

Expert Witness Statement to Panel

Amendment C142 to the
Nillumbik Planning Scheme

50 Oatland Road, Plenty

Prepared under instruction from Best Hooper Lawyers
June 2022

Bryce Raworth
Conservation Consultant and Architectural Historian



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1.0 Introduction

1. This statement of evidence has been prepared under instruction from Best Hooper Lawyers on behalf of the owner of the site. It comments on the heritage considerations associated with Amendment C142 to the Nillumbik Planning Scheme, in relation to the property at 50 Oatland Road Plenty.
2. By way of background, on 25 August 2021 a request for the demolition of the subject dwelling and outbuildings was issued to Nillumbik Shire Council. Council suspended the request for a demolition permit as the subject site was identified as significant in the *North West Nillumbik Heritage Study* (2016) and as such, Council had requested the application of an interim Heritage Overlay under section 20(4) of the Planning and Environment Act 1987. Demolition consent could not be granted until the outcome of both the interim and permanent Heritage Overlay applications had been established.
3. Amendment C141 was introduced on the 8 September 2021, implementing an interim Heritage Overlay (HO272).
4. Subsequently, Council engaged Context to undertake a heritage assessment of the site 50 Oatland Rd, *Heritage Assessment* (Context Pty Ltd, 2021), which determined that the site was of local heritage significance.
5. Amendment C142 proposes to implement a permanent individual Heritage Overlay control to part of the subject site (HO271).
6. The Amendment was exhibited between 27 January 2022 and 2 March 2022. Council received a total of 28 submissions, each of which objected to the Amendment.
7. My instructions are to prepare an expert report considering the heritage significance of the subject property and the appropriateness of the proposed overlay.
8. This statement was prepared with assistance from Kyra King of my office. The views expressed are my own.
9. I note that there is no private or business relationship between myself and the party(s) for whom this report is prepared other than that associated with the preparation of this statement and advice on heritage issues associated with both Amendment C142.

2.0 Sources of Information

10. This statement is informed by an internal and external inspection of the building at 50 Oatland Road along with a review of the documentation associated with Amendment C142 including the exhibited *50 Oatland Rd, Heritage Assessment* (Context Pty Ltd, 2021) and the associated *Statement of Significance*.

11. Other documents referred to include:

- *Shire of Nillumbik Heritage Gap Study Framework* (HLCD Pty Ltd 2009).
- *Nillumbik Shire Thematic Environmental History* (Samantha Westbrooke Pty Ltd & Dr Peter Mills, Revision 2016).
- *North West Nillumbik Heritage Study* (Samantha Westbrooke Pty Ltd & Dr Peter Mills, 2016).
- *Nillumbik Shire Heritage Review Properties – Stage A* (Context, June 2021).
- Council Meeting Agenda, Officers Report (29 June 2021).
- Panel Report – Nillumbik Planning Scheme Amendment C100 (26 March 2015).
- Panel Report – Melbourne Planning Scheme Amendment C387 (10 November 2021).
- Panel Report – Banyule Planning Scheme Amendment C152 (4 June 2019).

3.0 Author Qualifications

12. A statement of my qualifications and experience with respect to urban conservation issues is appended to this report. Note that I have provided expert witness evidence on similar matters before Panels Victoria, the VCAT, the Heritage Council and the Building Appeals Board on numerous occasions in the past and have been retained in such matters variously by municipal councils, owners, developers and objectors to planning proposals.

4.0 Declaration

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



BRYCE RAWORTH

5.0 History and Description

14. The subject site is a large, generally rectangular site located on the east side of Oatland Road, that is currently occupied by a single-storey weatherboard dwelling set well back from the street with several outbuildings. The balance of the site includes, open grassland, vegetation and a dam.



Figure 1 Recent aerial photograph of the subject site, with the boundaries of the land outlined with a broken red line. The extent of the proposed HO271 is highlighted in red.

15. The dwelling has a pyramidal hipped roof extending over a return verandah clad in modern colorbond corrugated sheeting. External walls are clad in weatherboard, albeit in poor condition, with double-hung sash timber window frames. The front elevation is asymmetrical featuring a panelled timber front door, flanked by a projecting front bay/ room with gable roof with decorative detailing and timber window hood.
16. According to the Context Pty Ltd citation, the dwelling was constructed c1928. It is described as an *'intact timber bungalow'* which *'demonstrates characteristics of a standard asymmetrical late Victorian or Federation villa.'* This is a somewhat surprising description for a c.1928 building.
17. Although many features are intact, alterations have been made to the dwelling, most notably to the verandah, where floorboards have been cut and repaired/part replaced over time and a brick step and planter box has been introduced to the Oatland Road (western) elevation, shortening the width of the timber boards. The front verandah posts now rest on this planter box.

18. The roof has recently been reclad in red colorbond cladding.
19. The dwelling is somewhat mixed in character, featuring both Federation period and interwar detailing. The detailing to the gable is typical of the 1920s however the predominant hipped roof, the return verandah form and the window detailing are elements typical of earlier, pre-interwar residential buildings.
20. While the house is reasonably intact to its exterior, it is in poor condition externally and has been gutted internally.
21. The outbuildings are sited behind and to the side of the house – a timber framed garage, a corrugated iron shed (partly demolished and altered in recent years) and a modern metal shed. The latter is clearly not of any identified heritage significance.
22. The site is enclosed from Oatland Road by a modern white timber picket fence with top rail and two pairs of vehicular gates, which is of modern origin.
23. The history of the site, as included in the citation, outlines that the dwelling was associated with the Lierse family, who first purchased the site in 1924. However it was not until 1928 that the house first appeared on the electoral roll, which lists Priscilla Mary Lierse as residing there, the wife of William Lierse. William himself was listed as residing in Diamond Creek. The site was further subdivided in 1936.
24. By 1943, the electoral roll identified William Lierse as a poultry farmer of Plenty, rather than as an orchardist in Diamond Creek. The association of the site with the Lierse family is discussed in more detail in Section 7 below.
25. The site was sold by the Lierse family in 2018 and was sold again in 2021 to the present owners.
26. A detailed description of the site is provided in *50 Oatland Road, Plenty – Heritage Assessment* (September 2021), prepared by Context, along with a history of the site and surrounds.



Figure 2 *The view of the subject site as taken from Oatland Road.*



Figure 3 *The front, west, elevation facing Oatland Road.*



Figure 4 *The north elevation of the subject site.*



Figure 5 *The south elevation of the subject site.*



Figure 6 *The rear, east elevation of the subject house – note the garage and shed to its south.*



Figure 7 *The repairwork/part replacement made to the verandah floorboards is indicated by the red arrow.*



Figure 8 *A brick planter box and steps have been introduced to the front verandah, truncating the timber verandah floorboards on this elevation.*



Figure 9 *Internally the house was stripped out by the previous owner.*



Figure 10 *The early garage adjacent to the dwelling.*



Figure 11 *The modern shed to the side of the garage.*



Figure 12 *The remaining shed to the rear of the house. The northern end of this building has been demolished due to poor condition.*



Figure 13 *The interior of the rear shed with modern concrete slab.*

6.0 Heritage Listings

27. Interim Heritage Overlay control (HO272) has been applied to the subject site with an expiry date of 9 February 2023. As noted, Amendment C142 to the Nillumbik Planning Scheme seeks to apply a Heritage Overlay on a permanent basis (HO271). No external paint controls, internal alteration controls or tree controls would apply but there are controls associated with outbuildings – the timber garage and corrugated iron shed – under the proposed Heritage Overlay.
28. The subject site is not included on the Victorian Heritage Register, nor has it been classified by the National Trust of Australia (Victoria).
29. The subject site was first studied in detail and identified as historically and aesthetically significant in the *North West Nillumbik Heritage Study* (Westbrooke & Mills, 2016).

Description

The property at 150 Oatland Road, Plenty contains a substantially intact 1920s weatherboard bungalow residence, a garage adjacent of the same era and a series of timber framed, corrugated iron clad sheds to the rear. There is a 1920s hairpin wire fence to the front of the property. The house is a typical 1920s bungalow with a main hipped roof clad in corrugated metal sheet and a gable roofed wing to the front. There is a verandah across the front and along the west side with a skillion roof that continues from the line of the roof.

Comparative Analysis

A thorough review of the Plenty area was undertaken and only a few farms demonstrating the predominant settlement pattern and period of development of the area with sufficiently intact modest farms in the inter-war period were found and also retaining outbuildings. It was thought necessary to recommend all four of these rare surviving examples due to their intactness and representative nature. This inter-war period of development in the Shire was also identified in the Shire of Nillumbik Heritage Gap Study Framework June 2009 as being a development period under represented in the Heritage Overlay. The four properties identified in Plenty are as follows:

- *House, Farm, 14 Browns Lane, Plenty, 1920s intact farmhouse and outbuildings*
- *House, Farm, 50 Oatland Road, Plenty, 1920s intact farmhouse and outbuildings*
- *House, Farm, 145 River Avenue, Plenty, Inter-War brick farmhouse and outbuilding*
- *Nilgiris, 183 Yan Yean Road, Plenty, 1920s farmhouse, poultry farm buildings and associated with soldier settlement.*

The property at 50 Oatland Road also stands out as an intact 1920s farmhouse and matching garage and it also retains an early front fence. It also has historical importance for its associations with the Lierse family who were prominent members of the Plenty community.

The only other residence/farm already in the Heritage Overlay for Plenty is:

- HO59 Whatmough's later Bell's Cottage, 67 Happy Hollow Drive, Plenty, c1893, wattle and daub, orcharding

The only other sites currently in the Heritage Overlay are civic sites demonstrating the civic centre of Plenty as follows:

- HO249 Plenty War Memorial Gates, 103-107 Yan Yean Road, Plenty 1950s
- HO248 Plenty Hall, 103-107 Yan Yean Road, Plenty, 1930s
- HO250 Plenty Methodist Church, 171 Yan Yean Road, Plenty, 1920s.

30. The recommended extent of curtilage in this 2016 citation was as follows (Figure 14):



Figure 14 The curtilage of the Heritage Overlay recommended in the 2016 citation. Note the number of sheds to the rear (east) of the house.

31. The extent of curtilage followed the front fence line and the fence line to the north of the house (since removed), extending east around the poultry sheds that were still extant at that time. It excluded land to the northwest corner of the subject land.
32. It is relevant to note that the site has undergone changes since 2016 that have reduced the capacity of the place to demonstrate its role as a farm with outbuildings. In particular, all sheds associated with the poultry use have been removed and are no longer extant. Similarly, the front fence that is commented upon in the citation has been removed and replaced with a tall capped timber picket fence with large gates. The northern fence to the house has also been removed, and as a whole the site no longer presents as a farm but rather has the appearance of a 'rural living' residential block similar to its neighbours, albeit with an older house and garage.

33. It is also of interest that while this 2016 citation references the *Nillumbik Heritage Gap Study Framework* (June 2009) [see p 8] as finding the interwar period to be a development period that was under represented in the Heritage Overlay, the contemporary or parallel 2016 *Thematic Environmental History* prepared by the same authors (Westbrooke & Mills) did not identify Plenty's farm subdivision evolution in the interwar period as a key theme nor did it mention this site.
34. Moreover, the 2009 Framework places particular emphasis upon the Hurstbridge Township in terms of significant sites from the interwar period, and makes no specific reference to Plenty or to interwar farm subdivisions.
35. Indeed, the 2009 Framework goes further and states 'Although the conclusions from more thorough research and analysis may reveal that little occurred in the Shire in this period ...', and the 2016 Thematic Environmental History seems to bear this out.
36. In reality, it might be suggested that the buildings in Plenty township that are already subject to the Heritage Overlay, such as the Plenty Hall (HO248) and the Plenty State School (HO213), are more recognisably representative of the development of the Plenty area in the early twentieth century than the remnant smaller farm subdivisions of the period.
37. It is understood that in October 2020, Context was engaged to prepare citations for up to 38 potential heritage sites identified by a review conducted in 2013. An Excel master datasheet was established to record all properties considered and the findings from the Nillumbik Shire Stage A Places Assessment. Workshops and research were initially undertaken, followed by detailed assessment in March-April 2021 of the shortlisted properties recommended for heritage control.
38. The Context citation prepared for the subject site, as included within the C142 Amendment documentation, provides the following statement of significance:

What is Significant?

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

Elements that contribute to the significance of the place include:

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

- *timber double-hung sash windows;*
- *glazed door under the verandah on the west elevation;*
- *half-glazed front door set in a moulded timber door frame with sidelights;*
- *original or early timber flywire screen doors;*
- *timber garage with pitched roof south of the house;*
- *extant corrugated iron clad agricultural shed to the rear.*
- *The mature tree in front of the house is not significant in its own right but contributes to the setting of the place.*

Other more recent outbuildings are not significant.

How is it Significant?

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

Why is it Significant?

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

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

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

39. The extent of curtilage recommended for heritage control in the Context citation (Figure 15) is greater than that identified in the 2016 study, notwithstanding the changes that have occurred in the interim.



Figure 15 *The curtilage of the Heritage Overlay proposed under Amendment C142.*

7.0 Discussion

40. In the present instance, the case for recommending an individual Heritage Overlay for the site is predicated on the proposition that the site at 50 Oatland Road is of local historical and representative significance to Nillumbik Shire (Criteria A and D).
41. As per *Planning Practice Note 1: Applying the Heritage Overlay* (August 2018), the criteria are as follows:

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

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

42. Accepting that the features of the subject dwelling are relatively intact, the house itself is not a fine or notable example of an interwar bungalow. Furthermore, the subject property has only limited local significance to Nillumbik Shire with regards to its historical and aesthetic significance. I have come to this conclusion on the basis of an assessment against the heritage criteria as set out below.
43. To be identified as a place of local significance sufficient to warrant application of the Heritage Overlay, a place should meet one or more of the identified criteria to a degree that meets a threshold level of local significance. This is to say, the criteria in question should be met not just in a simple or generic manner, but to a degree that is better than many or most other examples at a local level, or to a degree that is comparable to other examples that are subject to the Heritage Overlay. It is my opinion that the subject dwelling and outbuildings do not meet the benchmark in respect to Criterion A and D.
44. It is accepted that *Planning Practice Note 1: Applying the Heritage Overlay* provides only general guidance on the application of the heritage criteria. The Heritage Council of Victoria *State of Heritage Review: Local Heritage 2020* identified the need to update the practice note and create local threshold guidelines, similar to those used for State heritage.¹
45. As such, consideration may reasonably be given to the *Victorian Heritage Register Criteria and Threshold Guidelines* (endorsed by the Heritage Council 6 December 2012, reviewed and updated 3 December 2020). Accepting that the guidelines were prepared to assist in determining whether a place is of state significance, the methodology for applying the heritage criteria is broadly transposable to places of local significance. The use of the Heritage Council guidelines for this purpose has been accepted by past Planning Panels (eg *Nillumbik Amendment C100*, pp.12-28).

¹ Heritage Council of Victoria *State of Heritage Review: Local Heritage 2020*, p. 47.

46. This said, some Panels have noted that they are useful guidelines and provide a 'contextual framework', while also recommending caution in their use in order to ensure that they are applied as a method of analysis rather than as a checklist (see *Melbourne Amendment C387*, pp 47-53).
47. The Heritage Council guidelines make it apparent in the first instance that a place should be assessed against a basic test for satisfying any given criteria, but then having met that basic test, it should be assessed against a test for determining state level significance. Paraphrasing the Heritage Council guidelines, the first basic test for satisfying Criterion A in a local context would be as follows:

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

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

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

48. Criterion A is likely to be satisfied if all of the above requisites are met, and it can be demonstrated that the *'The place/object allows the clear association with the event, phase, etc, of historical importance to be UNDERSTOOD BETTER THAN MOST OTHER PLACES OR OBJECTS [in Nillumbik] WITH SUBSTANTIALLY THE SAME ASSOCIATION'* (caps as per the Heritage Council document).
49. The application of Criterion A is in part based on the association of the place with the development of Plenty in the interwar era. While there is clearly a temporal association of this kind, it is generic and not at all 'clear' or 'evident', insofar as the place has undergone change and its historical use in the 1930s and in the 1940s is no longer apparent. Nor is it clear that the event or phase, ie interwar subdivision and farming in Plenty, is of more than passing interest to the municipality, given the lack of attention given to it in background documents as discussed above, ie the 2016 *Thematic Environmental History*.
50. The application of Criterion A relies, seemingly in substantial part, on the place's association with the Lierse Family. The contribution that the Lierse family made to agriculture and the community and sporting life of Plenty is representative of country living during that time and not indicative of a particular or unusual status or prominence in the community. Membership of clubs and local organisations was typical rather than unusual or important in that era. As such, the association of the Lierse family with the township is not significant enough to satisfy Criterion A alone.
51. In terms of the site having an agricultural association with the subdivision development of Plenty, the only substantiated association of the site with agriculture is post-1943, with William nominated as a poultry farmer in the 1943 electoral roll. Prior to this he was listed as

an orchardist in Diamond Creek, not at the subject site. It is stated in the Context citation that the 'Lierse Bros' were sanitary contractors to the Shire in 1928 and 1931. Westbrook and Mills (in their 2016 citation) are more expansive on this point, noting: *'William Charles Lierse had a longer involvement in sanitary services, contracting from c1920 to c1935. He also provided bus transport, obtaining a new bus in 1936.'*

52. There is no evidence of William Lierse working as an orchardist or farmer on his own land in Oatland Road in the 1920s or 1930s. In addition, there is no physical or documentary evidence of an early orchard on the site, and it seems likely that Lierse was essentially occupied with the orchard in Diamond Creek and with the sanitary contracting business in the 1920s and 1930s, and also a bus transport business in the late 1930s.
53. Further to the lack of evidence of agricultural activity on the site from the interwar period when the house was established, the remaining shed and garage are simple structures, typical of their time. Moreover, the suggestion in the Amendment C142 statement of significance (final paragraph) that the rear shed was a poultry shed is not correct – it was not one of the poultry sheds.
54. The Amendment C142 citation notes that the *'allotments were advertised as being equally suited to farming and fruit-growing as they were to residential purposes'*, however continues to state that the subject site is significant as it *'provides important tangible evidence of these early agricultural activities in the area'*. The association with early agriculture is not justified – as discussed in other Panels reports whereby associations with agriculture were discussed, there must be clear evidence of farming, and in relation to the subject site there is no evidence whatsoever of agricultural activity on the site prior to 1943.
55. This type of unsubstantiated association with agricultural activity was explored in relation to a house at 22 Arden Crescent, Rosanna (see *Banyule Amendment C152*, p.15).

There may be evidence that the Rosanna Estate, a broader 815-acre property, was farmed in the late 1850s, however there is no clear evidence that the subject land operated as a farm when the dwelling was built. The Panel accepts that some remnant market gardens may have existed in the broader Rosanna area around 1905, however Dr Doyle was unable to provide clear evidence that 22 Arden Crescent was a farm and that its dwelling was a farmhouse.

56. Whilst we recognise that there is evidence of subdivision occurring in the interwar period, in its current form the site does not exhibit this pattern in any clear or evident manner, being on a reduced allotment without any orchards or poultry sheds.
57. In terms of assessment against representative (architectural) significance, and again paraphrasing the *Victorian Heritage Register Criteria and Threshold Guidelines*, the basic test for determining if Criterion D is met at a [local] level of significance is as follows:

The place/object is a NOTABLE EXAMPLE of the class in Nillumbik (refer to Reference Tool D).

58. Reference Tool D defines a 'notable example' of a class as follows:

- **A fine example** – the place/object displays a large number or range of characteristics that is typical of the class; the place/object displays characteristics that are of a higher quality or historical relevance than are typical of places/objects in the class; or the place/object displays the principal characteristics of the class in a way that allows the class to be easily understood/appreciated.
- **A highly intact example** – the place/object displays characteristics of the class that remain mostly unchanged from the historically important period of development or use of the place/object.
- **An influential example** – the place/object contains physical characteristics of design, technology or materials that were copied in subsequent places/objects of the class (direct physical influence), or other places/objects were created, altered or used in response to the characteristics of this place/object.
- **A pivotal example** – the place/object encapsulates a key evolutionary stage in the development of the class.

59. The subject dwelling does not display characteristics of a higher quality than is typical for interwar bungalows, albeit noting that its character is also informed by relatively 'old fashioned' Federation period elements such as the predominant hipped roof form and return side verandah, and turn of the century detailing in terms of the windows with curved 'horns'. The key characteristics of the building as described in the Statement of Significance, include *'its asymmetric built form with projecting front room below a dominant Dutch gable roof, and an extensive wrap-around verandah under the sweep of the main roof line. The extant c1920s garage, poultry shed, and open setting evidence the use of the site as a poultry farm complex.'*

60. To meet Criterion D, a building needs to be more than just a representative example of a building type, as per Reference Tool D above. In the previously mentioned *Melbourne Amendment C387 Panel* it was noted that places *'at the local level, they should be better than typical ... While places do not need to meet superlatives such as 'landmarks', 'exceptional', 'remarkable' or be notable (including pivotal or influential) at the local level, they should be better than typical'.* (p 55)

61. This has not been adequately demonstrated in terms of the subject building. Furthermore, the mixed Federation/interwar bungalow character of the subject building is not easily understood or appreciated given the condition of the dwelling and the stylistic mix of features.

62. The citation provides a list of features that are representative of a general bungalow and even house – in effect, a summary of the elements of which the house is made. None of these features are themselves notable or better than typical in any way.
63. This checklist approach of attributes or common characteristics, in order to argue for listing against Criterion D, is not sufficient justification as also discussed by the *Melbourne Amendment C387 Panel*:

The Panel considers that to meet Criterion D requires more than a checklist approach of attributes so that buildings are not able to satisfy the threshold simply by possessing a handful of common characteristics. The threshold needs more than this, particularly if some of those characteristics are also common to other classes. Places need to demonstrate the principal characteristics of the class, which implies most of those characteristics. (p 55)

64. The citation reiterates the proposition that properties from the interwar period of development in the Shire and are under-represented in the Heritage Overlay. Eight examples are mentioned in the citation. A review of information provided suggests that the subject site compares poorly with these examples:

- 145 River Avenue, Plenty, (c. not stated) assessed by Mills (2016) no Heritage Overlay.
- 'Nilgris', 183 Yan Yean, Plenty, (c.1920's) assessed by Mills (2016) no Heritage Overlay.
- 14-16 Browns Lane, Plenty, (c. not stated) assessed by Context (2021) interim HO270.
- 'Orchard House', 25 Cottles Bridge- Strathewen Road, Cottles Bridge (c. prior to 1930s), HO190
- 200 Ryans Road, Eltham North (c, 1930s) assessed by Context (2021) no Heritage Overlay.
- 'Old Brinkkotter House' 32 Lindon Strike Court, Research (c.1935) HO114
- 'Edwin Peters House', 5 Hyde Street, Diamond Creek (c. not stated) HO217
- 'Fermanagh' 1080 Heidelberg – Kinglake Road, Hurstbridge, (c. not stated) assessed by Context (2021) no Heritage Overlay.

65. Regardless of issues of being underrepresented in the Heritage Overlay, the subject site is not a good example of an interwar farm complex due to the loss of the farm outbuildings (noting the remaining shed is not representative of an agricultural or poultry farm), and the hybrid architectural features of the bungalow that also do not show typical interwar characteristics but are rather mixed and were somewhat old fashioned at the time of construction.

66. Furthermore, the dwelling in its current setting is compromised by the buildings on adjoining and neighbouring lots. This setting doesn't demonstrate the significance of any agricultural past or the subdivision of the suburb into smaller farming allotments. The presence of the

two outbuildings and a mature tree in the front setback does not add to this significance or substantially add to any sense of a farm setting. There is, in effect, no evidence of the use of the site as a poultry farm.

8.0 Conclusion

67. In conclusion, the subject site at 50 Oatland Road Plenty is not of sufficient representative (architectural), or historical significance to warrant a Heritage Overlay control as proposed by Amendment C142 to the Nillumbik Planning Scheme.

Bryce Raworth

CONSERVATION | HERITAGE

BRYCE RAWORTH

M. ARCH., B. A. (HONS), ICCROM (ARCH), FRAIA

Bryce Raworth has worked with issues relating to heritage and conservation since the mid-1980s, and has specialised in this area since establishing his own consultant practice in 1991. Bryce Raworth Pty Ltd, Conservation • Heritage, provides a range of heritage services, including the assessment of the significance of particular sites, preparation of conservation analyses and management plans, design and/or restoration advice for interventions into significant buildings, and detailed advice regarding the resolution of technical problems relating to deteriorating or damaged building fabric.

From 2004-2011 Raworth was a member of the Official Establishments Trust, which advises on the conservation and improvement of Admiralty House and Kirribilli House in Sydney and Government House and The Lodge in Canberra. As a member of the former Historic Buildings Council in Victoria, sitting on the Council's permit, planning and community relations committees, Raworth has been involved with the registration and permit processes for many registered historic buildings. In 1996 he was appointed an alternate member of the new Heritage Council, the successor the Historic Buildings Council, and in 1998 was made a full member.

At present he provides regular advice to architects and private owners on technical, architectural and planning issues relative to the conservation and adaptation of historic buildings, and is occasionally called upon to provide expert advice before the VCAT. He is currently the conservation consultant for the cities of Frankston, Kingston and Stonnington, and is a member of the Advisory Board to the Australian Centre for Architectural History, Urban and Cultural Heritage, University of Melbourne (ACAHUCH).

With respect to historic precincts, the company has provided detailed advice towards the resolution of heritage issues along the Upfield railway line. The company is currently contributing to redevelopment plans for the former Coburg Prisons Complex (comprising Pentridge Prison and the Metropolitan Prison) and the former Albion Explosives Factory, Maribyrnong. In 1993 Bryce Raworth led a consultant team which reviewed the City of Melbourne's conservation data and controls for the CBD, and in 1997 Bryce Raworth Pty Ltd revised the former City of South Melbourne Conservation Study with respect to the area within the present City of Melbourne. The firm is currently completing documentation for significant heritage places and areas in the City of Stonnington.

In recent years Bryce Raworth Pty Ltd has also provided documentation and advice during construction on the restoration of a number of key registered and heritage overlay buildings, including the Ebenezer Mission church and outbuildings, Antwerp; the former Martin & Pleasance Building, 178 Collins Street, Melbourne; the former Uniting Church, Howe Crescent, South Melbourne; Heide I & II, Heide Museum of Modern Art, Bulleen; Melbourne Grammar School, South Yarra; various guard towers and other buildings, Pentridge Prison, Coburg; and Coriyule Homestead, Curlewis.

BRYCE RAWORTH

M. ARCH., B. A. (HONS), ICCROM (ARCH), FRAIA

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| Professional Status: | Conservation Consultant and Architectural Historian |
| Current Positions: | Conservation Consultant to the cities of Kingston, Frankston and Stonnington |
| Organisation Membership: | Australian Institute of Architects VPELA (Victorian Planning and Environmental Law Association) |
| Professional Experience: | <p>independent practice as conservation consultant and architectural historian from January 1991 (ongoing). Services include: identification and assessment of the significance of sites and complexes; preparation of guidelines regarding the safeguarding of significant sites; provision of technical, design and planning advice to architects, owners and government on issues relating to the conservation of sites of cultural significance; expert witness advice on conservation issues before the VCAT</p> <p>member, Historic Buildings Council (architectural historian's chair) 1993-1996; member, Heritage Council (architect's chair) 1998-2002</p> <p>conservation consultant to the cities of Brighton, Northcote and Sandringham (1989 only), Essendon, Hawthorn and Kew (1989-1994), Melbourne (1992-2009) and Prahran (1992-1994)</p> <p>established the Metropolitan Heritage Advisory Service on behalf of the Ministry for Planning & Environment - this service was offered to the cities of Brighton, Essendon, Hawthorn, Kew, Northcote and Sandringham in 1989-90</p> |
| Studies: | <p>Certificate of Architectural Conservation, ICCROM (International Centre for the Study of the Preservation and the Restoration of Cultural Property at Rome), 1994</p> <p>Master of Architecture by thesis, University of Melbourne, 1993 (thesis: A Question of Style: Domestic Architecture in Melbourne, 1919-1942)</p> <p>B. Architecture (First Class Honours), University of Melbourne, 1986</p> <p>B. Arts (Second Class Honours, Division A), University of Melbourne, 1986</p> |
| Committee Membership: | <p>Member of Advisory Board, ACAHUCH (Australian Centre for Architectural History, Urban and Cultural Heritage, University of Melbourne)</p> <p>Twentieth Century Buildings Committee, National Trust of Australia (Victoria), 1990-1994 (Chairman 1992-1993)</p> <p>RAIA Jury, Conservation Category, 1995, 1996, 1998 and 2001 Awards (Chairman 1996 & 1998)</p> |
| Awarded: | <p>Henry and Rachel Ackman Travelling Scholarship in Architecture, 1987-88</p> <p>JG Knight Award, conservation of Heide 1, Royal Australian Institute of Architects, Victorian Chapter, 2003</p> <p>Lachlan Macquarie Award for heritage (commendation), conservation of Heide 1, Royal Australian Institute of Architects National Award program, 2003</p> <p>Award for Heritage Architecture, conservation of Coriyule Homestead, Australian Institute of Architects, Victorian Chapter, 2015</p> <p>Award for Heritage Architecture, conservation of Coriyule Homestead, Australian Institute of Architects, National Awards, 2015</p> <p>Award for Heritage Architecture, conservation of Coriyule Homestead, Australian Institute of Architects, National Awards, 2015.</p> |