

# PLANNING PANELS HEARING

## Amendment C230whse

# 490-500 BURWOOD HIGHWAY, VERMONT SOUTH

PREPARED FOR DANDENONG VIEWS PTY LTD  
INSTRUCTED BY NORTON ROSE FULBRIGHT  
SITE INSPECTION 10 JANUARY 2023

PREPARED BY

**John Patrick**  
John Patrick Landscape Architects Pty Ltd

**January 2023**



LANDSCAPE ARCHITECTS  
ENVIRONMENTAL HORTICULTURISTS  
LANDSCAPE HERITAGE CONSULTANTS  
CONSULTANT ARBORISTS

**JOHN PATRICK LANDSCAPE ARCHITECTS PTY LTD**

324 Victoria Street, Richmond, VIC 3121, Australia  
T +61 3 9429 4855 E [admin@johnpatrick.com.au](mailto:admin@johnpatrick.com.au)  
F +61 3 9429 8211 W [www.johnpatrick.com.au](http://www.johnpatrick.com.au)

## 1 NAME AND ADDRESS OF THE EXPERT

- 1.1 John William Patrick  
324 Victoria Street  
Richmond Victoria 3121

## 2 QUALIFICATIONS AND EXPERIENCE

- 2.1 M.Sc. Ecology (University of Durham).
- 2.2 M.Sc. Landscape Ecology, Design and Management (Wye College, University of London).
- 2.3 Associate Member of the Australian Institute of Landscape Architects.
- 2.4 John Patrick has worked in the discipline of Landscape Design since 1976. He established his practice in Australia in 1980 becoming full-time in 1988. From 1980-1988 he was Senior Lecturer in Amenity Horticulture at VCAH-Burnley.
- 2.5 In his practice John Patrick has undertaken an extended range of Landscape Architectural and Heritage projects including:
- studies of Old Parliament House and Government House, Canberra;
  - studies of Fitzroy, Flagstaff, Treasury, Alexandra and Carlton Gardens, Melbourne;
  - provision of Landscape Architectural services to hospitals, schools, residential sub-divisions, private residences and parks etc;
  - design services for the City of Sydney 'Living Colour' Committee including street design for the Olympic and Paralympic Games 2000, and;
  - heritage studies and conservation management plans for numerous sites including Government House, Melbourne, The Domain, Eureka Stockade Parklands and Central Park, Caulfield.
- 2.6 He is a past presenter of Burke's Backyard and ABC's Gardening Australia, a past Board Member of the Royal Botanic Gardens, Melbourne, the Garden State Advisory Committee and Parks Victoria Dandenong Gardens Advisory Board and has written or contributed to 11 books.

## 3 AREA OF EXPERTISE

- 3.1 John Patrick has experience in Landscape Architecture, Landscape Heritage and Landscape Horticulture.

## 4 EXPERTISE TO PREPARE THIS REPORT

- 4.1 John Patrick is regularly involved with the preparation of Heritage Studies and Tree Management Plans and has worked on numerous projects where a combination of expertise in heritage and tree values and management have been at play. Amongst his significant Heritage Projects have been Heritage Studies and Conservation Management Plans for sites as diverse as Werribee Park, Fitzroy Gardens, Carlton Gardens, Caulfield Park and the Castlemaine Botanical Gardens all in Victoria and Anzac Park, Cairns, Government House and Old Parliament House, Canberra.

## 5 INSTRUCTIONS THAT DEFINE THE SCOPE OF THIS REPORT

- 5.1 This report has been prepared following instructions from Norton Rose Fulbright I have no business or private relationship with the permit applicant or Norton Rose Fulbright other than being instructed to prepare this statement.

## 6 THE FACTS, MATTERS AND ASSUMPTIONS ON WHICH THE REPORT PROCEEDS

- 6.1 The report assumes that the levels, dimensions and drawings provided to me by Norton Rose Fulbright are correct as these have been used as the basis for this report and associated plans.

## 7 DOCUMENTS VIEWED IN PREPARING THIS REPORT

- 7.1 In the preparation of this report I have viewed and reviewed the following items:
- City of Whitehorse, Whitehorse Planning Scheme Amendment C230whse, Explanatory Report, pps 1-8.
  - City of Whitehorse, Whitehorse Planning Scheme, including:
    - Clause 42.02 Vegetation Protection Overlay
    - Schedule 5 to the Vegetation Protection Overlay, Significant Exotic, Native and Indigenous Trees.
    - Clause 42.03 Significant Landscape Overlay.
    - Schedule 10 to Clause 42.03 Significant Landscape Overlay.
    - Clause 43.01 Heritage Overlay.
    - Schedule to Clause 43.01 Heritage Overlay.
    - Clause 43.02 Design and Development Overlay.
    - Schedule 6 to Clause 43.02 Design and Development Overlay, 490-500 Burwood Highway, Vermont South (Former Australian Road and Research Board Site).
  - Tract, 490-500 Burwood Highway, Vermont South, The 'Australian Road and Research Board (ARRB) Site', Planning Scheme Amendment Report, pps 1-45, April 2022.
  - Bluegum, Arborist Report, 490-500 Burwood Highway, Vermont South, 3133, pps 1-75, August 2021.
  - Bryce Raworth, Conservation Management Plan, Former Australian Road Research Board, 500 Burwood Highway, Vermont South, pps 1-51 plus Appendices, February 2021.
  - City of Whitehorse, Whitehorse Planning Scheme, including
    - Statement of Tree Significance, 490-500 Burwood Highway, Vermont South.
    - Statement of Significance, Former Australian Road Research Board, 490-500 Burwood Highway, Vermont South
    - Heritage Citation, Former Australian Road Research Board, 490-500 Burwood Highway, Vermont South.
  - Heritage Council Victoria, Landscapes of Cultural Heritage Significance Assessment Guidelines. Pps 1-35, February 2015.

## 8 IDENTITY OF THE PERSON WHO PREPARED THIS REPORT

- 8.1 In the preparation of this report, I have visited the site and reviewed documents relating to the site, detailed above. I have undertaken the works in preparation of this report with assistance from Kerry Gloury of this practice.

## 9 A SUMMARY OF THE OPINIONS OF THE EXPERT

- 9.1 The subject site, 490-500 Burwood Highway, Vermont South is located on Burwood Highway approximately 1.3km to the east of Springvale Road. The site is occupied by buildings associated with the Australian Road and Research Board (ARRB), which has vacated the site. Buildings include the main office and administration building to the northern portion of the site and subsidiary buildings that extend through to the south of this building along a central spine. Additionally, a sub-station has been constructed to the east side of the site entry road to the north-west corner of the site and two double storey flats that replaced an earlier caretaker's house associated with the ARRB, identified as Flat 1/490-500 Burwood Highway and Flat 2/490-500 Burwood Highway, these buildings are at the north-west corner of the site, to the west of the entry driveway.
- 9.2 The site extends to approximately 2.6 hectares and apart from the Burwood Highway to the north, it has a residential interface to the west with properties in Hartland Road and with Victoria Grange Residential Community to both the south and the east. These areas were historically part of the subject site and they have been absconded and developed.



Figure 1



Figure 2

### **1945 aerial and current aerial from 2021 from CMP with annotations from Bryce Raworth and Associates.**

- 9.3 A Planning Scheme Amendment is sought for the site under the Planning and Environment Act to rezone the land from the Transport Zone-Schedule 4 (TRZ4) to the Residential Growth Zone (RGZ). With the relocation of the ARRB to more appropriate facilities, the site now no longer warrants a Transport Zone.
- 9.4 The rezoning to Residential Growth Zone allows the future development of the site as “high quality residential dwellings within walking distance to the Tally Ho Major Activity Centre, Vermont South Shopping Centre, Principal Public Transport Network (PPTN), and numerous schools and open spaces”.
- 9.5 In addition to transferring the site to the RGZ it is proposed to:
- Apply a Design and Development Overlay (DDO).
  - Apply a Significant Landscape Overlay (SLO).
  - Apply an Environmental Audit Overlay (EAO).
  - Apply a Vegetation Protection Overlay (VPO).
  - Apply a Heritage Overlay (HO).

- 9.6 In the City of Whitehorse updated heritage citation, Elements of Primary Significance on the site have been identified and these include landscape elements. The citation specifically describes the landscape components of Primary Significance as follows,

*“The landscaped setting around the Administration Building, including the open space and surviving trees to the north and west in the front setback, and the courtyards between the Administration Building and Research Wing 1, and the Administration Building and Research Wing 2.”*

- 9.7 Additionally, the citation identifies Elements of Secondary Significance and again this includes landscape elements, indeed an item of Secondary Significance involves a marriage of architectural form with landscape. Items of Secondary Significance include,

*“The planning concept using building modules (Research Wings R1 and R2) separated by courtyards and connected by a main pedestrian spine.*

*The broader landscaped setting, particularly the surviving mature native plantings on the western boundary and the remnant Eucalyptus melliodora east of Research Wing R2.”*

- 9.8 I have been asked to review the landscape at the ARRB site at 490-500 Burwood Highway, Vermont South and consider the appropriateness of these heritage gradings for landscape components of the site and consider them in the context of Planning Amendment C230whse.

- 9.9 The architects of the ARRB buildings were Mockridge, Stahle and Mitchell who utilised Beryl Mann, an associate within the practice as the project Landscape Architect., Mann had originally trained as an Architect at the Gordon Institute, Geelong, but then trained at Burnley completing a qualification in horticulture in 1939. She was a founding member of the Australian Institute of Landscape Architects in 1966 and continued to work as a Landscape Architect with Mockridge, Stahle and Mitchell until her retirement in 1976.

- 9.10 Figure 1, taken in 1945, provides some sense of the ARRB site at the time of commencement of works. The area around the site was predominantly given over to orcharding with windbreaks apparent to field margins. There are occasional remnant Eucalypts one of them presumably is the Yellow Box, *Eucalyptus melliodora*, (known as Tree 2 in the Whitehorse Planning Scheme Incorporated Document, Statements of Tree Significance), identified as having individual significance.

- 9.11 A broad concept of Mann’s proposal for the site may be gained from the 1970 site plan, Figure 3, though this is purely indicative, a better sense of the outcome being obtained from the c1973 aerial photograph of the site (Figure 4). At this date presumably some landscape works had not been completed given that droughts in 1972 and 1973 are said to have delayed planting.

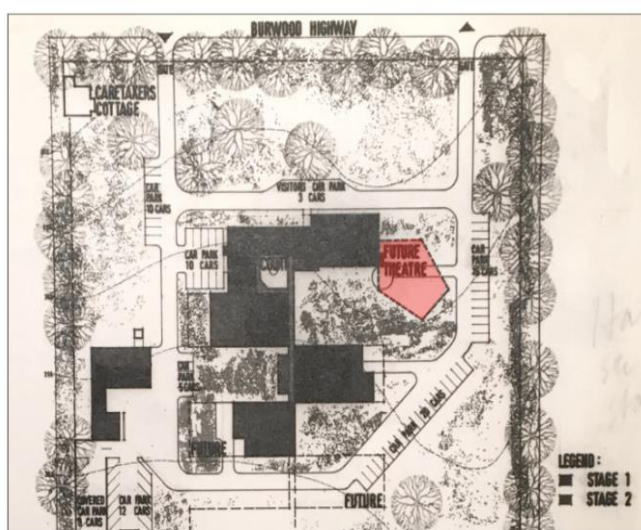


Figure 3



Figure 4

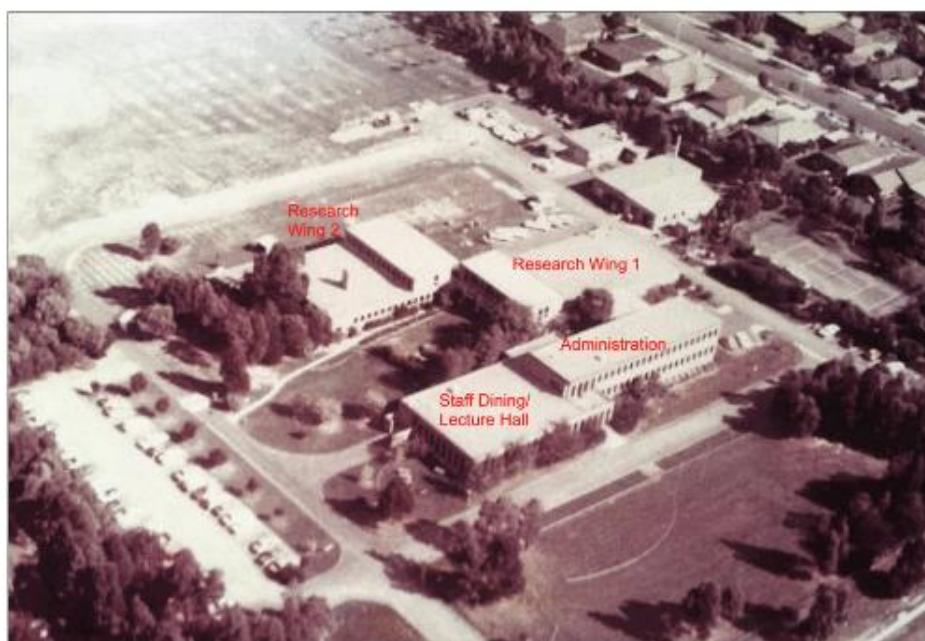


9.12 The nature of much of Mann's work is clearly visible from this photograph. Dense tree planting had been established to the north-west of the site, predominantly to the east of the western driveway entry. Further planting established to the east of the Caretaker's Residence appears to adopt a formal grid and the size of these trees compared with those to the east of the drive suggests that there may have been two phases of planting, a suggestion borne out by planting to the northern end of the east and west boundaries when compared with planting to the southern end of these boundaries where canopy density appears to be considerably more open.

9.13 The planting to the front of the site, said to be a trial of potential roadside planting, is dense to the west and more open to the east and defines an extensive open lawn forecourt space. This was an integral part of the site's design concept.

*"Set 200 yards back from the road, the new centre will be surrounded by attractive trees, shrubs and lawn and harmonise with the environment. Although the building has been designed to allow for future expansion, at no stage will it ever occupy more than two-thirds of the section. This means that at least 5 acres of land will always be landscaped to blend in with the surrounding area."*

9.14 The 1975 aerial photograph of the ARRB site, Figure 5, reveals how fast the native trees planted to the northern end of the site grew and it is hard to understand how the planting of these trees may not pre-date the construction works. The notable feature of this photograph is that planting extending along the north, west and east boundaries reveals nothing innovative in terms of landscape design; native trees planted *en masse* have created a screening to the site boundaries, a treatment that is widely used and shows little in terms of innovative design.



**Figure 5**

***Aerial photograph identified as 1975 in the Raworth CMP but, given tree sizes, possibly up to a decade later.***

- 9.15 Landata photographs of the site support the view that the photograph ascribed in the CMP to 1975 is of later origin. The 1975 Landata image, Figure 6, suggests that planting may not have occurred until 1976 or 1977 but it had certainly grown by 1981, Figure 7.



*Aerial photograph appears to show no landscape in place to south of Administration Building, given that Mann retired in 1976 this must have been one of her last projects and the image proves an incorrect dating for Figure 5.*

**Figure 6**



*A 1981 aerial photograph shows the planting making a significant visual impact. Growth of native trees was very rapid with planting likely taking place in the winter of 1975 or 1976.*

**Figure 7**

- 9.16 Much of the planting to the northern portion of the site, much of it in the Burwood Highway frontage, remains in place as does the large open lawn beyond the access road. The ARRB Administration building is scarcely visible when viewed from the west especially since the construction of the sub-station to the north-west of the site, though the more open planting to the eastern portion of the frontage permits views of the façade. This grouping of trees with the open lawn to its south and the façade behind provides an appropriate public presentation of the facility.



*View of the northern lawn and Burwood Highway planting, January 2023.*

**Figure 8**

- 9.17 Today the boundary planting to the eastern boundary and the eastern road access together with parking areas located behind formal planting of round-headed canopy trees that are visible in the aerial photograph have all been abscised from the site to allow for construction of the Aged Care accommodation to the east. This results in the loss of a significant portion of the site's early landscape form.
- 9.18 It is also notable from Figure 4 that the courtyard garden to the east of Research Wing 1 is rudimentary in design. Dominated by lawn, a path to the southern side of the space appears to give access between eastern car park areas and Research Wing 2. A second path may link to the Administration building on the north side of this space, it is difficult to discern clearly. Alternatively, pedestrians may have walked to the north side of the Staff Dining/Lecture Hall to obtain access to Administration.
- 9.19 What is apparent is that the design of this eastern courtyard is limited in ambition. There is tree planting directly to the south of the Administration and Staff Dining facilities, an open planted enclosure to the eastern end of the lawn and mature planting focused on the eastern façade of Research Wing 2, a dense planting that appears to be repeated to the east side of the perimeter road.
- 9.20 It is unclear whether the barbecue that is now a feature of the eastern lawn is contemporary with the original design, there is planting extending at approximately the mid-point of the northern edge to the garden out into the centre of this area but whether this shielded and established the setting for a barbecue is not clear.



- 9.21 A review of this area at the present time reveals that it is quite derelict and has been overgrown with weeds. Two mature evergreen Mexican Alders, *Alnus jorullensis*, trees 150 and 151, are located to the façade of the Administration building to the west of the space. It is difficult to determine whether these are original planting. The 1975 image shows tree canopies above roof height suggesting very rapid growth. These trees became fashionable in Melbourne towards the second half of the 1970's and the specimens present are senescent.



**Internal courtyard to south-east of Administration Building. Weed growth disguises the simple and functional planting lay out, January 2023.**

**Figure 9**

- 9.22 The courtyard also includes weedy trees including a number of Sweet Pittosporum, *Pittosporum undulatum*, tree 141, Shiny Leaved Privet, *Ligustrum lucidum*, tree 144, Cotoneaster, *Cotoneaster glaucophyllus*, tree 143, Desert Ashes, *Fraxinus angustifolia*, trees 152 and 153, though judging from the photograph these appear to be original planting, and Box Elder, *Acer negundo*, unnumbered. These outnumber what may be original plantings including Willow Hakea, *Hakea saligna*, trees 146-149, which may be self-propagating, Gossamer Wattle, *Acacia floribunda*, tree 145 and Heath Banksia, *Banksia ericifolia*, tree 142.
- 9.23 There is no sense that this courtyard has been designed to offer any more than a basic peripheral landscape planting with the creation of a lawn and the provision of a barbecue. It is difficult to ascribe heritage significance to such a landscape space even allowing for its contribution to the architectural built form with construction around light courts.
- 9.24 Notably, the aerial photograph shows that a car park occupies space to the south of Research Wing 1 and to the west of research Wing 2. The courtyard character of this area only becomes fully apparent upon completion of the Truck Bay and Research Wing 3, construction which, according to Raworth occurred in 1986. There is no evidence that planting has occurred in this area in the aerial photograph which dates from 1975.

- 9.25 Beryl Mann retired in 1976 and there would appear to be no definitive proof that she designed this garden area. It is possible that she prepared plans for this area to be implemented when construction of Research Wing 3 and the Truck Bay took place but it would be equally valid to suggest this was designed by another, currently unidentified, designer at the time of construction, 1986.



**Planting between Research Wings 1 and 3 post-dates Mann's involvement, January 2023.**

**Figure 10**

- 9.26 Planting in the space between Research Wings 1 and 3 is more complete than that to the east of Research Wing 1 and includes two mature Eucalypts, Yellow Gum, *Eucalyptus leucoxylon*, trees 178 and 180, hedges of Coastal Rosemary, *Westringia fruticosa*, plantings of Japanese Camellias, *Camellia japonica* and a feature Ovens River Wattle, *Acacia cognata*. Sweet Pittosporums contribute significant canopy to the eastern portion of this space which remains dominated by angled car parking, a treatment visible in the aerial photograph. Other trees present here include Spotted Gum, *Corymbia maculata*, tree 179 and Red Spotted Gums, *Eucalyptus mannifera*, trees 176 and 177. All have shown rapid growth.
- 9.27 It is noticeable that planting within the body of the site appears to extend very little further south than Research Wing 2 though boundary planting extends to the west, it is clearly visible in the aerial photograph, and presumably to the eastern boundary though this is not visible. This length of western planting is quite mature and appears to be the early boundary planting as shown on the c1973 aerial photograph.

- 9.28 Apple trees are visible as four or possibly five rows of planting towards the western boundary and their planting grid may be identified towards the centre of the site even if the trees themselves are not discernible. The extent of the apple plantings may be seen in the c1973 aerial photograph. Notably a dam has been inserted within the orchard to the south-west of the site and the south-eastern portion of the site appears never to have been subjected to orchard planting (there are no occasional trees that might have been retained and no “shadows” of planting locations that might indicate now lost trees. This portion of the site would appear to have been under an alternative management regimen.
- 9.29 I find it difficult to ascribe any heritage value to the retention of these trees by Mann. It is likely that their retention reflected a desire to reduce costs by not removing them, further they offered a facility for workers on the site. I do not believe that their retention represents a sensitivity to historic land use, more likely a *laissez-faire* approach to the site, focussing effort and expenditure where it was more appropriately focussed.
- 9.30 The Raworth Conservation Management Plan usefully identifies the current site boundary on the c1973 aerial photograph clarifying the extent of site reduction following land sales in 2000. The orchard, the more recent boundary planting to the southern half of the site, the eastern driveway access and all the eastern boundary planting have gone together with the planting clump to the east side of Research Wing 2. The construction of a new boundary roadway caused further incursion into the planting located immediately to the east of Research Wing 2.

## 10 CONCLUSIONS

- 10.1 My review of the physical condition of the site indicates that while many of the site's boundary trees remain in place, most notably those to the northern boundary and along the Burwood Highway frontage as well as those to the western boundary, other elements of the site's landscape have been lost including the eastern boundary planting, the eastern entry road and associated car parking facilities, and as a result of the loss of roadway, a new eastern alignment has further impinged on work to the west of the original roadway, reducing the intactness on the designed landscape.
- 10.2 Mann worked at Mockridge, Stahl and Mitchell until 1976 however evidence suggests that Research Wing 3, and presumably its associated landscape, was not constructed until 1986 by which time Beryl Mann had been retired from the practice for a decade and this must throw into question whether the later stages of the work was completed under her authorship.
- 10.3 Earlier works on the site appear to be largely functional in their design. Notably, belts of screening native trees, the creation of an extensive open lawn and a grassed courtyard focussing on the recreational use of staff, all on Mann's work appears to adopt a functional character rather than one of design excellence and innovation. Plant selections are also robust and functional rather than suggesting the use of innovative planting choices.
- 10.4 Any potential significance of the site has been reduced by the extent of weed infestation and dilapidation of the landscape. Weed invasion and growth has been significant resulting in the loss of much of the earlier fabric and some early plantings appear to have become weeds, for example, Willow Hakea, *Hakea salicifolia*. It is extremely difficult in more small scale areas to determine the character and form of smaller scale plantings.

10.5 In light of these observations, I find it extremely difficult to ascribe any heritage significance to the landscape at 480-500 Burwood Highway, Vermont South. This opinion is supported by a review of this site against heritage criteria.

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

There is no evidence that the ARRB landscape contributes to this criterion. Evidence suggests that the landscape works on the site were largely functional, the provision of screening vegetation, the provision of access paths. The design offers no innovation either in design or approach to plant selection and use.

- Criterion B Possession of uncommon, rare or endangered aspects of our cultural history.

The landscape treatment of the site reveals no aspects or approaches to site design that are uncommon or unusual in any way.

- Criterion C Potential to yield information that will contribute to understanding our cultural history.

Landscape works on the ARRB site are marginal to the significance of the site and offer no information that will contribute to an understanding of our cultural history.

- Criterion D Importance in demonstrating the principal characteristics of a class of cultural places or objects

Not applicable.

- Criterion E Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

The landscape design for the ARRB site offers a functional landscape response rather than any notable aesthetic qualities.

- Criterion F Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).

There is no evidence of a high degree of creative achievement.

- Criterion G Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons (social significance). This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions.

Not applicable.

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

Part of the landscape design was prepared by pioneer Landscape Architect Beryl Mann, a foundation member of the Australian Institute of Landscape Architects.



## 11 A SUMMARY OF THE OPINIONS OF THE EXPERT

- 11.1 In my opinion there is no evidence provided to support the view that any aspect of the site is of Primary Heritage Significance. When assessed against Heritage Criteria the landscape treatment of the site fails to meet the required criteria for significance.
- 11.2 Similarly, the broader landscape setting of the site is generally functional in nature and unexceptional in design and execution so that I cannot support its having Secondary Significance. The integration of courtyards with the built form is, in my opinion, predominantly determined by architectural rather than landscape expression..
- 11.3 It is my opinion that the landscape component at 490-500 Burwood Highway, Vermont South, the Australian Road Research Board, should not be the subject of specific heritage citation in Amendment C230whse.

## 12 PROVISIONAL OPINIONS

- 11.1 None

## 13 INACCURACIES AND ADDITIONAL MATTERS

- 13.1 None.



John Patrick  
**John Patrick Landscape Architects Pty Ltd**