

PART B SUBMISSION

Banyule City Council as Planning Authority

Amendment C165bany to the Banyule Planning Scheme

Date of Submission: 8 August 2022

Panel Hearing: 11 August 2022

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LIST OF ATTACHMENTS

1. Clause 43.01s Panel Version (relevant extract)

INTRODUCTION

1. This submission is made by Banyule City Council (Council). Council is the Planning Authority for Amendment C165bany (Amendment) to the Banyule Planning Scheme (Scheme). Council has prepared and is the proponent of the Amendment.
2. This 'Part B' submission is made in accordance with the Panel's Directions dated 28 June 2022 (Directions).
3. This submission addresses the following matters in accordance with Direction 10 of the Directions:
 - 3.1. Council's response to submissions
 - 3.2. Council's final position on the Amendment
4. It is noted that the Panel's Directions seek Council's response to evidence in the Part B submission. No evidence will be presented by any submitter and, as a result, no response to evidence is made.
5. Council's 'Part A' submission was circulated on 27 July 2022 in accordance with Direction 6. The Part A submission addressed the following:
 - 5.1. Background to the Amendment including chronology of events
 - 5.2. Strategic context and assessment
 - 5.3. Issues identified in submissions
 - 5.4. Any suggested changes to the Amendment in response to submissions.
6. In addition to this submission, Council relies on the expert evidence of Mr Anthony Hemingway of RBA Architects and Conservation Consultants (RBA) in respect to heritage evidence.
7. The expert evidence provided by Mr Hemingway was circulated on 3 August 2022 in accordance with Direction 8.

COUNCIL'S RESPONSE TO SUBMISSIONS

8. A total of eight submissions were received to the Amendment, one in general support, three requesting changes and four opposed.
9. Of the seven submissions opposed or requesting changes to the amendment, five submissions have been resolved.
10. The Part A submission provided an overview of the issues raised in those submissions.
11. All submissions received have been referred to the Panel including the submission that supported the Amendment.

12. Submissions were referred to RBA for their expert review and comment. Their comments informed and were included in the response to submissions set out in the Council Report of 9 May 2022¹. This Part B submission relies and builds upon this document.
13. In addition, Council relies on the expert evidence statement provided by Mr Anthony Hemingway in relation to the following matters:
 - 13.1. Methodology (including criteria and expertise used) and assessment of heritage places included in the Amendment
 - 13.2. Issues raised in relation to submissions #1 and #7
 - 13.3. Recommended changes to the Amendment as a result of considering submissions.
14. Council further notes that no technical assessment was provided in support of any submission opposing the application of the Heritage Overlay and nor is any evidence to be tabled to the Panel that challenges the strategic basis for the amendment or the inclusion of any of the properties on the Heritage Overlay.
15. This Part B submission responds to the issues raised submission #1 and submission #7.

Submission # 1 in relation to 5 Crown Road Ivanhoe

16. The Beddison/Swift House at 5 Crown Road, Ivanhoe is proposed to be included on the Heritage Overlay as an individual significant place (HO207).
17. As described in the exhibited Statement of Significance, the Beddison/Swift House was designed in 1962 by the architectural practice of Bell & Clerehan for the Beddison and Swift families. It is a refined and largely intact example of Bell & Clerehan's work, which exemplified the classicised and minimalist currents of international modernism in the early 1960s.
18. The Beddison/Swift House has been assessed as being of historical and aesthetic significance to the City of Banyule.
19. Proposed controls in the exhibited schedule to the Heritage Overlay for the property include:
 - External paint controls
 - Internal alteration controls
 - Tree controls

Issues raised

20. The key issues raised in Submission #1 are property specific and relate to items included in the citation that were considered either incorrect or not appropriate. A summary of the issues was included in the Part A submission and is repeated below:
 - 20.1. The current external paint colour is not original to the property.
 - 20.2. A range of internal alterations have been made to the property. These alterations have changed the internal layout, impacting both plaster and timber panelled walls.

¹ Provided in the Part A Submission at Attachment 2

- 20.3. A range of external alterations have been made to the rear external aspect of the building, including a deck.
- 20.4. Tree controls could be excluded from the Heritage Overlay as they are managed under Banyule's existing vegetation controls.

Council's Response

21. In the Council Report of 9 May 2022, the following response was provided:

Heritage Consultant Comments

- *The paint control is not proposed to facilitate the retention of the existing paint colour but rather promote a sympathetic approach in keeping with the original colour/finish. Recommend retaining paint controls to facilitate a sympathetic approach to the timberwork in keeping with original design.*
- *On further review of the extensive recent internal changes, the need for internal controls would be limited to the staircase and associated timber paneling (if it survives) which are not distinctive enough in themselves to warrant controls. Recommend removal of all internal controls.*
- *Dependent upon further clarification, the citation Statement of Significance/description can be amended to clarify original/modified fabric at the rear. Description already notes change has occurred at the rear. Nonetheless, extent of heritage overlay is recommended to remain unchanged.*
- *Considering existing environmental controls, it may not be necessary for the application of heritage tree controls.*

Recommendations:

- *Remove internal controls*
- *Remove tree controls*
- *Amend Statement of Significance/Citation to clarify modifications at rear as necessary*

Potential to resolve submission prior to any Panel

22. In further consideration of the submission an additional site inspection was undertaken by Mr Hemingway and a Council Officer on the 9 June 2022.
23. A revised citation incorporating the recommendations of the 9 May 2022 Council Report and changes identified following the site inspection was prepared. This was provided in the Part A Submission at Attachment 3.

24. The revised citation was provided to Submitter #1. Whilst the submitter was supportive of the adjustments made to the citation, they still objected to the proposed Heritage Overlay.
25. Council refers to the evidence provided by Mr Hemingway in his expert witness statement in regard to Submission #1. Council notes his assessment at page 9 in his evidence that concludes the dwelling is of a high level of significance and warrants application of the HO.
26. Council maintains the application of the Heritage Overlay (HO207) is justified and appropriate for 5 Crown Road, Ivanhoe.

Submission #7 in relation to 38 Quinn Street Heidelberg

27. The property 'Graceburn' at 38 Quinn Street Heidelberg is proposed to be included on the Heritage Overlay as an individual significant place (HO206). As detailed in the exhibited Statement of Significance the house was constructed between 1905 and 1906 and is a largely intact and considerable instance of the Federation Bungalow style.
28. The property has been assessed as being of historical and aesthetic significance to the City of Banyule.
29. Proposed controls in the exhibited schedule to the Heritage Overlay for the property include external paint controls.

Issues Raised

30. A summary of the key issues raised in Submission #7 was included in the Part A submission and is repeated below:
 - 30.1. The property is not within a streetscape or an area that has any cohesive heritage significance, including the property in a site-specific Heritage Overlay would have limited effect in terms of preserving local heritage character.
 - 30.2. The dwelling is not of sufficient local heritage significance as to warrant an individual Heritage Overlay control. The citation is out of date and does not consider the current state of the dwelling inclusive of recent alterations and additions made to the building.
 - 30.3. The dwelling is not associated with any particularly prominent owners, builders or architects and cannot reasonably be considered to be of particular social, architectural or historic significance.
 - 30.4. There are other comparable examples of Federation style dwellings in Banyule already protected by the Heritage Overlay as well as comparable and/or better examples of this style in nearby Melbourne suburbs that are protected by Heritage Overlay's and located in heritage precincts.
 - 30.5. The Heritage Overlay would create an unreasonable impediment to the on-going enjoyment of the home and the ability to modify it to meet the family's changing needs and aspirations over time.

Councils Response

31. In the Council Report of 9 May 2022, the following response was provided:

Heritage Consultant Comments

- *No substantial new information/assessment was provided to recommend not seeking a HO.*
- *It is not suggested that the place is part of a precinct. Graceburn was built some 50 years before more intensive suburban development occurred in the area (for instance, its holdings were subdivided in 1956). As highlighted in the citation, Graceburn is a rare and largely intact surviving example of an early phase of development in this part of the municipality. It is in stark contrast to its neighbours – both immediate and more broadly in the area.*
- *The house has been comprehensively researched, its fabric assessed, and a comparative analysis undertaken which outlines its significance. It is understood that the recent works were not undertaken with the appropriate consents and original fabric to the front of the house has been removed and/or altered before a stop work order was enforced. It is critical for the heritage significance of the place that the pre-existing /original elements to the front of the house are accurately reinstated. This includes the decorative frieze (a part of which survives) and the original window and door detailing (architraves, frames, leafs, etc.).*
- *A place does not need to be associated with prominent people – either owners, architects or builders - for it to be of heritage significance. The site has associations with the Rouch family – for whom it was built, likely by the original occupant's father, a local timber merchant.*
- *Graceburn is distinguished from much of the mainstay of Federation period housing. The comparative analysis outlines how there is no ready comparison for this place in the municipality.*
- *The introduction of a heritage overlay does not preclude change being undertaken, especially to the rear parts, if they are sympathetic – that is, largely concealed from the public domain and do not dominate the original/significant fabric. Internal controls are not proposed so change to the interior is not affected by heritage considerations. Only external paint controls are proposed, which is standard practice for a timber building of individual significance.*

Council Officer Comments

- *Building works have recently been undertaken on the property in line with a building permit issued by a private building surveyor in February 2022. Council is not involved in this decision and merely*

receives notice of it. The owners were notified in writing of the heritage significance of their property and Council's intention to pursue a HO well in advance of the building permit application. A Section 29a of the Building Act 1993 demolition consent application should have been made to Council before any demolition occurred. This application was not made and therefore the demolition works that have occurred were made without the proper approvals. It is also unfortunate the interim controls requested of the Minister for Planning in October 2021 were not approved in a timely manner. The interim HO would have triggered the need for a planning permit providing Council with the opportunity to consider the heritage impacts of the proposed works and averting the current situation from occurring.

- *The HO does not prevent change, rather it seeks to appropriately manage change. The intent of the HO is to conserve and enhance heritage places by ensuring any changes have regard to the heritage value of the particular place. New additions or alterations are permissible via a planning permit and are assessed on an individual case by case basis with input from Council's Heritage Advisor*

Recommendations:

- *Advice provided to Council is that the heritage elements removed should be reinstated to protect the heritage integrity of this property*

Refer Submission to Panel (for unresolved issues)

32. Notably, the submitter has not provided any expert heritage advice to support the broad assertions in the submission.

33. The following issues are addressed further in this Part B submission:

- Site-specific HO (#30.1)
- Dwelling not of sufficient heritage/dwelling altered (#30.2)
- Impediment to enjoyment of home/ability to modify/redevelopment opportunities (#30.5)

34. Council relies on the response already provided for:

- Prominent associations (#30.3)
- Comparable evidence (#30.4)

Site-specific HO

35. Planning Practice Note 1: Applying the Heritage Overlay (Practice Note) provides for heritage places to be an individual place or a precinct. As noted on page 2:

For every heritage place (that is, a precinct or individual place) a statement of significance must be prepared ...

36. The property at 38 Quinn Street, Heidelberg is proposed to be included on the Heritage Overlay as an individual place. In accordance with the Practice Note the identification and assessment of the property has clearly justified the significance of the place as a basis for its inclusion in the Heritage Overlay and the requisite Statement of Significance has been prepared.

The dwelling is not of sufficient local heritage significance as to warrant an individual Heritage Overlay control

37. Council respectfully rejects the assertion made in the opposing submission that the property is not of sufficient local heritage significance to warrant an individual Heritage Overlay.
38. The proper process for the application of the Heritage Overlay has been followed, strictly in accordance with the requirements of Practice Note.
39. The Practice Note states under the heading 'What places should be included in the Heritage Overlay?': 'places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the overlay', having regard to the recognised heritage criteria.
40. The citation prepared by RBA is comprehensive and prepared under the guidance of the Practice Note. The methodology of the study is detailed in Mr Hemingway's evidence statement² and summarised in Council's Part A submission³. The methodology employed by the Heritage Study was rigorous and in accordance with best practice, including industry accepted standards and practices and the Practice Note. It involved staged analysis comprising a preliminary and then detailed assessment.
41. In particular, Council's heritage consultants have:
- 41.1. Used the recognised HERCON Criterion to assess the heritage significance of places
 - 41.2. Prepared detailed comparative analysis with similar places already in the HO
 - 41.3. Prepared statements of significance using the three part format of 'What is Significant?', 'How is it Significant?' and 'Why is it Significant?' in accordance with the Practice Note
 - 41.4. Recommended additional controls in the Schedule to the HO, such as external paint controls, internal alteration controls and fence and outbuilding exemptions, where warranted by the assessment of the heritage value of these elements

Citation out of date / dwelling has altered

42. The citation for 38 Quinn Street, Heidelberg was prepared in 2021. The process included comprehensive research, inspection from the public realm and comparative analysis.

² A. Hemingway evidence statement, pp 4-6

³ Part A submission, pp 6

43. During exhibition it came to Council's attention that alterations had been made to the building. These alterations are discussed in Mr Hemingway's evidence at page 21-24.
44. The alterations occurred in line with a building permit issued by a private building surveyor but without demolition consent under section 29A of the *Building Act 1993*. As such, the demolition works to the building have occurred without the required approval.
45. The owners of the property were initially notified of the Banyule Heritage Study 2020 (Heritage Study) on 24 August 2021. This included notice that the Heritage Study and progressing planning controls would be considered at the Ordinary Council meeting of 20 September 2021. Further notice of Council's resolution of 20 September 2021 to adopt the amendment and pursue heritage controls was sent on 5 October 2021.
46. The letters to the owners of 38 Quinn Street, Heidelberg were resent on 31 November 2021 as the letter dated 24 August 2021 had been returned to Council as 'return to sender'.
47. The building permit was issued on 3 February 2022. Therefore, the owners pursued the building permit and works knowing the property's heritage significance and Council's intention to pursue interim and permanent heritage controls for the property.
48. It is acknowledged their preparation (for the renovation project) would have been well advanced prior to being notified by Council. However, this is an issue common across Victoria when heritage places are being considered concurrently to owners contemplating various works to properties.
49. The proposed works now require a planning permit as triggered by the Interim Heritage Overlay which is in place until 1 December 2022.
50. A timeline of events for 38 Quinn Street, Heidelberg is provided below:

Date	Item
31 Nov 2021	Two letters, dated 24 Aug 2021 & 5 Oct 2021, resent from Council which advised of Banyule Heritage Study and intention to seek interim and permanent heritage controls (letters were resent, as 24 Aug 2021 letter was 'returned to sender')
3 Feb 2022	Building permit issued by a private building surveyor without appropriate 29a demolition consent
7 Feb 2022	Owners/occupiers notified of Planning Scheme Amendment C165 - proposed Heritage Overlay (on public exhibition 7 Feb to 18 March 2022)
10 March 2022	Stop work order issued pending 29a demolition consent application Council received 29a demolition application
16 March 2022	Council suspended the 29a application as an application had been made for interim heritage controls
7 April 2022	Interim Heritage Overlay controls approved

11 May 2022	Onsite meeting with the owner, planning consultant and builder, Council staff and heritage consultant
June 2022	Council has received two VicSmart applications, one approved (BBQ storage) and one in progress (tennis court).

51. Council Officers and Mr Hemingway met with the owners, their planning consultant and builder on 11 May 2022 to discuss the works already undertaken and the implications of the interim HO. Options and guidance on a heritage sensitive approach to their proposal was provided and reinstatement of the original verandah detailing was encouraged.
52. Council refers to the evidence provided by Mr Hemingway in his expert witness statement regarding 38 Quinn Street, Heidelberg. Council notes the findings of his assessment of the building works that have occurred, in particular:⁴
- 52.1. Changes to the windows have slightly reduced the intactness of Graceburn however they have not diminished its heritage value to a significant degree
 - 52.2. The removal of most of the frieze and associated timber detailing between the posts to the front verandah could be accurately reinstated
 - 52.3. The original detailing of the verandah is distinctive and is integral to the attributed heritage significance of the place. Without it being reinstated, there would be some diminution of Graceburn's heritage significance
53. Council's preferred approach is to encourage voluntary reinstatement of works to the verandah that have been detrimental to the dwelling's heritage significance rather than pursuing enforcement action under the Building Act 1993.
54. A planning permit application for the works to the dwelling is yet to be received.

Impediment to enjoyment of home/ability to modify/redevelopment opportunities

55. Council acknowledges that the Heritage Overlay introduces a layer of control for property owners by imposing additional permit triggers and relevant considerations to a future planning permit application.
56. However, Council contends that this is necessary to ensure that those places of identified heritage value are recognised and that any new buildings or alterations or additions to existing buildings do not detrimentally impact the identified heritage significance of a particular place.
57. Council also submits that any concerns relating to future redevelopment opportunities of heritage properties are immaterial to this stage of the planning process and more appropriately considered at the planning permit application stage.
58. Council's approach to this submission is consistent with the views of various planning panels. In Amendment C14 to the LaTrobe Planning Scheme, the Panel commented:⁵

⁴ A. Hemingway evidence statement, pp. 22

⁵ [Latrobe C14 Panel Report](#), May 2010, pp. 17

Panels have repeatedly ruled that such issues are not material to this stage of the planning process – a position supported by Practice Notes and numerous VCAT decisions. This view maintains that although it is appropriate for the responsible authority to consider all the objectives of the Planning and Environment Act 1987 - including, inter alia, fair, orderly, economic and sustainable use, and development of the land (s.4(1)(a)) ... and ... to balance the present and future interests of all Victorians (s.4(1)(g)) – the question of personal economic impact or potential constraint on development are matters for the next stage of the planning process i.e. at the time a permit is applied for.

This approach has the merit of separating two distinct issues: assessment of the significance of the place, and the question of its conservation, adaptation, alteration or demolition. This conforms with proper heritage conservation practice and mirrors the processes of the Victorian Heritage Act 1985. It reflects the desirability of considering long term matters (if we accept that heritage significance is likely to be somewhat enduring, if not immutable) at one point in time; and, shorter term matters (personal desire, financial considerations and economic circumstances) when they are most relevant.

[Emphasis Added]

59. More recently, the Panel in Amendment C89 to the Glenelg Planning Scheme reiterated this view, stating:⁶

The Heritage Overlay allows permit applications for additions, works and demolition through the planning permit process. Future development will vary depending on factors such as the owner's development aspirations, proposed design, property size, other existence planning policy and provisions, and how the building is positioned. Other planning policy and provisions such as zones and overlays specify circumstances where development needs to be sympathetic to neighbourhood character and respond to neighbouring amenity.

The Panel considers that the Heritage Overlay does not unreasonably restrict future development. Rather, it ensures that heritage matters will be considered as part of a future development. Any impact on future development, whether perceived or real, can be considered at the planning permit stage when details are known.

...

The Panel agrees with Council that any potential restriction on future development is not relevant when assessing whether the heritage place meets sufficient local threshold significance for the Heritage Overlay.

[Emphasis Added]

⁶ Glenelg C89 Panel Report, 2018, pp. 18

60. In addition, in Amendment C274 to the Boroondara Planning Scheme, the Panel concluded:⁷

The application of the Heritage Overlay may restrict the development potential of a property, but this is not a justification for recommending against the application of the Heritage Overlay.

61. Importantly, while ‘heritage’ will become an additional matter for consideration, the introduction of the Heritage Overlay does not preclude nor encourage buildings, works or demolition of a property altogether.

62. It is a well-recognised and a generally accepted consequence that planning controls will set parameters in relation to the use and development potential of land. All properties in the municipality are subject to zoning controls and most are also subject to overlay controls.

63. Council’s local heritage policy at clause 22.06 (Cultural Heritage Conservation Policy) of the Scheme sets out the relevant strategies and guidelines to guide decision making under the Heritage Overlay. Amongst other matters this policy encourages alterations and additions to respect the external form, bulk, façade patterning, painting, finishes and materials of the heritage building.

64. In summary, Council maintains the application of the Heritage Overlay (HO206) is justified and appropriate for 38 Quinn Street, Heidelberg.

FURTHER CHANGES TO THE AMENDMENT

65. Council’s Part A submission addresses proposed changes to the Amendment and provides a summary of these at paragraph #78.

66. The changes are incorporated in Council’s preferred version of the schedule to the Heritage Overlay at **Attachment 1**, titled 43.01s Panel Version. This is the exhibition version of the 43.01s with modifications shown in track changes (relevant extract).

67. There are no further changes to the Amendment as part of this Part B Submission.

FINAL POSITION ON THE AMENDMENT

68. Amendment C165 primarily seeks to implement the recommendations of the Heritage Study. Council submits the Amendment is strategically justified and the proposed heritage places have undergone a rigorous assessment.

69. Council respectfully submits the Amendment should be supported in applying the Heritage Overlay to the properties proposed in the Amendment with the exception of HO217 at 46 Panorama Street, Lower Plenty.

70. Council pursues the Amendment as exhibited save for the changes as discussed in Council’s Part A submission at paragraph #78 and reflected in:

70.1. Revised citations at Part A Submission Attachments 3-15

⁷ [Boroondara C274 Part 2](#), 2018, pp. 85

70.2. Revised clause 43.01s, Panel version (relevant extract) at **Attachment 1**.

71. This concludes Council's 'Part B' submission.

ATTACHMENT 1 – Clause 43.01s Panel Version (relevant extract)

BANYULE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO194	Houses 11 - 23 and 14 – 20 Toora Street, Ivanhoe 17 - 25 and 18 Young Street, Ivanhoe 19 - 21 Linton Street, Ivanhoe	Yes	No	No	No	No	No	No
HO195	Houses 10 - 36 and 17 - 23 Kenilworth Parade, Ivanhoe	Yes	No	No	No	No	No	No
HO196	Former Darebin Post Office 1041-1041A Heidelberg Road, Ivanhoe	Yes	No	No	No	No	No	No
HO197	Saxam Homestead 108 Diamond Creek Road, St Helena	Yes	No	No	No	No	No	
HO199	Mother of God Church 56 Wilfred Road, Ivanhoe East Statement of Significance: Mother of God Church Statement of Significance	Yes	Yes No	Yes No	No	No	No	No
HO200	Green Mount Court 110 Maltravers Road, Eaglemont Statement of Significance: Green Mount Court Statement of Significance	Yes	No	No	No	No	No	No

BANYULE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage	Prohibited uses permitted?	Aboriginal heritage place?
						Register under the Heritage Act 2017?		
HO201	Royd 61-63 Mount Street Eaglemont Statement of Significance: Royd Statement of Significance	Yes	No	Yes No	No	No	No	No
HO202	Lobbs' Tearooms (former) and Diamond Valley Learning Centre 1 Diamond Creek Road, Greensborough Statement of Significance: Lobbs' Tearooms (former) and Diamond Valley Learning Centre Statement of Significance	No	No	Yes No	No	No	No	No
HO203	Stubbley's Hay and Grain Store (former) 96-104 Main Street, Greensborough Statement of Significance: Stubbley's Hay and Grain Store (former) Statement of Significance	Yes	No	No	No	No	No	No
HO204	Collins House 45 Bronte Street, Heidelberg Statement of Significance: Collins House Statement of Significance	Yes	No	No	No	No	No	No
HO205	Welsh House 4 Eton Court, Heidelberg Statement of Significance: Welsh House Statement of Significance	Yes	Yes – limited to east wing passageway, living room, and family room	Yes No	No	No	No	No

BANYULE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO206	Graceburn 38 Quinn Street, Heidelberg Statement of Significance: Graceburn Statement of Significance	Yes	No	No	No	No	No	No
HO207	Beddison/Swift House 5 Crown Road, Ivanhoe Statement of Significance: Beddison/Swift House Statement of Significance	Yes	Yes No	Yes No	No	No	No	No
HO208	2nd Ivanhoe Scout Hall 8A Wallace Street, Ivanhoe Statement of Significance: 2nd Ivanhoe Scout Hall Statement of Significance	No	No	No	No	No	No	No
HO209	Willis House 10 Gruyere Crescent, Ivanhoe East Statement of Significance: Willis House Statement of Significance	Yes	No	No	No Laundry Block	No	No	No
HO210	Purcell House 17 Hartlands Road, Ivanhoe East Statement of Significance: Purcell House Statement of Significance	Yes	Yes – limited to hall, study, living and family rooms	Yes No	Carport	No	No	No

BANYULE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO211	Yann House 21 Keam Street, Ivanhoe East Statement of Significance: Yann House Statement of Significance	Yes	No	No	Front retaining wall	No	No	No
HO212	Crittenden House 30 Longstaff Street, Ivanhoe East Statement of Significance: Crittenden House Statement of Significance	Yes	No	Yes No	No Basalt retaining walls	No	No	No
HO213	Hiliard House 6 Quandolan Close, Ivanhoe East Statement of Significance: Hiliard House Statement of Significance	Yes	Yes – limited to living room timber ceiling	No	Front fence	No	No	No
HO214	St George Peace Memorial Church 47 Warncliffe Road, Ivanhoe East Statement of Significance: St George Peace Memorial Church Statement of Significance	Yes	Yes	Yes No	No	No	No	No
HO215	Okalyi House 66 Old Eltham Road, Lower Plenty Statement of Significance: Okalyi House Statement of Significance	Yes	Yes – limited to entry, study, living, dining and family rooms	Yes No	No	No	No	No

BANYULE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO216	Lindsay Edward House 149 Old Eltham Road, Lower Plenty Statement of Significance: Lindsay Edward House Statement of Significance	Yes	Yes – <u>limited to ground floor ceilings and entrance hall hanging stairs</u>	No	No	No	No	No
HO217	Vera Knox House 46 Panorama Street, Lower Plenty Statement of Significance: Vera Knox House Statement of Significance	Yes	No	No	No	No	No	No
HO218	English House 50-52 Philip Street, Lower Plenty Statement of Significance: English House Statement of Significance	Yes	Yes – <u>limited to living room mud-brick fireplace and inglenook</u>	No	No	No	No	No
HO219	Uglov House 79 Buena Vista Drive, Montmorency Statement of Significance: Uglov House Statement of Significance	Yes	Yes – <u>limited to living area timber linings and joinery</u>	No	No	No	No	No