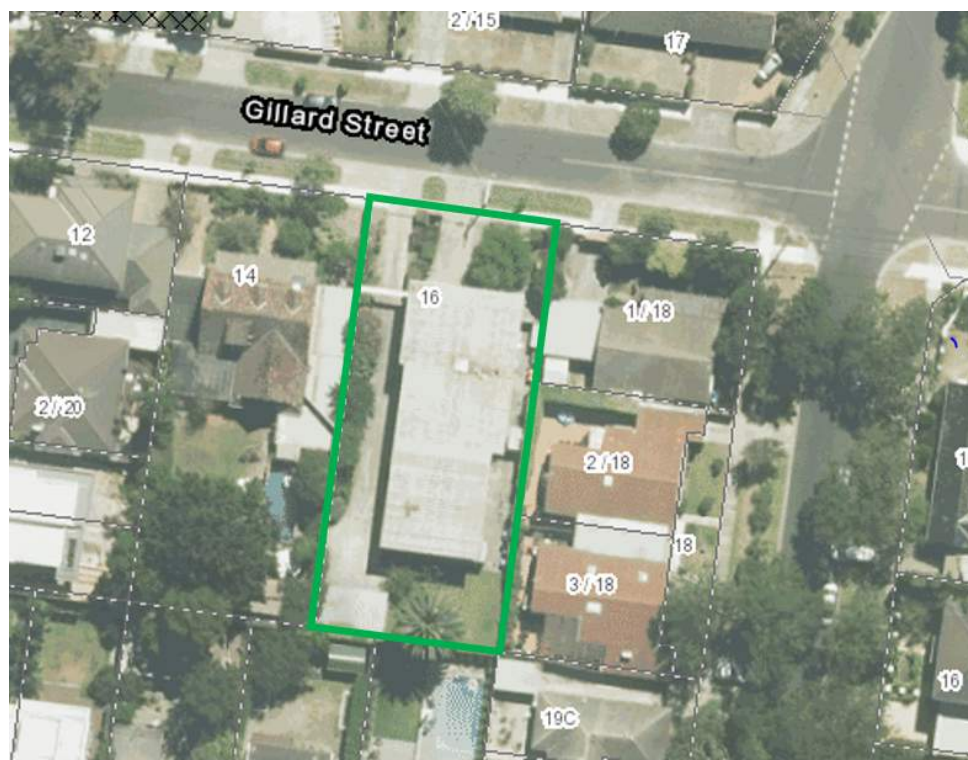




Figure 7. Recommended Extent of Heritage Overlay
(Basemap Source: Vicplan)

Key

-  Recommended extent of HO
-  Existing Heritage Overlay

References

Allom Lovell & Associates, *Bayside Heritage Review: Thematic History*, 1999.

Bayside Council Building Files.

Built Heritage Pty Ltd, 'Sol Sapir', *Dictionary of Unsung Architects*,
<<http://www.builtheritage.com.au/dictionary.html>>, accessed 31 July 2021.

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The Argus.

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University of Melbourne, Melbourne School of Design, *Merchant Builders, towards a new archive*, Parkville, 2015.

Flats, 16 Gillard Street, Brighton East – Statement of Significance, ~~May 2022~~ December 2023

Heritage place: Flats, 1-4/16 Gillard Street, Brighton East

PS ref no.: TBC



Figure 1. 16 Gillard Street, Brighton East (April 2021)

What is significant?

The Flats at 16 Gillard Street, Brighton East, built in 1968.

Elements that contribute to the significance of the place include (but are not limited to):

- The original external form, materials and detailing of the flats
- The high level of integrity to their original design
- Modernist composition and form, including box-like form with horizontal emphasis, flat roof with broad eaves and deep fascia, expansive glazing, steel batten motif, decorative concrete post and beam structure providing an entrance archway to the shared side driveway and associated carports
- Modernist materials and detailing, including brown brick, textured cream brick, concrete, steel battens, and expansive timber-framed windows
- Landscape features including hollow concrete block wall, pebble mix path and concrete driveway.

Later alterations **and additions** are not significant, **including the conversion of a single-leaf door to the front elevation to a window and infill brickwork spandrel panel.**

How is it significant?

The Flats at 16 Gillard Street, Brighton East are of local historical, representative (architectural) and aesthetic significance to the City of Bayside.

Why is it significant?

The Flats at 16 Gillard Street, Brighton East are illustrative of the suburban development in the City of Bayside in the post-war period when a number of multi-storey residential flats were constructed across the municipality. This type of development was largely the result of increased housing demand following World War II. The impetus for higher density living, combined with changes to strata title legislation (which allowed for the sale of individual units for the first time in Victoria), led to a proliferation of multi-unit developments in the 1960s and 1970s. The flats at 16 Gillard Street clearly demonstrate this shift towards lower-cost, higher density living which characterised suburban development in what is now the City of Bayside, and across Victoria more broadly, in the post-war period (Criterion A).

The flats at 16 Gillard Street, Brighton East are notable as a fine and substantially intact representative example of a small residential flat building constructed during the post-war period in the City of Bayside. Designed by architects David Sapir & Associates, the flats display a range of characteristics that are typical of Post-War Modernist design, including a two-storey box-like form with asymmetrical principal elevation, flat roof with broad eaves and deep fascia, expansive timber-framed glazing, shared driveway, integrated carports and the use of contrasting materials such as brown brick, textured cream brick, concrete and steel to articulate the front elevation (Criterion D).

The flats at 16 Gillard Street, Brighton East are of aesthetic significance as a well-resolved and carefully detailed example of a small flat complex constructed in the Modernist style. Designed by architects David Sapir & Associates, the building is characterised by its distinctive balustrading, contrasting brickwork, expansive glazing and its refined detailing. The flats at 16 Gillard Street, Brighton East demonstrates the key aesthetic qualities of Modernist design in the City of Bayside to a high standard (Criterion E).

Primary sources:


City of Bayside Post-War Modern Residential Heritage Study, GJM Heritage (2022)


ATTACHMENT 2 - GJM RESPONSE TO SUBMISSIONS



Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
1	Support	General support for amendment.	Noted.	No change
2, 24	Object	<p>Objection in respect of 16 Gillard Street, East Brighton.</p> <p>Heritage Opinion provided by Dr Aron Paul of Trethowan Architecture asserts that (in summary):</p> <ul style="list-style-type: none"> The citation has not adequately demonstrated the property is significant historically, aesthetically or representatively. The materials and detailing are typical rather than distinctive of a c.1960s-70s apartment block (11 Tooronga Road, Malvern East cited as an example utilising similar materials and detailing). There are characteristics of Modernist residential design that are lacking in the subject site, including integration with landscape or special siting of the building within it. The building is not cantilevered over the carpark or landscape (the front car park created by a void between walls and the units carports are not integrated). The glazing is not “particularly expansive”. The vertical battens are “idiosyncratic rather than characteristic of Modernist design”. As a result, the building does not meet the threshold for representativeness. The Comparative Analysis has not compared the property to other Modernist buildings on the HO, including 51 Lynch Crescent, Brighton and 21 Vardon Avenue, Beaumaris. The citation has not established the local significance of David Sapir, architect. The place does not have a high level of integrity. The streetscape façade has been subject to major changes with removal of the doorway, replacement of the window at ground level, and new brick panel at ground level under new windows. The current streetscape façade deviates from the “original design” included in the citation. The archway over the driveway has been reconstructed and the letter boxes replaced. Multi-storey flat development was less popular than single-storey unit development and the property has not been strata titled as the owners live in the front two-storey portion of the property. It is therefore not 	<p>It is disputed that the citation has not adequately demonstrated that the property is of heritage value. A heritage assessment has been completed in accordance with the guidance contained in <i>Planning Practice Note 1: Applying the Heritage Overlay</i> (2018) (PPN1) and reflects well-established heritage practice for the preparation of such assessments. Responses to specific matters raised are addressed below.</p> <p>It is agreed that the materials and detailing can generally be considered ‘typical rather than distinctive’ for the typology. The place is assessed as being of significance in part for its <i>representativeness</i> of post-war Modernist architecture and the ‘typical’ materials and detailing used directly reflects this value. The heritage criteria do not require that places have to be ‘distinctive’ to be included in the Heritage Overlay. Notwithstanding this, the place does demonstrate a level of flamboyance of design within the otherwise constrained and pared-back Modernist aesthetic through the distinctive curved detailing that forms the threshold to the carport and driveway and through the incorporation of the steel batten ‘fins’ to the balcony on the street elevation. It is noted that the example provided to support the argument for the place utilising ‘typical’ materials and detailing is from the City of Stonnington and doesn’t assist in a consideration of the local (Bayside) significance of the property. It is also noted that the Malvern example does not demonstrate the same level of architectural finesse as the subject site, being a simple rectangular building without balconies, expansive glazing or notable architectural detailing.</p> <p>It is not necessary for a place to demonstrate <u>all</u> of the typical characteristics of post-war Modernist residential design for it to meet Criterion D. As the Panel for Amendment C387melb stated at p55:</p> <p><i>Places need to demonstrate the principal characteristics of the class, which implies most of those characteristics...A representative place should demonstrate most of the principal characteristics of the class in a manner that is clearly evident.</i></p> <p>While the place does not demonstrate the ‘special siting’ of the building and integration of landscape this is not</p>	No change


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<p>reflective of the historical pattern of post-war development dominant in Bayside.</p>	<p>considered unusual given it is a multi-unit flat development rather than a single dwelling. Notwithstanding this, the place does demonstrate the vast majority of other key features of the typology in a manner that is clearly evident and retains a high degree of integrity to its original design. This includes a rectilinear form with strong horizontal emphasis, flat roof with broad eaves and deep fascia, expansive timber-framed glazing, face brick with decorative textured brick feature panels, integrated carport to the front townhouse and hollow concrete block front fence.</p> <p>We dispute that the building is not cantilevered over the carpark (clearly the balcony and carport threshold element have been designed to achieve this intent) and that the glazing isn't 'particularly expansive' (the vast majority of the principal elevation is glazed – this can be contrasted with the Malvern example which has much more restrained glazing). The vertical steel battens are unusual in the local context but are reflective of the Googie-style 'jet-age' architecture originating as part of the Modernist movement in the United States of America. They are therefore consistent with the broader typology. It remains our view that the property meets the local threshold for Criterion D (representativeness).</p> <p>It is agreed that the Comparative Analysis did not reference the examples at 51 Lynch Crescent, Brighton and 21 Vardon Avenue, Beaumaris, which were not in the Heritage Overlay at the time of the assessment. They are now included in Interim Heritage Overlays as a result of the recommendations of our study. We note that 21 Vardon Avenue is of a very different form to the subject site and is not a useful comparator. Our Comparative Analysis considered other similarly styled multi-unit Modernist buildings within the municipality (rather than individual houses like 51 Lynch Crescent) and this is considered to be the appropriate typology for comparison.</p> <p>Our assessment does not conclude that the property is significant for its association with architect David Sapiro (under Criterion H) and therefore the assessment does not need to establish such significance.</p> <p>Having undertaken a further inspection of the property from the public realm on 24 November 2023, it remains our view that the property remains highly intact to its period of construction (noting that the design as-built differed to the</p>	

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			<p>working architectural drawings provided in the citation). Dr Paul identifies three changes to the principal façade, however these are all related to the one change – the removal of single-leaf door and replacement with a window and brickwork below. This change is considered to be minor, has been done sensitively, and has not altered the overall design intent for the property. It is noted that the concrete archway over the driveway has been reconstructed but this appears to have been done on a like-for-like basis which is appropriate and would be permitted under the Heritage Overlay as-of-right.</p> <p>Our study acknowledges that multi-storey flat development was less popular than single-storey unit development in the post-war period, but it doesn't follow that the multi-storey typology should not be included in the Heritage Overlay. This typology was reflective of the opportunities taken to increase housing supply in the post-war period and it is appropriate that they are recognised where the building remains highly intact to demonstrate that theme. We disagree with the proposition that because the property wasn't strata-titled it is not reflective of the historical pattern of post-war development dominant in Bayside. While the legal process of dividing the property into individual units did not occur, the intent of providing increased housing opportunities in the form of multi-flat development remains the same.</p> 	


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
				


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
3, 14	Object	<p>Objection in respect of 9 Wolseley Grove, Brighton.</p> <p>Submissions 3 and 14 assert that the majority of the property's visible elements from the street are not original with additions made in the mid-1980s and throughout 2022/23.</p> <p>1980s changes are noted as:</p> <ul style="list-style-type: none"> • Replacement of austere brick front façade walls with windows and glass doorways. <p>2022/23 changes are noted as:</p> <ul style="list-style-type: none"> • Removal of eastern courtyard • Removal of three large trees • Garden structure dismantled • Removal of front brick fence • Removal of integrated carport • Removal of dark stained/painted timber fascias • Replacement of original timber windows • Removal of non-original timber letterbox. <p>In respect of the assessment, Submission 14 asserts:</p> <ul style="list-style-type: none"> • Criterion A is not met due to the significant alterations that have reduced the integrity of the building. • Criterion D is not met as the Executive Director found the place was “not in original condition” and the house is no longer substantially intact. • Criterion E is not met because of the substantial changes and the fact that the property was not included in any reviews of McGlashan and Everist's work. 	<p>Historical building permit information was provided by Council in March 2022 and this information was reviewed prior to exhibition of Amendment C192bays. We note that following the initial design by McGlashan & Everist, prominent architect David Godsell was engaged to design sensitive alterations to the property comprising:</p> <ul style="list-style-type: none"> • Conversion of the garage into a ‘Hobbies Room’ in 1972 • Construction of a minor addition in the south-east corner of the house in 1985 • Insertion of windows and glazed doors into the southern elevation and construction of a brick boundary wall (to match existing brickwork) to the south-western frontage of the property in 1986. <p>These works were undertaken in a highly respectful manner and within the same Modernist idiom as the original design. It was therefore our view that they did not detract from the original design intent for the property.</p> <p>More recently, a substantial program of works to the place has commenced. This has included the removal of a substantial portion of the original and early building fabric including all timberwork, all windows and doors, the carport structure, roofing material and the front brick fence (see images below taken during a further inspection of the property from the public realm on 24 November 2023). While at the completion of the works the property will still present as a Modernist-style house, there is so little original material now remaining and its integrity has been reduced such as the application of the Heritage Overlay is no longer warranted.</p>	<p>Remove 9 Wolseley Grove, Brighton from Amendment C192bays</p>


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			 <p>The 'GJM Response to Submission' column contains three photographs. The top photograph shows a large stack of rectangular stone blocks and wooden beams, likely for a wall or structure. The middle photograph shows a brick wall under construction, with a wooden frame and a large opening. The bottom photograph shows a completed building with large glass windows and a brick wall, situated in a grassy area with trees in the background.</p>	

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
3, 7, 22	Object	<p>Objection in respect of 13 Fifth Street, Black Rock.</p> <p>Matters raised by Submitter 3 in relation to this property are not related to the heritage merits.</p> <p>Submitter 7 notes that the house is undergoing a substantial renovation with permits issued prior to the study being completed.</p> <p>The submission also asserts that:</p> <ul style="list-style-type: none"> • The house is a style and type of Chancellor and Patrick that was celebrated or promoted by the firm. • Previous changes to the house include addition of rooms to the front of the house, changes to front windows, removal of volcanic rock retaining walls, garage door alterations and addition of fences. A detailed list has been provided. 	<p>At the time of our assessment, the most substantial change to the property was a small addition at the western end of the front elevation and the replacement of the roof cladding. It was our view at the time that the changes were generally respectful of the original form and detailing of the house and that they did not fundamentally alter the original design intent or legibility of the house or diminish its intactness to the extent that it no longer should be considered for inclusion in the Heritage Overlay.</p> <p>More recently, a substantial program of works to the place has commenced. This has involved the removal of all windows and doors including timber framing, the removal of the rear half of the principal roof form, demolition of the rear part of the original house, and the removal of brickwork wing walls at ground-level delineating the carport (see images below taken during a further inspection of the property from the public realm on 24 November 2023). While at the completion of the works the property will still present as a Modernist-style house, there is so little original material now remaining and its integrity has been reduced such as the application of the Heritage Overlay is no longer warranted.</p> 	<p>Remove 13 Fifth Street, Black Rock from Amendment C192bays</p>


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
3, 4	Object	<p>Objection in respect of 82 Reserve Road, Beaumaris.</p> <p>The majority of matters raised by Submitter 3 are not related to the heritage merits. Those matters raised that address the heritage significance of the property are:</p> <ul style="list-style-type: none"> • The contextual history, historical themes and place history are generic and not place-specific. • The limited details provided on John Kirk raises questions in respect of the property’s historical significance. Kirk has limited significance to Bayside and there is no evidence of him having a meaningful career as an architect. • There is no integrated carport, brick walls have been rendered or clad in colourbond and there is no dense native plantings, freestanding letter box or paved driveway. • The property has asbestos inside and out and a leaking roof. <p>Submission 4 asserts that:</p> <ul style="list-style-type: none"> • Key features have been changes including enclosing of the carport, rendering face bricks, clearing gardens, demolishing the letterbox and removing the concrete driveway. • Kirk is an unknown, unregistered architect. • The Comparative Analysis is inadequate. Two of the properties in the analysis “do not meet the relevant threshold for inclusion in the heritage overlay”. • The property does not meet Criterion A – it “has been previously assessed and rejected in earlier Bayside City Council Heritage Studies” and Kirk is “unremarkable and obscure”. • The property does not meet Criterion D – the assessment “does not effectively demonstrate how the home or the designer meet the threshold for local significance...neither the home nor the designer holds any notable importance in relation to Bayside’s natural places or environmental considerations”. • The property does not meet Criterion E – “the house displays ordinary and modest construction with subpar finishes, devoid of refined detailing”. 	<p>It is agreed that the contextual history and historic themes are generic insofar as they relate to the municipality as a whole and are not place-specific as their purpose is to provide a broad historical understanding for the consideration of the individual place. Conversely, the place history specifically deals with the subject property and is not generic.</p> <p>Having further considered the limited information available on John Kirk’s career – and in light of further guidance provided on the application of Criterion H through the Planning Panel report for Amendment C320ston – we agree that the place does <u>not</u> satisfy Criterion H for its association with owner-designer John Kirk. It is our view that the Statement of Significance and associated Heritage Citation should be updated to delete Criterion H.</p> <p>It is noted that some changes have occurred to the property since its assessment. This includes:</p> <ul style="list-style-type: none"> • Partial enclosure of the integrated carport with slatted vertical timber battens and horizontally laid corrugated Colorbond; and • Removing the concrete driveway, letterbox and some garden plantings. <p>Submission 4 asserts that face bricks have been rendered, however, it appears instead that the brickwork to the western end of the principal (Victor Street) façade has been clad with fibre cement sheeting, which has an applied textured finish (see image below).</p> <p>While the changes are unfortunate, it is our view that they have not fundamentally altered the original design intent or legibility of the house or diminished its intactness to the extent that it no longer should be considered for inclusion in the Heritage Overlay. Further, these recent alterations appear to be relatively superficial and easily reversible. It is our view that the Statement of Significance and associated Heritage Citation should be updated to reflect the alterations made.</p>	<p>Amend the Statement of Significance and associated Heritage Citation to delete Criterion H and to reflect recent alterations made to the property (see attachment)</p>



Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<ul style="list-style-type: none"> The property does not meet Criterion H – there is no special association with Beaumaris and John Kirk other than he lived in the suburb for a number of years. 	 <p data-bbox="1066 1134 1715 1390">It is noted that two of the properties included in the Comparative Analysis have been removed from Amendment C192bays. This occurred following a resolution of Council prior to exhibition of the amendment and was not based on our heritage advice. It remains our view that these two properties removed from the C192bays meet the threshold for local heritage significance and they are therefore appropriate comparators for the subject property.</p>	

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
5	Object	<p>Objection in respect of 19 Haywood Street, Beaumaris.</p> <p>The submission asserts:</p> <ul style="list-style-type: none"> • A significant renovation occurred in 1987 involving the entire back end of the property being demolished and a new addition constructed. • Substantial works occurred to the front of the house, including installation of stacked stone cladding beside the front door and above the master bedroom window. These features are not original. • Internal alterations were undertaken. • The property is not located in a traditional heritage area. • Other Clarke Hopkins Clarke properties are not recommended (2 Ballara Court, Brighton; 14 Cavell Court, Beaumaris; 2 Ramsay Street, Brighton; 25 Billson Street, Brighton East). • 19 and 54 Haldane Street, 1 Hutchinson Street, 9 Coreen Avenue, and 132 Tramway Parade, Beaumaris are similar to the subject property but have been removed from the amendment. 	<p>We remain of the view that the property satisfies Heritage Criteria D and E for the reasons outlined in our assessment.</p> <p>The 1987 rear alterations were known at the time of completing the assessment. The works are confined to the rear portion of the building and are not visible from the street. They have no impact on the assessed significance of the place. No internal controls are proposed and any internal changes that have occurred do not impact the assessed significance of the place.</p> <p>It is acknowledged that a small section of timber fascia to the street elevation and panelling to the side of the front door has been replaced with a stacked stone cladding. While an alteration to the original fabric of the building, it is considered to be a relatively minor change that doesn't fundamentally alter the original design intent or legibility of the house or diminish its intactness to the extent that it no longer should be considered for inclusion in the Heritage Overlay.</p>  <p>Other Clarke Hopkins Clarke designed residences at 2 Ballara Court, Brighton, 14 Cavell Court, Beaumaris, 2 Ramsay Street, Brighton and 25 Billson Street, Brighton East have either been demolished and replaced with a new build or have been substantially altered to the extent that their original form is no longer readily discernible. This enhances the heritage value of the subject site as a remaining,</p>	<p>Amend the 'Intactness/Integrity' section of the Heritage Citation to include reference to the introduction of the stacked stone cladding (see attachment)</p>


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			<p>substantially intact example of a Clarke Hopkins Clarke designed residence.</p> <p>It is noted that 19 and 54 Haldane Street, 1 Hutchinson Street, 9 Coreen Avenue and 132 Tramway Parade, Beaumaris have been removed from Amendment C192bays. This occurred following a resolution of Council prior to exhibition of the amendment and was not based on heritage advice. It remains our view that these properties removed from the C192bays meet the threshold for local heritage significance.</p>	
<p>6</p>	<p>Object</p>	<p>Objection in respect of 86 Dalgetty Road, Beaumaris.</p> <p>The majority of matters raised in Submission 6 are not related to the heritage merits. Those matters raised which address the heritage significance of the property relate to the additions made to the southern end of the property from 2016 substantially increasing the footprint of the building and the construction of a semi-enclosed barbeque area on the deck.</p>	<p>The 2016 additions to the south were known at the time of the assessment and are noted in the Heritage Citation for the place, which concludes:</p> <p><i>Despite the addition of a sensitively sited extension to the south, the house remains substantially intact and retains the ability to be understood and appreciated as an example of a 1950s house built in the Post-War Modernist style. (p166, Vol 3)</i></p> <p>Stegley House – owned by Brian Stegley, co-founder of Stegbar – is an important Robin Boyd designed property, which incorporates a modular window wall launched by Stegbar in collaboration with Boyd. The property continues to warrant inclusion in the Heritage Overlay.</p> 	<p>No change</p>
<p>8</p>	<p>Support</p>	<p>Support for the study and strategic basis provided.</p>	<p>Noted.</p>	<p>No change</p>


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
9	Object	<p>Objection in respect of 15 Mariemont Avenue, Beaumaris.</p> <p>A number of matters raised in Submission 9 are not related to the heritage merits. Those matters raised that address the heritage significance of the property are:</p> <ul style="list-style-type: none"> Substantial alterations have occurred, including to windows, the balcony, stairwell, front door location, volcanic rock retaining wall and driveway. The 2007 Heritage Alliance Study noted that <i>The Mariemont Ave houses are of more interest as a cohesive group, rather than individual specimens. Taken individually, they can mostly be considered as representative examples of the work of their respective architects or styles, rather than particularly outstanding ones...</i> The property is now being 'singled out'. Other properties represent Baird's work, along with written histories. 	<p>The alterations to the front façade (comprising insertion of a window into the easternmost bay and replacement of first floor balustrading) were known at the time of the assessment and are noted in the Heritage Citation for the place, which concludes that, despite these modifications, the house remains substantially intact to its period of construction and retains the ability to be clearly understood and appreciated as an example of a 1950s house built in the Post-War Modernist style.</p> <p>It is acknowledged that in the 2008 <i>City of Bayside Inter-War & Post-War Heritage Study</i> the property formed part of the recommended 'Mariemont Avenue Precinct', comprising six 'significant' graded properties and five 'non-contributory' properties.</p> <p>'Significant' places were defined in the study as follows:</p> <p><i>Significant heritage places include buildings and surrounds that are individually important places of either state, regional or local heritage significance or are places that, together with an identified area, are part of the significance of a Heritage Overlay (p11 Vol 1, City of Bayside Inter-War & Post-War Heritage Study, Heritage Alliance, May 2008).</i></p> <p>In the intervening period, one 'significant' property has been demolished (No 27) and one property has been subject to alterations that have diminished its intactness (No 19). In reconsidering the remaining properties originally proposed to be included in the precinct, it was our view that No. 9 has been subject to too much alteration to warrant inclusion and that Nos. 17 and 25 would be considered 'contributory' (rather than 'significant') within an intact precinct, but that the precinct no longer existed.</p> <p>No 15 was subject to an assessment in its own right, and it remains our view that the John Baird designed property satisfies Criteria A, D and E at the local level irrespective of the status or integrity of the other houses that originally made up the 'Mariemont Avenue Precinct' as proposed in 2008.</p>	No change


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			 <p data-bbox="1066 647 1720 810">It is acknowledged that other properties recommended for – or included in – the Heritage Overlay were also designed by John Baird (15 Hume Street, 22 Alfred Street, Beaumaris [HO405] and 7 Grandview Avenue, Beaumaris) but this does not preclude other examples of his work also being recommended for inclusion.</p>	
<p data-bbox="170 831 203 852">10</p>	<p data-bbox="288 831 362 852">Object</p>	<p data-bbox="423 831 1010 852">Objection in respect of 56 Cloris Avenue, Beaumaris.</p> <p data-bbox="423 879 1016 999">Submission 10 asserts that the house has undergone significant renovations including a two-storey extension, conversion of the original carport into an interior room and exterior colour change.</p>	<p data-bbox="1066 831 1659 884">The alterations are noted in the Heritage Citation for the place and concludes:</p> <p data-bbox="1126 903 1720 1066"><i>While the carport has been enclosed, the brickwork has been overpainted and a rear extension constructed to the south of the original building, the original form and detailing of the house remains sufficiently intact to be understood and appreciated as an example of a 1960s house built in the Post-War Modernist style.</i></p> <p data-bbox="1066 1086 1715 1305">Further, we note these alterations appear to be relatively superficial and easily reversible. Nissen House is considered to be of historical, aesthetic and representative significance to the City of Bayside as a well-resolved and carefully detailed Post-War Modernist house designed by architect Bernard K Hanmer. The property is assessed as being of local significance and warranting inclusion in the Heritage Overlay.</p>	<p data-bbox="1744 831 1872 852">No change</p>


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
				
11	Object	<p>Objection in respect of 19 Bellaire Court, Beaumaris (Bellaire Court Estate).</p> <p>The matters raised in Submission 11 are not related to the heritage merits.</p>	<p>No comment.</p> 	No change
12	Object	<p>Objection in respect of 9 Bellaire Court, Beaumaris (Bellaire Court Estate).</p> <p>Submission 12 asserts that:</p> <ul style="list-style-type: none"> • The original external detailing has been significantly altered and there is not a high level of integrity to the original design as a result. • Modernist materials have been permanently altered, such as the brick façade being rendered. 	<p>It is noted that 9 Bellaire Court was rendered prior to exhibition of Amendment C192bays. This is an unfortunate outcome for the building that may impact the future maintenance requirements for the property. While it was our view at the time that the form and detailing (with respect to its expansive glazing, flat roof, deep fascias and integrated carport) remained legible and that the property was still considered to contribute the significance of the Bellaire Court Estate group, we have now reconsidered this position.</p>	<p>Remove 9 Bellaire Court from the Bellaire Court Estate Group Listing and update the Heritage Citation and Statement of Significance accordingly</p>

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<ul style="list-style-type: none"> The group or serial listing is not justified – a common period of construction or developer is insufficient to justify the application. 	<p>This revised position has been partly informed by our involvement in other, subsequent, heritage matters including a review of the Contemporary Homes Group listing for Maroondah Council (Amendment C148moro) where the recent rendering of recommended buildings was a key matter considered. In light of that, it is our view that the rendering of 9 Bellaire Court has adversely impacted its significance to the point where inclusion in the proposed group listing is no longer warranted.</p>  <p>Other changes identified by the owner are considered to be minor and did not impact on the assessed significance of the property.</p>	
13	Object	<p>General objection.</p> <p>The matters raised in Submission 13 are not related to the heritage merits.</p>	No comment.	No change
15	Object	<p>Objection in respect of 28 Tower Street, Beaumaris.</p> <p>The majority of matters raised in Submission 15 are not related to the heritage merits. The submission goes on to assert that the property has “major integrity issues” including:</p> <ul style="list-style-type: none"> Rotted timber window frames, fascias and awning Corroded metal decked roof Internal damage to ceilings, walls and skirting due to water ingress 	<p>Planning Panels have consistently found that building condition is generally not a matter for consideration in determining whether a property should be included in the Heritage Overlay, unless the poor condition has degraded the intactness of a property to such a degree that its values can no longer be appreciated or rectification will require the introduction of such a degree of new fabric that it will undermine its assessed significance (see for example, C275gben Panel report).</p> <p>General maintenance is important for all properties – regardless of their age or heritage value. The Heritage</p>	No change


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<ul style="list-style-type: none"> Foundation subsidence. 	<p>Overlay does not require a planning permit for maintenance and repair works which replace like-for-like using the same details, specification and materials.</p> <p>The submitter has provided photographic evidence of poorly maintained roofing and timberwork that have led to water ingress. However, while the repair works reflect a considerable undertaking given the lack of maintenance to the property over many years, it is our view that they can be undertaken in a manner that is respectful of the identified heritage values of the place and will not compromise its assessed significance.</p> <p>It remains our view that the place warrants inclusion in the Heritage Overlay.</p> 	
16	Object	<p>Objection in respect of 1 Reid Street, Beaumaris.</p> <p>Many of the matters raised in Submission 16 are not related to the heritage merits. Submitter 16 also asserts that the property has been subject to the following changes:</p> <ul style="list-style-type: none"> The front façade and carport has been altered from their original form. An original carport on the west side has been demolished and a new carport constructed. The roof has been reclad. Timberwork has been painted charcoal instead of brown. 	<p>The key changes to the building are the recladding of the roof and the works to the carport to repair failed timber members and provide increased structural support.</p> <p>It is acknowledged that the original fibre cement roofing tiles have been replaced with a more textured dark brown terracotta tile; however, the change is not considered to adversely affect the overall appearance or architectural intent of the property and has been noted in the 'Integrity/Intactness' section of the Heritage Citation. The western end of the carport has been reconstructed on a largely like-for-like basis, with the repair or replacement of timber members and the introduction of a new steel beam set</p>	No change

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<ul style="list-style-type: none"> The rear balcony balustrade has been changed from glass and timber to timber and steel wire. The original front door has been replaced with a modern door. The dwelling is in a state of disrepair and requires major rectification works. 	<p>within the carport to provide additional structural strength. This is considered an appropriate repair and structural remediation strategy for the property that has been undertaken in a manner that is consistent with the place's heritage values. Alterations to the rear balustrade are not considered to have an impact on the assessed significance of the property.</p> <p>The submitter has also provided photographs of poorly maintained timberwork throughout the property. General maintenance is important for all properties – regardless of their age or heritage value. The Heritage Overlay does not require a planning permit for maintenance and repair works which replace like-for-like using the same details, specification and materials. It is our view that repairs can be undertaken in a manner that is respectful of the place and will not compromise its heritage values.</p> <p>Our position remains that property meets the threshold for local heritage significance and should be included in the Heritage Overlay.</p> 	
17	Object	<p>Objection in respect of 175-177 Tramway Parade, Beaumaris.</p> <p>Submission 17 asserts that the property has been subject to the following changes:</p>	<p>Historical plans from 1958 were provided by Council in December 2023. While it is difficult to know what the as-built condition of the building was, it appears that the following changes have occurred:</p>	<p>Remove 175-177 Tramway Parade, Beaumaris from Amendment C192bays</p>


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<ul style="list-style-type: none"> • Bagging of the original cream brickwork • Installation of vertical timber cladding to the upper level • Installation of stone and associated landscaping treatments. <p>The submission also indicates that the property contains similar attributes to a number of properties removed from the amendment by Council.</p>	<ul style="list-style-type: none"> • Enclosure of the open pergola to the upper level (south-eastern corner); • Replacement of vertical timber cladding to upper levels with new hit-and-miss cladding to a different profile; • Rendering of all former face brickwork to principal elevation; • Replacement of stone cladding to principal elevation with face brickwork; and • Replacement of grey glass panels in lower portions of full-height windows. <p>On the basis of the changes made, it is our view that the place can no longer be considered to be sufficiently intact to warrant inclusion in the Heritage Overlay.</p>  <p>The removal of a number of properties from Amendment C192bays with similar characteristics occurred following a resolution of Council prior to exhibition of the amendment and was not based on heritage advice.</p>	
18	Object	<p>Objection in respect of 9 Mariemont Avenue, Beaumaris.</p> <p>The matters raised in Submission 18 are not related to the heritage merits.</p>	<p>No comment.</p> <p>It is noted that the property is not recommended for inclusion in the Heritage Overlay.</p>	No change

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
19	Object	<p>Objection in respect of 25 Mariemont Avenue, Beaumaris.</p> <p>The matters raised in Submission 19 are not related to the heritage merits.</p>	<p>No comment.</p> <p>It is noted that the property is not recommended for inclusion in the Heritage Overlay.</p>	No change
20	Object	<p>Objection in respect of 56A Dendy Street, Brighton.</p> <p>The matters raised in Submission 20 are not related to the heritage merits.</p>	<p>No comment.</p> 	No change
21	Object	<p>Objection in respect of 11 Summerhill Road, Beaumaris.</p> <p>Many of the matters raised in Submission 21 are not related to the heritage merits.</p> <p>Submission 21 asserts that:</p> <ul style="list-style-type: none"> • The property is not representative of the architect's better works and is not included in <i>The Architecture of Neil Clerehen</i> by H Edquist and R Black (1981). • The property has been significantly altered with the clunky addition of the granny flat on the ground floor. • The roof has been replaced due inadequate drainage. • There are major internal design deficiencies. 	<p>The conversion of the ground floor to a granny flat was known at the time of the assessment and is noted in the Heritage Citation for the place, which concludes that, despite this modification, the house remains substantially intact to its period of construction and retains the ability to be clearly understood and appreciated as an example of a 1950s house built in the Post-War Modernist style.</p> <p>The replacement of the roof has also not adversely impacted the legibility of the property as a well-designed Post-War Modernist style building, and it is appropriate that sensitively designed repair and maintenance works occur to properties of all ages. It remains our view that the changes do not fundamentally alter the original design intent or legibility of the property.</p> <p>The lack of reference in a particular publication does not necessarily equate to a lack of local-level heritage significance. Notwithstanding that, it is noted that the more recent <i>Survey of Post-War Built Heritage in Victoria</i> (Built</p>	No change


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			<p>Heritage for Heritage Victoria, 2008) states in respect of the property:</p> <p>[11 Sumerhill Road, Beaumaris is]...<i>one of the best and most intact remaining examples of the early residential work of this noted Melbourne architect</i> (p157).</p> 	
23	Object	<p>Objection in respect of 27 Bolton Avenue, Hampton.</p> <p>A memorandum of advice provided by Bryce Raworth Pty Ltd asserts (in summary) that:</p> <ul style="list-style-type: none"> • The building is very altered, especially as viewed from the street. • The carports, which present to the street, have been rebuilt, a room incorporated and the brickwork bagged and painted. • The landscaping has been altered and letterbox replaced (in different format to the original). • Interiors have been altered (noting internal controls are not proposed). • Bernard Joyce was a well-respected architect, but this house has not been seen as a key example of his work and has not been listed in Philip Goad's <i>The Modern House in Melbourne 1945-1975</i> or in the <i>Australian Encyclopedia of Architecture</i>. • Spedding House reveals very little to the public realm and therefore the HO – if applied – will be managing 	<p>Building permit information was provided by Council in March 2022 and the changes identified were incorporated into the assessment at that time. While a number of changes were \ identified, some of these appeared to be like-for-like replacement (for example, the replacement of timber elements in the carport), and others appeared to have been undertaken in such a manner that they did not compromise the original design intent of the property (for example, the location and form of the rear addition). Onsite access was provided on 18 December 2023 to understand the nature of other changes and this has confirmed that while the plan form and much of the detailing of the property remains highly intact, a roughcast cementitious render has been applied to the entirety of the property, covering all original brickwork. In light of that, it is our view that the rendering of 27 Bolton Avenue has adversely impacted its significance to the point where inclusion in the proposed group listing is no longer warranted.</p>	<p>Remove 27 Bolton Avenue, Hampton from Amendment C192bays</p>

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<p>elements that are not able to be appreciated by the Bayside community. Given this, only the highest and best and most intact examples would warrant heritage controls.</p> <ul style="list-style-type: none"> Given the changes and limited visibility, the application of Criteria A, D and E are questioned. <p>Submission 23 also provided information on changes that have occurred to the property that include:</p> <ul style="list-style-type: none"> A swimming pool was installed in the front yard, behind the carports, in c1968 then removed with pool installed in the rear in the 1970s. Grey cement paving replaced earlier landscaping in the former pool area. An extensive single-storey addition was constructed to the rear of the property in 1974. This accommodated a large games room, sauna, bathroom and bar. The carports were modified in the 1970s to accommodate an additional room. They were also bagged and painted in the 1990s and 2000s. Exterior of the house bagged and painted (1998 & 2020). The carport roof was replaced in 2008 and original timber uprights were also replaced (not like-for-like). The original front brick shed is covered by a later wooden shed. Original front door and surrounds replaced. Timber windows replaced with timber and safety glass; rear glazing now aluminium framed glass doors. Paving is not original. The letterbox is not original. New front fencing installed. Landscaping has been modified. 	 <p>In terms of other matters raised, the changes to landscaping and the replacement of the letter box do not diminish the legibility of the property as a Post-war Modernist style house.</p> <p>No internal controls were proposed so internal changes that had occurred did not impact the assessment of the place.</p>	

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			<p>We also note that the lack of reference to this house within the entry for Bernard Joyce in Professor Goad's publications does not equate to a lack of local-level heritage significance.</p> <p>It is also relatively common for Post-war Modernist houses to be substantially concealed from the street and there is a long-standing acceptance by Panels that the protection of significant heritage fabric is not dependent on it being visible from the public realm (see for example, C270ston Panel report).</p>	
25	Object	<p>General objection.</p> <p>The majority of matters raised in Submission 25 are not related to the heritage merits.</p> <p>The submission states that few properties that are recommended are “genuinely unique or significant when compared to others already found in Bayside or in other local government areas”.</p>	<p>All heritage assessments have been completed in accordance with the guidance contained within PPN1 and well-established heritage practice. A property isn't required to be “unique” to warrant inclusion in the Heritage Overlay. A comparative analysis has been completed for each recommended property to demonstrate its significance when compared to other, similar properties in the municipality. It is not necessary (or always appropriate) to consider properties in other municipalities when considering the local significance of a property.</p>	No change
26	Object	<p>Objection in respect of 78 Scott Street, Beaumaris.</p> <p>Submitter 26 asserts that:</p> <ul style="list-style-type: none"> • The property has no “special cultural value”, with the relationship to the Dunlop-Perdieu Company Subdivision applying to hundreds of properties, including approximately 30 other post-war properties on Scott Street. Hundreds of other properties demonstrate the post-war development phase of Bayside. • The property isn't sufficiently intact to satisfy Criterion D and E due to the 1980s works. • The property does not have “groups of full height windows facing to private open space to the north”, there are only three modest north-facing windows, all replaced in the 1980s. The original rear north-facing window has been replaced by a standard glazed sliding door and the middle window was replaced with a larger timber-framed window. The large 	<p>The Dunlop-Perdieu Subdivision provided a unique opportunity for extensive residential development in the post-war period. It is agreed that all properties constructed at that time demonstrate that particular history, however, only a small number of places remain sufficiently intact to clearly illustrate that historical event at the local level.</p> <p>Access was provided on 18 December 2023 to be able to comprehensively review the changes identified by the owners and documented in a series of plans provided by Council. We have now been able to ascertain that all windows to the northern elevation have been replaced, with only the return with the hinged door and sidelights retaining original fabric. The bank of windows to the street (west) elevation and one small south-facing window also retain original fabric. This results in only three (3) of the ten (10) original windows remaining intact. Further alterations to the rear apparently undertaken in the early 1990s, while set well</p>	Remove 78 Scott Street, Beaumaris from Amendment C192bays


Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<p>window at the south-east corner was also replaced in the 1980s.</p> <ul style="list-style-type: none"> • The rear roof line has been changed to accommodate the second-storey addition. • Vertical weatherboards have been patched with different gauges and materials and some replaced to accommodate service installations. • The property has not been noted by Beaumaris Modern, including when the property was on the market in 2021. 	<p>back from the street and recessive in the context of the street presentation of the property, has effectively enclosed or book-ended the previously open north-facing verandah, diminishing the legibility of the original form and architectural intent of the building.</p> <p>It is our view that these changes have diminished the integrity of the place such that it no longer warrants inclusion in the Heritage Overlay.</p> 	

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
				
<p>27</p>	<p>Object</p>	<p>Objection in respect of 19 Olympic Avenue, Cheltenham.</p> <p>The majority of the matters raised in Submission 27 are not related to the heritage merits.</p> <p>Submission 27 asserts that:</p> <ul style="list-style-type: none"> • The property is in a state of disrepair – the roof has been replaced but continues to leak. The metal pipes regularly block. The timber window framing is rotted and warped. Paint is peeling and flaking. • Changes have been made to the property, altering the external form, including – removal of the broad eave to the north to accommodate an extension and the construction of two outbuildings attached to the house. 	<p>Planning Panels have consistently found that building condition is generally not a matter for consideration in determining whether a property should be included in the Heritage Overlay, unless the poor condition has degraded the intactness of a property to such a degree that its values can no longer be appreciated or rectification will require the introduction of such a degree of new fabric that it will undermine its assessed significance (see for example, C275gben Panel report).</p> <p>General maintenance is important for all properties – regardless of their age or heritage value. The Heritage Overlay encourages ongoing maintenance by not requiring a planning permit for maintenance works which replace like-for-like.</p> <p>The submitter has provided photographic evidence of poor maintenance. General maintenance is important for all properties – regardless of their age or heritage value. The Heritage Overlay does not require a planning permit for maintenance and repair works which replace like-for-like</p>	<p>No change</p>

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			<p>using the same details, specification and materials. It is our view that the required works can be undertaken in a manner that is respectful of the identified heritage values of the place and will not compromise its assessed significance.</p> <p>The external changes identified do not alter the original design intent or legibility of the house.</p> <p>It remains our view that the place is a locally significant building designed by Rex Patrick (of prominent architectural firm Chancellor and Patrick) as his own home.</p> 	
28	Object	<p>Objection in respect of 165-167 Tramway Parade, Beaumaris.</p> <p>The majority of the matters raised in Submission 28 are not related to the heritage merits.</p> <p>Submitter 28 asserts that:</p> <ul style="list-style-type: none"> Engineering and heritage reports obtained by the owner indicate both the modest heritage value and parlous state of the dwelling (Note: heritage and engineering reports were not provided with submission). Regardless of the heritage value, the cost of repairs to make the dwelling habitable exceeded \$3.3 million 	<p>We have been instructed to continue to consider the heritage merits of 165-167 Tramway Parade, irrespective of Council's recent approval for demolition and redevelopment. We have been provided with two engineering assessment reports to assist our consideration:</p> <ul style="list-style-type: none"> <i>Structural Assessment 165-167 Tramway Parade, Beaumaris</i> (Barrason's Engineers, 2 May 2022) (Barrason's Assessment) <i>Forensic Building Investigation Report</i> (for Bayside City Council by Structerre Consulting, 2 October 2023) (Structerre Report) 	<p>No change unless demolition in accordance with Planning Permit 2022/48/1 occurs prior to Amendment C192bays proceeding</p>

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<p>in May 2022 (costs anticipated to have risen in intervening period).</p> <ul style="list-style-type: none"> A planning permit was issued on 10 October 2023 for demolition and redevelopment of the property. 	<p>Barrason’s Assessment concludes (in summary):</p> <ul style="list-style-type: none"> The structural damage is moderate. The structure is currently safe but unserviceable. The dwelling is in very poor condition. Progressive collapse of the roof structure and retaining wall is likely during events such as extreme weather. Make-safe works should occur. Landscaping is threatening the integrity of the building’s foundations. The stormwater and drainage systems require major maintenance. There is severe distress in the balcony slab. <p>The Structerre Report concludes (in summary):</p> <ul style="list-style-type: none"> The residence and overall site is in significant disrepair, but the majority of issues are non-structural and have been caused by neglect and extensive vandalism with almost every window smashed, doors off hinges, holes in plasterboard and graffiti throughout. Trees are likely to be affecting foundations and have also caused damage to other parts of the house, including allowing water ingress. Extensive cracking is present along the length of the cantilevered balconies. Footings have undergone minor differential movement that has led to some structural distress on walls. The retaining wall has failed. The property is not immediately unsafe or in need of demolition due to it being past the point of repair. <p>Both reports conclude that the structural issues are not insurmountable and can be addressed but acknowledge the very poor condition of the property due to ongoing neglect and vandalism.</p> <p>We note that the place has further deteriorated since our previous visit in mid-2022, although the overall form and materiality of the building remains legible to its 1950s construction.</p> <p>In our consideration of this matter, we have had regard to the following:</p>	



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			<p>Panel for Melbourne C207 (2014):</p> <p><i>We also consider that it is possible that condition may become relevant in the circumstances where the necessary renovations of a building, which is being considered for listing/retention, are so extensive that the original fabric of the building is in large measure lost and the form and nature of the heritage place would no longer be able to be appreciated.</i></p> <p>Panel for C275gben (2023):</p> <ul style="list-style-type: none"> • <i>Building condition is generally not relevant when assessing the heritage significance of a place or deciding whether to apply the Heritage Overlay.</i> • <i>Building condition may be relevant if there is clear evidence that restoring an uninhabitable building will diminish the identified heritage values to the point where it no longer meets the threshold of significance for justifying the Heritage Overlay (p7).</i> <p>Advisory Committee Report on the Review of Heritage Provisions in Planning Schemes (August 2007):</p> <p><i>Structural integrity of condition should not be a criterion in assessing heritage significance. It would be contrary to the fundamental principal in the Burra Charter that...the consideration of significance should not be coloured by consideration of the management consequences of listing. There are also good policy reasons why condition should not affect the assessment of criteria: if it were to be a factor, it would encourage owners of heritage properties who were opposed to listing to allow them to fall into disrepair.</i></p> <p>Panels have therefore indicated that removing a property from a Heritage Overlay amendment on the basis of condition should only be used in the most extreme cases.</p> <p>Having considered the information provided, it is our view that while the condition of the property is very poor, it is not beyond repair and reconstruction in a manner that maintains its identified heritage values. Consistent with the Panel findings and the structural engineering advice that the place does not require complete demolition, it remains our view</p>	

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			<p>that the property should be included in the Heritage Overlay of the Bayside Planning Scheme if it the house remains extant.</p> <p>We note that a planning permit has been issued for demolition of the property and this was the appropriate forum for the building’s heritage values to be weighed against condition and relevant other planning matters. Should the owners act on the permit and demolish the building prior to Amendment C192bays being progressed then the property can be removed from the Amendment.</p> 	
29	Support	General support for amendment.	Noted.	No change
30	Object	<p>General objection to the amendment.</p> <p>The majority of matters raised in Submission 30 are not related to the heritage merits.</p> <p>The submission states that:</p> <ul style="list-style-type: none"> The submitter has been made aware of inaccuracies and inconsistencies within heritage citations. 	<p>No details of the asserted “inaccuracies and inconsistencies” have been provided and therefore further comment cannot be provided.</p> <p>Properties excluded from the Amendment C192bays occurred as a result of a Council Resolution on 19 July 2022. This resolution was not based on our heritage advice. It remains our professional opinion that those places removed by Council from the Amendment C192bays meet the threshold for local heritage significance and should be</p>	No change

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<ul style="list-style-type: none"> Properties similar to those recommended for the Heritage Overlay were excluded from the Amendment in 2022. 	included in the Heritage Overlay of the Bayside Planning Scheme.	
31	Object	<p>Objection in respect of 21 Dudley Street, Brighton.</p> <p>Submission 31 asserts that:</p> <ul style="list-style-type: none"> The property is not a high-quality exemplar of Post War Modern design. The high front boundary wall was a particular characteristic of the dwelling, concealing it from the street and its loss diminishes the contribution of the place. The front elevation is dominated by the carport, which projects considerably further forward than the balance of the building. The view of the dwelling itself is limited to the building fascia and shadowed windows. There are buildings like this throughout Melbourne and the building does not exhibit any exemplary elements that would warrant recognition. It is a very ordinary example. The dwelling is not identified in Phillip Goad's <i>The Modern House in Melbourne, 1945-1975</i> nor did it receive any other recognition. Decisions regarding inclusion of specific properties in the HO should consider the individual merits of the property. Alastair Knox is better known for his mudbrick dwellings in the Shire of Nillumbik area. The association with a well-regarded building designer should not tip the scales in favour of its inclusion. 	<p>We disagree that the property is not a high-quality exemplar of Post-War Modernist design. It is a substantially intact, well-resolved and carefully detailed example of the Modernist residential typology remaining in the municipality.</p> <p>While the high brick boundary wall was a particular characteristic of the overall site design, its loss does not substantially diminish the legibility or significance of the balance of the site. The main dwelling remains highly intact and clearly illustrates the assessed historic, aesthetic and representative values of the place.</p> <p>It is agreed that the front elevation is dominated by the carport. This is consistent with the historical and architectural context of the place, which was constructed at a time when car ownership was rapidly increasing and the provision of vehicle parking on-site was prioritised and incorporated into the overall design.</p> <p>It is agreed that the dwelling does not have a strong street presence in the way Victorian, Edwardian and Interwar buildings often did. Again, this is part of the Modernist design response which prioritised site placement and building programming to capture northern light, to retain or accommodate plantings, and to provide private open space above streetscape appearance.</p> <p>It is acknowledged that there are similarly styled buildings throughout Melbourne. The relevant consideration for this study is the significance of such buildings in the City of Bayside context and this is discussed in detail in Volume Two (Contextual History) and the Heritage Citation for the place. We dispute the assertion that the building does not exhibit exemplary elements that warrant recognition for the reasons set out in our assessment.</p> <p>It is noted that the property was not identified in Phillip Goad's 1992 thesis. Professor Goad's thesis was an</p>	No change

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
			<p>exploration of the social, cultural and economic factors that gave rise to a particularly regional expression of Modernism in Victoria and was not intended as a complete catalogue of Modernist properties. The lack of reference of a particular property in a particular publication does not necessarily equate to a lack of local-level heritage significance.</p> <p>It is agreed that Alistair Knox is best known for his mudbrick houses in the Eltham area, however that wasn't his sole approach to design and construction. Professor Goad notes in his thesis that Knox's name "became synonymous with a sensitive approach to building and the environment well into the 1980s" (p7/20) with construction in "timber, brick and mudbrick" (p7/18). The subject property is illustrative of this approach and warrants inclusion in the Heritage Overlay of the Bayside Planning Scheme.</p> 	
32	Object	<p>Objection in respect of 4 Bellaire Court, Beaumaris (Bellaire Court Estate).</p> <p>Submission 32 asserts that:</p> <ul style="list-style-type: none"> The heritage importance of Bellaire Court and Martin Sachs is questioned given that they are not mentioned in Volume 2 of the Study, <i>Contextual</i> 	<p>The Contextual History (Vol 2 of the Study) provides a broad history of post-war residential development in Bayside to contextualise the economic, social and architectural trends that led to the type and form of development that arose at the time. It is not – nor is it intended to be – a comprehensive history of every architect or builder operating in Bayside at</p>	No change

Sub No/s.	Support or Objection	Summary of Submission	GJM Response to Submission	GJM Recommendation re C192bays
		<p><i>History: Post-War Modernism in the City of Bayside.</i> The absence mention in Volume 2, coupled with a group listing, results in an overstatement of the significance of the property.</p> <ul style="list-style-type: none"> • The estate shows very little cohesion, is not a collection as stated in the heritage citation and is a weak example of the attributions of what Criterion E represents. • Alterations to the property include partial removal of asbestos eaves, construction of a small kitchen addition, replacement of some windows and doors, and replacement of the roof. These non-contributory alterations should be listed in the Statement of Significance and citation to avoid doubt. <p>Other matters raised in Submission 332 are not related to the heritage merits.</p>	<p>the time and their related properties. The remaining Martin Sachs designed and constructed properties in Bellaire Court clearly illustrate the history and principles of Post-War Modernism discussed in the Contextual History.</p> <p>As a group listing it is accepted that there is limited visual cohesion within the estate and cohesion is not suggested under the assessment against Criterion E. The properties do form a collection of Post-War Modernist properties, designed and constructed by the one person within a short space of time. This grouping is considered to be highly consistent with the guidance provided in PPN1, which states:</p> <p><i>Places that share a common history and/or significance, but which do not adjoin each other or form a geographical grouping may be considered for treatment as a single heritage place...The group approach has also been used for the former Rosella Factory Complex in the Yarra Planning Scheme. This important factory complex had become fragmented through replacement development making it hard to justify a precinct listing. The group listing, with a single Heritage Overlay number, has meant that the extent and significance of the complex can still be appreciated.</i></p> <p>The changes to 4 Bellaire Court are largely contained to the side and rear of the property or have been undertaken in a sensitive manner (for example, the replacement roof is very slightly pitched in order to achieve current code compliance but is consistent with the original aesthetic of the house). The building continues to clearly demonstrate its original form and design intent and is still considered to contribute the significance of the Bellaire Court Estate group.</p>	

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33	Support	General support for amendment.	Noted.	No change
Late	Object	<p>Objection in respect of 2 High Street, Beaumaris.</p> <p>The matters raised in the late submission are not related to the heritage merits.</p>	<p>No comment.</p> 	No change