

**GREATER GEELONG PLANNING SCHEME**

**AMENDMENT C-341**

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**RESOLUTION TO REFER SUBMISSIONS TO A PANEL APPOINTED BY THE  
MINISTER FOR PLANNING**

UNDER DELEGATION FROM COUNCIL I HEREBY RESOLVE TO:

- 1) Request the Minister for Planning to appoint a Panel under Part 8 of the Planning and Environment Act 1987;
- 2) Refer all submissions on Amendment C341 to the Panel; and
- 3) Submit to the Panel its response to the submissions generally as outlined in this report.

SIGNED:..........

DATE:..........

**PETER SMITH  
COORDINATOR STRATEGIC IMPLEMENTATION**

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DELEGATED AUTHORITY REPORT  
AMENDMENT C341**

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**To: Peter Smith – Coordinator Strategic Implementation**  
**From: Stuart Thiele – Strategic Planner**  
**Subject: Consideration of submissions**  
**File number: C341**  
**Date of Report: 2 September 2016**

### **Purpose**

The purpose of this report is to consider submissions on Amendment C341, which proposes a Heritage Overlay over the Vietnam Veterans Avenue of Honour and Memorial and Osborne House gates.

### **Summary**

- The Vietnam Veterans Avenue of Honour and Memorial were initially dedicated in 1995. The Avenue today comprises 135 Ironbark trees on either side of Melbourne Road, North Geelong. The Avenue and Memorial commemorate the contribution of those who served in the Vietnam War and the 521 Australian servicemen who died during that war. The Avenue and Memorial are of historic, social and aesthetic significance.
- The Osborne House gates formed part of the original entry to the Osborne House. The gates are of historic and aesthetic significance.
- In August 2015, Council acknowledged the contribution of the Australians who served in the Vietnam War and the significance of the Vietnam Veterans Avenue of Honour and resolved to prepare and exhibit a planning scheme amendment to include a Heritage Overlay over the Avenue and Memorial.
- The Amendment was exhibited from 24 March to 26 April 2016. Seven submissions were received. One submission objected to the Amendment.
- In response to submissions, it is recommended that the Amendment be modified to also create a separate Heritage Overlay for the Osborne House gates. It is also recommended that the Heritage Overlay be marginally expanded eastwards and southwards of the Memorial to encompass recent inclusions in the Memorial Park.
- The submission objecting to the Heritage Overlay is not supported. The Heritage Overlay is warranted by the significance of the Avenue and Memorial and there is a sound basis for its extent. It is not considered that the Amendment would unreasonably hinder potential development of 265-285 Melbourne Road.
- It is recommended that submissions be referred to an independent Panel.

### **Recommendation**

**That Council's delegate resolves to:**

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- 1) Request the Minister for Planning to appoint a Panel under Part 8 of the Planning and Environment Act 1987;**
- 2) Refer all submissions on Amendment C341 to the Panel; and**
- 3) Submit to the Panel its response to the submissions generally as outlined in this report.**

***Background***

The Vietnam Veterans Avenue of Honour comprises 135 Ironbark (*Eucalyptus sideroxylon*) trees located on each side of Melbourne Road, North Geelong, between Mackey and Swinburne Streets and extending south along the western side of Melbourne Road to the northern end of the North Geelong Railway Station parking area.

The Vietnam Veterans Memorial is a brick and granite structure near the intersection of Melbourne Road and Swinburne Street, adjacent to which are three flagpoles, two seats, a Memorial walkway and a Roll of Honour panel that together form a Memorial Park.

The Osborne House gates were part of the original entrance to Osborne House from Melbourne Road. The gates comprise six bluestone pillars, a pair of cast iron gates and flanking pedestrian gates, curving wall and wrought iron picket spear-capped balustrade. The age of the gates is uncertain, but they date from the 1890s or earlier. The gates were relocated approximately 10 m from their original position in 1928-29. The gates are located immediately north of the Memorial Park.

The Avenue of Honour and Memorial were officially opened and dedicated on 1 October 1995. As first dedicated, the Avenue comprised London Plane trees on the eastern side of Melbourne Road north from Swinburne Street. However, as many of these failed, these trees were removed and the Avenue was replanted in 1999-2000 with Ironbarks, with the Avenue then clearly understood to comprise both sides of Melbourne Road.

In 2015, the Vietnam Veterans Association of Australia Inc, Geelong & District Sub-Branch (Vietnam Veterans Association) requested that Council remove a Community Billboard located within the Avenue of Honour as they considered this a disrespectful intrusion into a 'sacred space'. Council officers proposed the protection of the Avenue of Honour and Memorial by a Heritage Overlay; this was supported by the Vietnam Veterans Association.

At its meeting of 11 August 2015, Council resolved to:

- acknowledge the contribution of the Australians who served in the Vietnam War and the significance of the Vietnam Veterans Avenue of Honour in Melbourne Road, North Geelong;
- prepare and exhibit a planning scheme amendment to include a Heritage Overlay over the Avenue of Honour and Memorial; and

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- agree to remove the Community Billboard to another site outside the Avenue of Honour.

In preparing the Amendment, the Osborne House gates were included due to their separate heritage significance and close proximity to the Memorial.

An aerial plan showing the proposed Heritage Overlay is at **Appendix 1** and a copy of the proposed Heritage Overlay map is at **Appendix 2**.

In 2016, a Memorial walkway and Roll of Honour panel were installed adjacent to the Memorial. The official opening and blessing of the Memorial Park incorporating these took place on 27 May 2016.

In May 2016 the Community Billboard was removed. Also in May 2016, a 3.5 m wide concrete footpath located between the double row of trees on the western side of Melbourne Road was constructed, in consultation with the Vietnam Veterans Association and Bike Safe.

### ***Discussion***

#### **Submissions**

The Amendment was exhibited from 24 March to 26 April 2016. Seven submissions were received. Three submissions expressed support, two provided comment and one objected. A submission from VicRoads providing conditional support was subsequently withdrawn.

The objecting submission was lodged on behalf of the owner of 265-285 Melbourne Road. This land directly abuts a section of the proposed Heritage Overlay, is bounded on the north by Mackey Street and contains the MHG Glass Pty Ltd manufacturing plant. The submission objects to the Amendment for the following reasons:

- the Heritage Overlay could restrict site access opportunities to/from Melbourne Road and impact on development potential of the site in respect of built form and interface responses to the Avenue of Honour, which could limit the ability of the site to be modified to provide employment opportunities when automotive glass manufacturing ceases in 2017;
- the Amendment does not adequately detail the association between the Avenue of Honour and Memorial and the Osborne House gates to justify inclusion of these elements in a single Heritage Overlay;
- the Avenue of Honour is not old enough to warrant a Heritage Overlay; and
- the Heritage Overlay boundary is arbitrary and illogical, particularly given the presence of Ironbarks along Melbourne Road both inside and outside of the proposed Overlay.

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Submissions from the National Trust of Australia (Victoria) and the Osborne Park Association Inc recommended splitting the proposed Heritage Overlay to separate the Osborne House gates from the Avenue of Honour and Memorial so as to clearly distinguish their different heritage significance.

A detailed summary of submissions and Council officers response is in **Appendix 3**.

Changes to Heritage Overlay

The Osborne House gates are located adjacent to the Memorial and were included in the proposed Heritage Overlay for administrative convenience rather than to convey a direct association or shared heritage values with the Avenue of Honour and Memorial. Separating the Osborne House gates from the Avenue and Memorial is supported. Individual heritage citations have been prepared for these two separate elements and these are **Appendix 4** and **5**. It is recommended that the Amendment be modified to also create a separate Heritage Overlay for the Osborne House gates, nested within the Heritage Overlay for the Avenue and Memorial.

It is also recommended that the Heritage Overlay for the Avenue and Memorial be revised by moving the portion near the Memorial marginally southwards to encompass the constructed Memorial walkway and Roll of Honour panel board.

Objection to Heritage Overlay

The points raised in the objecting submission have been considered, but with the exception of the abovementioned changes, it is not considered that any further changes or abandonment of the Amendment are warranted.

The proposed Heritage Overlay is considered warranted given the historic, social and aesthetic significance of the Avenue of Honour and Memorial. The Avenue is strongly valued by the Vietnam Veterans Association. While the trees are, at present, around 17 years old and the Memorial itself is around 21 years old, the Avenue of Honour and Memorial are commemorating events that occurred around four to five decades ago and their historical and social significance is directly linked to those events. There is a sound basis for the proposed extent of the Heritage Overlay, set out in the response to this submission in **Appendix 3**.

It is not considered that the Heritage Overlay would unreasonably hinder potential development of 265-285 Melbourne Road. The permit trigger only applies to public land in the Melbourne Road reserve, where tree controls over the Avenue of Honour are justified. The land has around 360 m of frontage to, and currently gains vehicular access from, Mackey Street. The presence of the Heritage Overlay adjacent to the land is unlikely to be determinative factor on built form of new development on the land.

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A meeting was held on 31 May 2016 between the objector, the City and the Vietnam Veterans, to discuss issues raised in the objecting submission, but the objection to the Heritage Overlay stands. As it is recommended that the Heritage Overlay be supported, referral to an Independent Panel will be required.

***Environmental Implications***

The proposed Heritage Overlay provides stronger protection for the trees within the Avenue of Honour.

***Financial Implications***

It is not anticipated that the Amendment will result in any financial implications for Council.

***Policy/Legal/Statutory Implications***

The amendment is consistent with the State Planning Policy Framework at Clause 15.03-1 (Heritage conservation) of the Greater Geelong Planning Scheme. The Amendment is consistent with the Local Planning Policy Framework at Clause 21.06-5 (Heritage and identity) and Clause 22.09 (Cultural Heritage) of the Scheme.

***Alignment to City Plan***

The Amendment is consistent with the strategic direction of community Wellbeing and the priority of connected, creative and strong communities.

***Officer Direct or Indirect Interest***

No Council Officers have any direct or indirect interest, in accordance with Section 80(c) of the Local Government Act.

***Risk Assessment***

There are minimal risks associated with implementing the recommendation contained in this report.

***Social Considerations***

The Vietnam Veterans Avenue of Honour and Memorial are significant to Vietnam veterans and their families as they commemorate the contribution of those who served in the Vietnam War and the 521 Australian servicemen who died during that war. The Avenue of Honour and Memorial are recognised and valued by the Vietnam Veterans' Association and the wider local community for this reason.

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***Human Rights Charter***

The Amendment will not impact on any basic rights, freedoms and responsibilities as set out in the Charter. Planning legislation ensures an open community consultation process occurs, enabling people to freely express their views and if necessary obtain a fair hearing before an Independent Panel.

***Consultation and Communication***

The Amendment has been exhibited in accordance with the provisions of the Planning and Environment Act 1987 to provide for full public comment.

On 31 May 2016, a meeting was held between the City, the Vietnam Veterans Association of Australia Inc, Geelong & District Sub-Branch, Roberts Day and their clients MHG Glass Pty Ltd to discuss issues raised in Roberts Day's submission.

The proposed independent Panel hearing is a good opportunity for submitters to raise issues. When a Panel is appointed, submitters will receive letters from Planning Panels Victoria advising of dates for the Directions Hearing and Panel Hearing.

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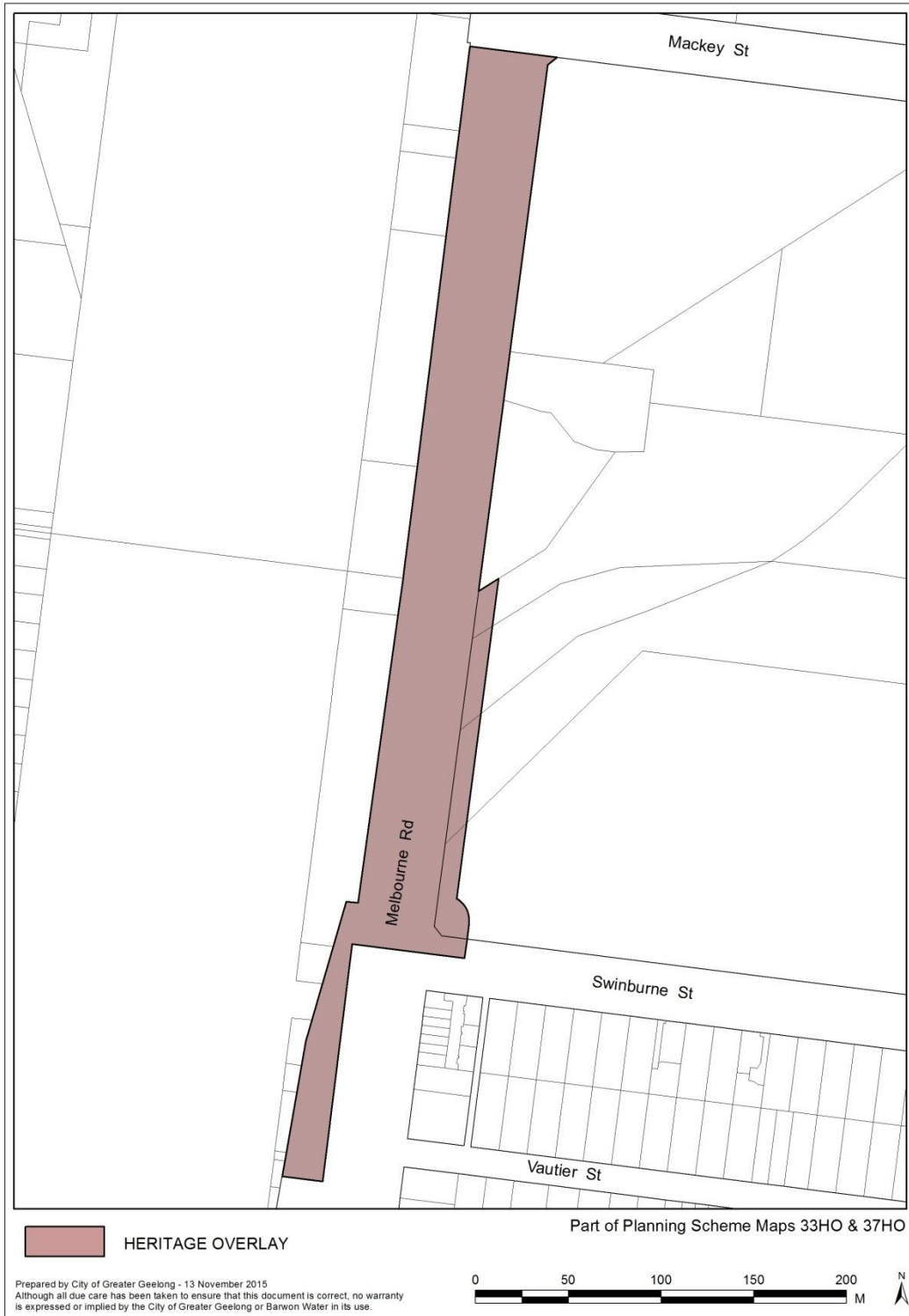
**Appendix 1 Location Plan – proposed Heritage Overlay, Vietnam Veterans Avenue of Honour**



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**Appendix 2**

**Heritage Overlay Map**



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**Appendix 3**

**Heritage Citation – Vietnam Veterans  
Avenue of Honour and Memorial**

City of Greater Geelong

**PLACE NAME:** Vietnam Veterans Memorial and Avenue of Honour

Place No.

**ADDRESS:** 241 Melbourne Road and 1-41 Swinburne Street, North Geelong

Assessment Date: October 2015 reviewed August 2016

**Historic Themes:**

Theme 8.5: Commemoration

**Condition:** Very Good/Excellent

**Integrity:** High

**Photograph Date:** December 2015 and August 2016



August 2016

**CURRENT HERITAGE STATUS ON STATUTORY REGISTERS**

Victorian Heritage Register:	No
Victorian Heritage Inventory:	No
Local Planning Scheme:	No

**CURRENT HERITAGE STATUS ON OTHER REGISTERS:**

National Trust (Victoria) Register:	No
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**RECOMMENDED LEVEL OF SIGNIFICANCE:**

Local Significance

**RECOMMENDATIONS:**

Recommended for inclusion in the Victorian Heritage Register: No  
 Recommended for inclusion in the Victorian Heritage Inventory: No  
 Recommended for inclusion as a Heritage Overlay in the Planning Scheme: Yes

**Schedule to the Heritage Overlay**

External Paint Controls Should Apply?	Yes (War Memorial and roll of honour/poppy holder)
Internal Alteration Controls Should Apply?	No
Tree Controls Should Apply?	Yes – the Avenue of 135 <i>Eucalyptus sideroxylon</i> (Ironbark trees)
Fences &/or Outbuildings of Note?	No
Prohibited Uses May be Permitted?	No
Incorporated Document	No

Other Recommendations

**STATEMENT OF SIGNIFICANCE:**

**What is Significant?**

The Vietnam Veteran's War Memorial located at 241 Melbourne Road and 1-41 Swinburne Street, North Geelong (north-east corner of Swinburne Street and Melbourne Road), has significance as the only memorial constructed in the City of Greater Geelong initially to commemorate the local soldiers who served, fought and died in the Vietnam War 1962-1975. The Avenue is one of three known roadside Vietnam Veteran's Avenue of Honour in Victoria. The memorial was unveiled on 1<sup>st</sup> October 1995 by the Hon Con Scaccia then Federal Minister for Veteran's Affairs and Cr Gerry Smith, then

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Mayor of the City of Greater Geelong, three years after the opening of the National Vietnam Veteran's memorial in 1992.

The Vietnam Veteran's Avenue of Honour was initially planted in 1995 to commemorate those who served and died in the Vietnam War 1962-1975. The original tree planting of 70 London Plane trees was carried out on the east side of the Melbourne Road. They were replaced in 1999-2000 as part of a redesign, with the new Avenue spanning both sides of the Melbourne Road generally between Swinburne Street and Mackay Street, North Geelong. Today the Avenue of Honour comprises 135 *Eucalyptus sideroxylon* (Ironbark) trees. The majority (105) have been assessed by the City of Greater Geelong to be in good health<sup>1</sup>.

The planting also forms part of the broader Geelong Boulevard project that had commenced in 1991 and initiated by the former Shire of Corio and Geelong Regional Commission to address the landscape treatments of the various entrances to Geelong with the aim of beautifying and improving the aesthetic appearance of these entrances. The extent of the area to have designs produced was from Mercer Street to Hovell's Creek. The Avenue of Honour forms part of the broader streetscape beautification works known as the Geelong Boulevard project. The designs were produced by Mexted Rimmer Associates.

On the western side of Melbourne Road a section of the PTC railway reservation was transferred to VicRoads in the mid 1990's for landscaping purposes.

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<sup>1</sup> Report Prepared by Tree Management Unit City of Greater Geelong Oct 2015 titled "Vietnam Veterans Avenue of Honour Tree Report"

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Figure 1. aerial map of Melbourne Road between Mackay Street and Swinburne Street, supplied by the City of Greater Geelong

**How is it significant?**

The Vietnam Veteran's Memorial Park that includes the war memorial, memorial walkway, roll of honour, poppy holder and the Avenue of Honour are historically, socially significant at a LOCAL level.

The Vietnam Veteran's War Memorial is aesthetically significant at a LOCAL level.

**Why is it significant?**

The Vietnam Veterans' Memorial Park that includes the War Memorial, memorial walkway roll of honour, poppy holder and Avenue of Honour, at 241 Melbourne Road and 1-41 Swinburne Street, North Geelong, have historical significance for their associations with the locals who fought and died in the Vietnam War 1962-75 (Criteria A & H). Although not erected and initially planted until 20 years after the end of the war in 1995, the completed memorial was the culmination of a joint effort between the Geelong and District Vietnam Veteran's Association and the City of Greater Geelong in formally recognising the sacrifices made by local Vietnam veterans. The initial avenue of London Plane trees was replanted in 1999 with 135 Eucalyptus sideroxylon (ironbark trees). The historic significance is embodied in the extent and form of the Avenue of Honour, roll of honour and the war memorial. The Avenue of Honour is also a rare example in its associations with the Vietnam War, being the only known Avenue in Victoria that commemorates those who served in the Vietnam War.

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The Vietnam Veteran's Memorial Park that includes the War Memorial, memorial walkway and roll of honour is **aesthetically significant** as a visual and commemorative landmark beside the major road entry into the City of Geelong (Criterion D), as defined by the late 20<sup>th</sup> c. brick and black granite design.

The Vietnam Veteran's Memorial Park that includes the War Memorial, memorial walkway, roll of honour and the Avenue of Honour, at 241 Melbourne Road and 1-41 Swinburne Street, North Geelong, are **socially significant** as a highly important markers that commemorate the contribution made by local men and women in the Vietnam War 1962-1975 (Criterion G). It is recognised and valued by the Vietnam Veterans' Association and the wider local community for this reason.

**Heritage Overlay Map**

It is recommended that the heritage overlay is applied to the iron bark trees located within the Avenue of Honour on both the east and west side of Melbourne Road generally between Mackay Street and Swinburne Streets, North Geelong and to the granite war memorial, Memorial Park memorial walkway, roll of Honour Panel, two timber seats, three flag poles and the paved forecourt surrounding the memorial at the north east corner of Swinburne Street and Melbourne Road, North Geelong. The extent of the heritage overlay, to reflect the extent of the Avenue of Honour, has developed in consultation with the Vietnam Veterans' Association of Australia Inc, Geelong and District Sub-Branch.

The proposed heritage overlay is shown as follows:

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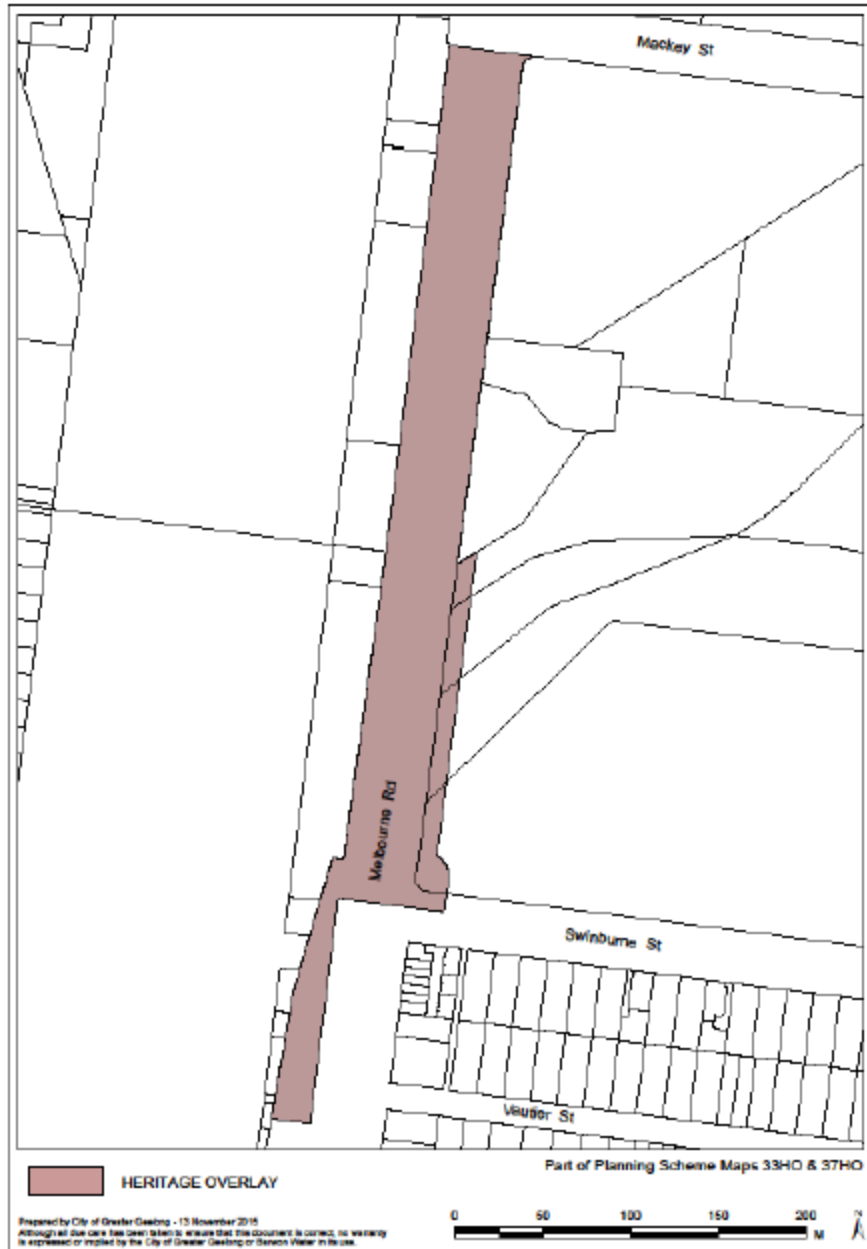


Figure 2: Source of base Map, City of Greater Geelong 2015

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**DESCRIPTION:**

The Vietnam War Memorial consists of a brick and granite structure, Memorial Park memorial walkway and roll of Honour Panel at one end of the Avenue of Honour. The structure is a freestanding memorial is located in Osborne Park near the north-east corner of Swinburne Street and Melbourne Road. It consists of a rectangular unpainted brick planter box about 600mm high, with a rectangular wall projecting vertically from the centre of it. The wall is also constructed of bricks but clad on both of the large flat sides in black polished granite. The word VIETNAM is in very large print while the words 'TOGETHER THEN TOGETHER AGAIN' is considerably smaller but both are in a contrasting colour to the black background. Below these words are two plaques which are a similar tone to the background and therefore difficult to see until one is close to them<sup>2</sup>. A paved walkway comprising exposed granite and sponsor donors on the outer edge that identifies this area as a sacred place for Vietnam Veterans and the roll of Honour Panel with the words Australian Vietnam Forces on one side and the names of all service men and women that made the supreme sacrifice in Vietnam for their Country and this Community on the other side<sup>3</sup>.

The Avenue of Honour comprises 135 *Eucalyptus sideroxylon* (ironbark trees) which extend northwards, along both sides of Melbourne road generally between Swinburne Street and Mackay Street, North Geelong (a double and single row of trees on the eastern side of Melbourne Road and a double row of trees on the western side). A 3500mm wide concrete footpath dissects the double row of trees on the west side.

The majority (105) have been assessed by the City of Greater Geelong to be in good health.

These trees are maintained by the City of Greater Geelong.

Two seats and three flag poles stand at the eastern end of the memorial.

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<sup>2</sup> Greater Geelong Outer Areas Heritage 2000 prepared by Authentic Heritage Services P/L for the City of Greater Geelong

<sup>3</sup> Geelong & District Vietnam Veterans Association Inc Official Opening & Blessing of the Vietnam Veterans Memorial Park 27 May 2016

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Photo 1: Vietnam Veterans memorial in Osborne Park, North Geelong Dec 2015

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Photo 2: inscription on memorial Vietnam Veterans memorial in Osborne Park, North Geelong Dec 2015

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Photo 3: Avenue of Honour, looking north along Melbourne Road, North Geelong Dec 2015

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Photo 4: roll of honour panel and poppy holder, looking north/west in Osborne Park, Aug 2016

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Photo 5: memorial wall, roll of honour panel,  
Osborne Park, North Geelong  
Aug 2016



Photo 6:, memorial walkway and seating  
looking north west in Osborne Park  
Aug 2016

**HISTORY:**

**Broad History of Vietnam War**

The Vietnam War was the longest twentieth century conflict in which Australians participated ; it involved some 60,000 personnel and grew from a limited initial commitment of 30 military advisers in 1962 to include a battalion in 1965 and finally, in 1966, a task force. Each of the three services was

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involved, but the dominant role was played by the Army. After the cessation of combat operations in 1972, a limited number of Australian personnel remained in Vietnam, and elements of the RAAF returned in 1975, carrying out evacuations and assisting refugees almost until the moment of South Vietnam's surrender.

In the early years Australia's participation in the war was not widely opposed. But as the commitment grew, as conscripts began to make up a large percentage of those being deployed and killed, and as the public increasingly came to believe that the war was being lost, opposition grew until, in the early 1970s, more than 200,000 people marched in the streets of Australia's major cities in protest.

By this time the United States Government had embarked on a policy of 'Vietnamisation' - withdrawing its own troops from the country while passing responsibility for the prosecution and conduct of the war to South Vietnamese forces. Australia too was winding down its commitment and the last combat troops came home in March 1972. The RAAF, however, sent personnel back to Vietnam in 1975 to assist in evacuations and humanitarian work during the war's final days. Involvement in the war cost more than 500 Australian servicemen their lives, while some 3,000 were wounded, otherwise injured or were victims of illness. For Australia the Vietnam War was the cause of the greatest social and political dissent since the conscription referenda of the First World War<sup>4</sup>.

**History of the Vietnam Veterans' Memorial and Avenue of Honour**

The first spark for a Geelong and District Vietnam Veteran's Memorial and Avenue of Honour was ignited following the opening of the Vietnam Veteran's Memorial in Canberra on 1 October 1992. Shortly after the national event, discussion took place with the City of Greater Geelong who agreed to the installation of the Avenue of Honour adjacent to Pilkington's (glass factory) and Osborne Park. Council initially supplied and planted Plane trees for the Avenue of Honour.

The Geelong and District Vietnam Veterans' Association (G.D.V.V.A) approached the Council in 1994 requesting it City consider the possibility of developing a Vietnam Veterans Avenue of Honour on a major arterial road within the region in conjunction with G.D.V.V.A 20<sup>th</sup> Anniversary to be held in October 1995. Subsequently the City suggested the Avenue be located on the Princes Highway between Mackay and Swinburne Streets as part of the Boulevard Project. The planting of an initial 70 London Plane trees was carried out by JobSkills staff in September prior to the official opening of the Avenue by the Minister of Veterans Affairs Hon. Con Sciacca and Cr Gerry Smith, Mayor<sup>5</sup>.

At the same time discussion took place with the Council to erect a historic marker to signify the Avenue of Honour at the entrance to Osborne Park. With the generosity of many in the Geelong community the engraved granite face was installed on the northern wall, along with two commemorative plaques.

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<sup>4</sup> <http://vietnam-war.commemoration.gov.au/vietnam-war/index.php>

<sup>5</sup> Report to Council City of Greater Geelong 19 Dec 1993 Item No 2 page 7 titled "Geelong Boulevard Project Princes Highway North Landscape Designs"

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The official opening of the memorial and Avenue of Honour by Hon Con Scaccia then Minister for Veteran's Affairs and Cr Gerry Smith, then Mayor of the City of Greater Geelong. this took place on 1 October 1995 to coincide with the anniversary of the opening of the National Vietnam veteran's memorial in 1992. The memorials recognised the service and sacrifice of many hundreds of servicemen and women from Greater Geelong and the surrounding region who served in the Vietnam War.

Twelve of these trees were later removed in 1997 as a result of the summer drought and soil condition<sup>6</sup>.

In 1999 Council began work on the Melbourne end of streetscape beautification of the Melbourne Road, known as, the Boulevard project. In July of that year, agreement was reached on a proposed re-design of the Avenue of Honour and it was also agreed that the Boulevard project was in a position to fund the installation of the Black African Granite to the south face and the sides of the memorial. Some of the funding was received from the "Their Service-Our Heritage" project.

Following consultation with the Geelong and Districts Vietnam Veterans Association of Australia in August 1999 and with their agreement the Plane Trees were removed in 1999/2000 to compliment the trees within the Boulevard project<sup>7</sup>.

On 7 March 2000 a formal ceremony took place where the VVAA President Peter Sullivan and then Mayor Cr Ken Jarvis planted a tree to commemorate the beginning of the new Avenue of Honour.

On 27 May 2016 the Official Opening & Blessing of the Vietnam Veterans memorial walkway and roll of honour panel was held. The official blessing was made by Fr. Kevin Dillon AM and cutting of the walkway ribbon by the Hon. John Eren MP and Ms. Sarah Henderson MP Member for Corangamite. Geelong Branch President, Rieny Nieuwenhof officially welcomed all attendees and the concluding remarks were made by Vice President, Ken Baker.

A 3500mm wide concrete footpath that dissects the double row of trees on the west side was constructed in May 2016 in consultation with the Vietnam Veteran's Geelong Branch and Bike safe.

**COMPARATIVE ANALYSIS**

**Other Vietnam War-Related Avenue of Honour and Memorial in the State**

The Vietnam Veteran's Avenue of Honour in North Geelong is one of three known Avenue of Honour connected to the Vietnam war in the State of Victoria.

The other two are located at Murray Valley, east of Wodonga, Murray River Highway (off), Bandiana Army Base, Vietnam Memorial Avenue of trees and in Tongala, Henderson Road and Mangan Street, Armoured Corps Avenue of Honour (2004) red ironbark (*Eucalyptus tricarpa*) commemorate Royal Australian Armoured Corps who died in Vietnam War<sup>8</sup>.

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<sup>6</sup> Geelong Advertiser 4<sup>th</sup> July 1997 page 2

<sup>7</sup> letter from Geelong and Districts Vietnam Veterans Association of Australia August 1999.

<sup>8</sup> Vietnam Veterans memorial Avenue of Honour prepared by Dr Iain Stuart, heritage chat 26 March 2015.

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Overall, the war memorial and Avenue of Honour at North Geelong is the only memorial constructed in the City of Greater Geelong to commemorate the local soldiers who fought and died in the Vietnam War.

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**Bibliography**

- 1) Report Prepared by Tree Management Unit City of Greater Geelong Oct 2015 titled "Vietnam Veterans Avenue of Honour Tree Report"
- 2) Greater Geelong Outer Areas Heritage 2000 prepared by Authentic Heritage Services P/L for the City of Greater Geelong
- 3) Order of Service Official opening and blessing of the Vietnam Veteran's Memorial Park memorial walkway and roll of Honour Panel located at the corner of Swinburne Street and Melbourne Road, North Geelong held on 27 May 2016
- 5) Report to Council City of Greater Geelong 19 Dec 1995 Item No 2 page 7 titled "Geelong Boulevard Project Princes Highway North Landscape Designs"
- 6) <http://vietnam-war.commemoration.gov.au/vietnam-war/index.php>
- 7) Geelong Advertiser 4<sup>th</sup> July 1997 page 2
- 8) heritage chat - Vietnam Veterans memorial Avenue of Honour prepared by Dr Iain Stuart, posted 26 March 2015.
- 9) Garden History Society - Avenue of Honour/Memorial Avenues list June 2016

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**Appendix 4**

**Heritage Citation – Osborne House gates**

City of Greater Geelong

**PLACE NAME:** Osborne House bluestone pillar and cast iron gates

Place No.

**ADDRESS:** 1-41 Swinburne Street, North Geelong

Assessment Date: August 2016

**Historic Themes:**

Theme 7.5: Protecting Victoria's heritage

**Condition:** Good

**Integrity:** High

**Photograph Date:** August 2016/December 2015



Rear view of Osborne House gates, North Geelong  
August 2016

**CURRENT HERITAGE STATUS ON STATUTORY REGISTERS**

Victorian Heritage Register:	No
Victorian Heritage Inventory:	No
Local Planning Scheme:	No

**CURRENT HERITAGE STATUS ON OTHER REGISTERS:**

National Trust (Victoria) Register:	No
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**RECOMMENDED LEVEL OF SIGNIFICANCE:**

Local Significance

**RECOMMENDATIONS:**

Recommended for inclusion in the Victorian Heritage Register: Yes  
 Recommended for inclusion in the Victorian Heritage Inventory: Yes  
 Recommended for inclusion as a Heritage Overlay in the Planning Scheme: Yes

**Schedule to the Heritage Overlay**

External Paint Controls Should Apply?	Yes – Osborne House bluestone pillars and cast iron gate
Internal Alteration Controls Should Apply?	No
Tree Controls Should Apply?	No
Fences &/or Outbuildings of Note?	Yes - Bluestone pillar and cast iron gates that forms part of and are historically connected with Osborne House
Prohibited Uses May be Permitted?	No
Incorporated Document	No

**Other Recommendations**

Nil

**STATEMENT OF SIGNIFICANCE:**

**What is Significant?**

The bluestone pillar and cast iron gate is located at 241 Melbourne Road and 1-41 Swinburne Street, North Geelong (located near the north –east corner of Swinburne Street and Melbourne Road).

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It has not been established whether the gateposts were built by the Muirheads, then the owner of Osborne House in 1857/58 or whether they were added during the 1890s, the gates are predominantly intact even though it has been relocated slightly from its original position.

The gates has significance as the (Melbourne Road) gates were originally connected with Osborne House located at 51 Swinburne Street, North Geelong fronting Corio Bay.



Figure 1. aerial map of Melbourne Road between Mackay Street and Swinburne Street, supplied by the City of Greater Geelong

**How is it significant?**

The Osborne House gates are aesthetically and historically significant at a LOCAL level.

**Why is it significant?**

The Osborne House gates are historically significant as an early and significant entrance to Osborne House. As part of a scheme to widen the Melbourne Road, the bluestone gates to Osborne House were relocated approximately 33ft (10 metres) north-east from their original position by the Corio Shire Council in 1928-29 and the driveway angled at the western end to access the offset entry gates. The gates stand at a short distance north of the Vietnam memorial on the frontage to Melbourne Road. It has not been established whether the gateposts were built by the Muirheads, or whether they were added during the 1890s, when the Osborne House estate reached its largest extent under

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the ownership of Philip Russell. However, the design and construction indicates that they were built in the 19<sup>th</sup> century<sup>1</sup>.

The Osborne House gates are aesthetically significant as they comprise six massive square pillars constructed of large rusticated bluestone blocks. The central pillars stand at 2.5 metres height and the side pillars at 2.3 metres with a pair of cast iron gates, with some cast iron details, in the centrally located carriageway entrance. Two pedestrian gates flank the carriage gates on either side. These in turn are flanked by a curving wall surmounted by wrought iron picket spear-capped balustrade to the end pillars.

The gates front directly onto Melbourne Road and are located approx 20 metres north from Swinburne Street. The gates are presently non-functional.

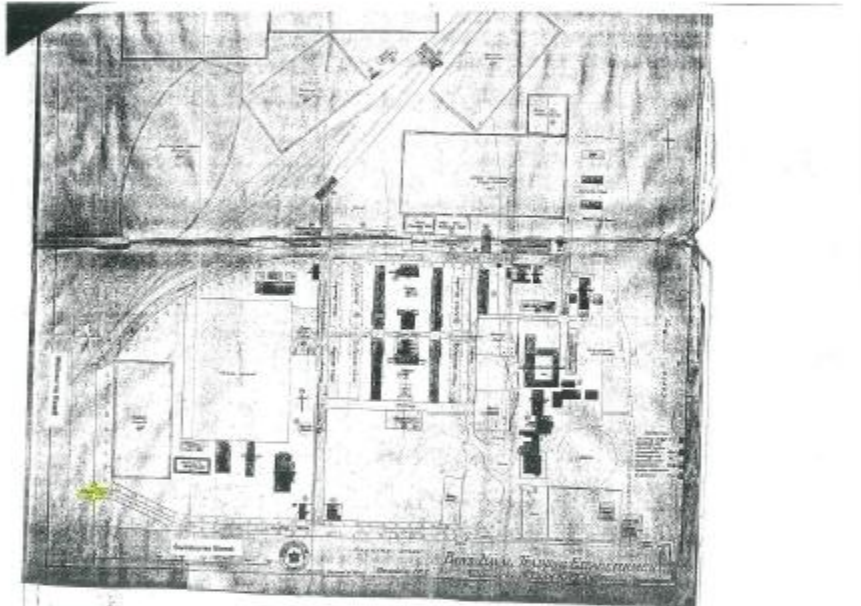


Figure 2. Commonwealth of Australia, Director General of Works, map Drawing No 1 date 1920's? showing the Osborne House entrance gates

#### Heritage Overlay Map

The heritage overlay includes the Osborne House gates fronting Melbourne Road that comprises bluestone blocks and cast iron gates.

The proposed heritage overlay is shown as follows:

Figure 2: Source of base Map, City of Greater Geelong 2016

<sup>1</sup> Osborne House and Stables North Geelong, Victoria Conservation Management Plan prepared by Lovell Chen for the City of Greater Geelong, September 2009.

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**DESCRIPTION:**

The gates form part of the original entrance to Osborne House c1858 from Melbourne Road, located some 370 metres west from the Osborne House complex.

The two plaques which were fixed either side of the gates and inscribed with *Osborne* and *Park* respectively are both missing.

These gates are maintained by the City of Greater Geelong.

The Melbourne Road frontage to the gates is planted with *Lomandra longifolia*.



Photo 1: Osborne House gates viewed from Melbourne Road, North Geelong, August 2016

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Photo 2: rear view looking west of Osborne House gates, North Geelong, August 2016

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Photo 3: view looking south, Osborne House gates, August 2016

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Photo 4: Osborne House gates looking south from Melbourne Road, August 2016

**HISTORY - OSBORNE HOUSE GATES**

The bluestone and cast iron gates are located adjacent to the Geelong and District Vietnam Veteran's Memorial (comprising memorial wall and commemorative pathway) and the tree lined Avenue of Honour comprising approx 135 ironbark trees.

Osborne House a two-storey mansion was built in basalt stone for pastoralist Robert Muirhead in 1857-58. Muirhead also constructed the brick stables and coach house complex to the north of the main house, which encloses a central courtyard<sup>2</sup>.

It has not been established whether the gateposts were built by the Muirheads, or whether they were added during the 1890s, when the Osborne House estate reached its largest extent under the

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<sup>2</sup> Lovell Chen Report page ix

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ownership of Philip Russell<sup>3</sup>. The design and construction suggests they were built in the 19<sup>th</sup> century.

The long straight asphalted footpath follows the general alignment of what is believed to be the original driveway from the bluestone gateposts at Melbourne Road to Osborne House. The early driveway was of gravel construction and for much of its length was tree lined.



Photo 5: Osborne House bluestone and cast iron gates at Osborne Park, North Geelong Dec 2015

In 1928-29 as part of a scheme to widen the Melbourne Road, the bluestone gates to Osborne House were relocated approximately 33ft (10 metres) north-east from their original position by the Corio Shire Council. While they are not in their original position on axis at the end of the former drive alignment, they remain close to this on the site of their 1927-1928 relocation.

**OTHER GATE STRUCTURES IN THE CITY OF GREATER GEELONG**

Other early gates that still form part of the original homestead include the bluestone block gate entrance at Kardinia International College (formerly Morongo) at Ballarat Road, Bell Post Hill. These bluestone gates were moved in 2004 by a short distance in a northerly direction as part of the scheme to widen Ballarat Road.



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<sup>3</sup> Lovell Chen Report page 64

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Photo 6: Morongo bluestone gates Midland Highway Bell Park Geelong Dec 2015

The decorative and elaborate designed wrought iron gates at Geelong Grammar – Corio were previously located at Lunan House, Lunan Avenue, Drumcondra. These gates now front onto Foreshore Road, Corio.



Photo 7: Lunan House wrought iron gates now located at Geelong Grammar Corio campus, Corio Dec 2015

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**Appendix 5**

**Amendment C341 – Summary of Submissions**

No	Name	Address	Type	Summary of Submission	Officer Response
1	McGrath, Pamela	33 Bell Parade, DRUMCONDRA	Support	<p>As the widow of a Vietnam Veteran, wish to support the Amendment.</p> <p>The Heritage Overlay will protect the commemorative and heritage significance of the Avenue of Honour, Memorial and the historic Osborne House gates.</p> <p>This is the only known Vietnam War – related Avenue of Honour and Memorial in Victoria.</p> <p>The Geelong &amp; District Vietnam Veterans Association has negotiated with Council for removal of the community billboard and Harley Davidson billboard from within the Avenue, thus protecting the area from future inappropriate intrusions.</p>	<p>Noted.</p> <p>Noted.</p> <p>The Avenue is one of three known Vietnam Veterans avenues of honour in Victoria.</p> <p>At its meeting of 11 August 2015, Council agreed to remove the community billboard from the Avenue of Honour. The Harley Davidson billboard was removed as a result of discussion between the Vietnam Veterans Association and North Geelong Cricket Club. It is not the removal of these billboards that will protect the area from future inappropriate intrusions, but the controls introduced by the Heritage Overlay. All signs on land in a Heritage Overlay require a permit. Among decision guidelines for permit applications in a Heritage Overlay in Clause 43.01-4, the responsible authority must consider whether a proposed sign will adversely affect the</p>

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No	Name	Address	Type	Summary of Submission	Officer Response
					significance, character or appearance of the heritage place.
2	National Trust of Australia (Victoria), Geelong and Region Branch	PO Box 1512, GEELONG	Support	<p>Geelong and Region Branch, National Trust of Australia (Victoria) congratulates the City for this initiative and wholeheartedly supports this Amendment.</p> <p>Note the Amendment's proposals and the heritage citation sheet. The Memorial and Avenue of Honour is the only one of its kind in the City of Greater Geelong to commemorate local soldiers who fought and died in the Vietnam War.</p> <p>The accompanying documents explain the context of the Amendment and the research provides validity for the proposal.</p>	Noted.
3	National Trust of Australia (Victoria)	4 Parliament Place, EAST MELBOURNE	Comment	<p>National Trust supports the Amendment.</p> <p>The Osborne House gates are listed by the National Trust in a Heritage Register of Significant Places, including buildings, landscapes and trees.</p> <p>National Trust supports the decision to apply the Heritage Overlay to the Osborne House gates and to turn on paint controls for the bluestone pillars.</p> <p>National Trust acknowledges the significance of the Vietnam Veterans Avenue of Honour, as the only</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted. The Avenue is one of three known Vietnam Veterans avenues of honour in Victoria.</p>

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No	Name	Address	Type	Summary of Submission	Officer Response
				<p>Avenue of Honour in Victoria specifically commemorating the Vietnam War. While the Avenue is not classified by the National Trust, support the decision to turn on tree controls.</p> <p>To clearly articulate the distinct heritage significance for each element, it may be helpful to separate HO 1989 into two individual places on the Heritage Overlay Schedule: a) Avenue and Memorial; b) Osborne House gates.</p> <p>National Trust acknowledges that the Amendment is consistent with the objectives of planning for Victoria.</p>	<p>Separating the Avenue of Honour and Memorial and the Osborne House gates into two Heritage Overlays is supported. Individual heritage citations have been prepared for these two separate elements. It is recommended that the Amendment be modified to include a separate Heritage Overlay for the Osborne House gates.</p> <p>Noted.</p>
4	Osborne Park Association Inc	Swinburne Street, NORTH GEELONG	Comment	<p>Support the Amendment.</p> <p>Osborne House and Stables are classified by the National Trust and protected by a Heritage Overlay. Osborne House Gates are listed by the Historic Buildings Council and the Register of the National Estate Database. It is thus desirable that the gates be protected by the proposed Heritage Overlay.</p> <p>Support the turning on of paint controls for the bluestone pillars and cast iron gates and tree controls for the Avenue of Honour.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

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No	Name	Address	Type	Summary of Submission	Officer Response
				<p>It is important to distinguish between the heritage significance of the Avenue of Honour and Memorial and that of the Osborne House gates. To achieve this, suggest the Heritage Overlay exhibit two elements:</p> <p>a) Avenue of Honour and Memorial b) Osborne House gates.</p>	See response to Submission 3.
5	Roberts Day	Chessell Street, SOUTH MELBOURNE	Objection	<p>Roberts Day act on behalf of 265 Melbourne Road Pty Ltd (the landowner of 265 Melbourne Road, North Geelong) and MHG Glass Pty Ltd, the tenant and business owner. The owner has also engaged Purcell to prepare a detailed submission on the Amendment.</p> <p>The submission provided location, lot size, frontage, site buildings details, land use history, employment numbers and zoning and overlay details.</p> <p>Given the declining automotive industry Council must provide industrial landowners with opportunity to establishing alternative land use and development to continue to provide employment.</p> <p>Clause 21.07-1 (Key Issues and Influences) of the Scheme contains a statement for industrial land/activity.</p>	<p>Noted.</p> <p>Noted.</p> <p>The Industrial 2 Zone applying to 265-285 Melbourne Road provides for a wide range of industrial and related uses, in particular for the manufacturing industry, the storage and distribution of goods and associated facilities.</p> <p>Noted.</p>

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No	Name	Address	Type	Summary of Submission	Officer Response
				<p>Object to the Amendment because it does not adequately detail the association between the Vietnam Veterans Avenue of Honour and Memorial and Osborne House gates, thus justifying the inclusion of these three elements within one Heritage Overlay.</p> <p>Initial planting of London Plane trees occurred in 1995 but these were replaced within five years by Ironbark trees, integrating street trees in this section of Melbourne Road with the City's broader Boulevard Project. Object to the Amendment as the Ironbarks are approximately 16 years old. This short timeframe does not warrant the proposed tree controls or the extension of the Heritage Overlay into the Melbourne Road reservation.</p>	<p>There is a clear association between the Vietnam Veterans Avenue of Honour and Memorial as these are both commemorating the participation and sacrifice of Australian servicemen and servicewomen in the Vietnam War. The Osborne House gates are located adjacent to the Vietnam Veterans Memorial and were included in the proposed Heritage Overlay as a matter of administrative convenience rather than to convey a direct association or shared heritage values with the Avenue of Honour and Memorial. See response to Submission 3.</p> <p>It is acknowledged that the Avenue of Honour and Memorial are younger than most items subject of Heritage Overlays. However, while the trees are, at present around 17 years old and the Memorial itself is around 21 years old, the Avenue of Honour and Memorial are commemorating events that occurred around four to five decades ago and their historical and social significance is directly linked to those events. In this context, it is considered that a Heritage Overlay is warranted.</p>

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No	Name	Address	Type	Summary of Submission	Officer Response
				<p>Object to the Amendment as there are Ironbark trees along Melbourne Road that are not covered by the proposed Heritage Overlay, raising concerns as to how the Heritage Overlay boundary was determined. The boundary appears arbitrary, neither related to the area of the original Avenue nor the full extent of the wider Boulevard Project's 1999/2000 re-landscaping. It is unclear why the Overlay extends southwest along Melbourne Road. A rational argument for the boundary has not been provided.</p>	<p>While there are other Ironbarks elsewhere along Melbourne Road, these do not form part of the Vietnam Veterans Avenue of Honour. The Avenue of Honour, as first dedicated in October 1995, comprised London Plane trees on the eastern side of Melbourne Road but given the failure of several of these, these trees were removed and the Avenue was replanted in 1999-2000 with Eucalyptus sideroxylon (ironbark trees). Research has confirmed that the Avenue of Honour was definitely understood as comprising both sides of Melbourne Road between Mackey and Swinburne Streets. Correspondence from 1999 suggests that the Avenue also extended south to the North Geelong railway station car parking area. A sign indicating the Avenue of Honour along the western side of Melbourne Road is located adjacent to the railway station car parking area. The extent shown in the proposed Heritage Overlay reflects both this research, current signage and the understanding of the Geelong &amp; Districts Sub-Branch of the Vietnam Veterans Association of Australia Inc.</p>
				<p>Object to the Amendment as the proposed Heritage</p>	<p>It is not considered that the proposed Heritage</p>

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No	Name	Address	Type	Summary of Submission	Officer Response
				<p>Overlay may restrict site access opportunities to/from Melbourne Road and may impact on development potential of the site in respect of built form and interface responses in proximity to the protected trees. The Amendment may limit the ability to provide expanded or augmented employment opportunities on the site when current automotive related activities cease in 2017. Future manufacturing and employment on the site requires that planning controls do not unreasonably hinder necessary site modifications and investment.</p> <p>The Amendment does not duly balance heritage considerations with strong policy support for economic and employment growth on industrial land. It requires further justification.</p>	<p>Overlay unreasonably hinders potential development of 265-285 Melbourne Road. The proposed Heritage Overlay contains a permit trigger for most development in the road reserve (including any removal of trees for site access) so that development proposals can be considered to ensure that development within the road reserve does not adversely affect the significance of the heritage place; this is appropriate. It is unlikely that the presence of the HO adjacent to 265-285 Melbourne Road would be a determinative factor on built form on 265-285 Melbourne Road. Moreover, 265-285 Melbourne Road has approximately 360 m of frontage to Mackey Street (as opposed to around 155 m of frontage to Melbourne Road) and current vehicular access to the site is from Mackey Street.</p> <p>The Heritage Overlay is considered to be warranted given the historic, social and aesthetic significance of the Vietnam Veterans Avenue of Honour and Memorial. For the reasons set out in the response to the above point, it is not considered that the proposed Heritage Overlay unreasonably hinders potential development of 265-285 Melbourne Road.</p>

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No	Name	Address	Type	Summary of Submission	Officer Response
				<p>The Avenue of Honour and Memorial and Osborne House gates are not currently listed on either the Victorian Heritage Register or the non-statutory registers of the National Trust and Australian Heritage Database because they are considered to not meet the threshold for state significance. As the site does not meet the criteria for state registration, the Amendment proposes a local Heritage Overlay.</p> <p>It has not been established whether the Osborne House gates were built by the Muirheads or added later, but their quality and conditions suggests they are contemporary with Osborne House (1857-58). Agree with the citation that the Osborne House gates were relocated in the 1928-29 widening of Melbourne Road.</p> <p>Agree with the citation that the Osborne House gates have heritage significance due to their association with the homestead and coach house complex which are listed on the Victorian Heritage Register as of state significance. It is not appropriate to include the gates in a local Heritage Overlay as much of their significance is due to their association with the Osborne House complex and historic landscape. It would be more logical and holistic to propose a revision to the State Register's Osborne House listing to include the gates.</p>	<p>Noted. It is not known if there has been an assessment of whether the Avenue of Honour, Memorial and Osborne House gates meet the criteria for inclusion on those registers.</p> <p>Noted.</p> <p>See response to a point in this submission above and response to Submission 3. Council may investigate proposing inclusion of the Osborne House gates on the Victorian Heritage Register. However, as the timing and outcome of such a change to the Victorian Heritage Register is uncertain, protection of the gates by way of a Heritage Overlay in the Greater Geelong Planning Scheme is warranted.</p>

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No	Name	Address	Type	Summary of Submission	Officer Response
				<p>There are weaknesses in the tree planting along Melbourne Road which could be addressed by future development approval. There are a number of awkward breaks in the Avenue of Honour and tree planting alternates between a staggered double row of trees either side of the road to a single row adjacent to industrial buildings on 265 Melbourne Road. The Amendment will likely impede redevelopment proposals for the site which would present opportunities for significant beneficial alterations to the existing landscaping and tree planting scheme.</p> <p>Sites east of Melbourne Road have been in industrial and commercial use since 1915. A large proportion of these buildings, including the Federal Woolen Mill buildings, are listed on the Victorian Heritage Register as of state significance. Given that these buildings predate, and are considered of greater (state) significance than the Avenue of Honour and Memorial, an Amendment should not preclude or inhibit the future development of these sites and buildings.</p>	<p>It is not considered that the Avenue consisting of a single row of trees on one side of Melbourne Road and two rows on the other is a weakness. The only breaks in the Avenue are where crossovers are located and this does not diminish from its significance.</p> <p>The former Woolen Mills at 13-35 Mackey Street are approximately 120 m from the northern end of the Heritage Overlay proposed by this Amendment, located on a side street (Mackey Street) and scarcely visible from the northern end of the Avenue of Honour. The proposed Heritage Overlay will have no effect on the former Woolen Mills or any development on that site.</p>
6	VicRoads	Fyans Street, SOUTH GEELONG	Comment	<p>[An earlier submission by VicRoads has been withdrawn]</p> <p>VicRoads acknowledges concerns raised in earlier correspondence have been addressed and that the exemptions in the Scheme will apply to the majority of</p>	Noted.

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				works carried out by VicRoads. Given this, do not object to the proposed Amendment.	
7	Vietnam Veterans' Association of Australia Inc Geelong & District Sub-Branch	51 Swinburne Street, NORTH GEELONG	Support	<p>The submission provided information on the history of the Avenue of Honour and Memorial.</p> <p>While the Avenue's trees are not individually dedicated, they represent the 60,000 Australians who served their country and the 521 who were killed. In that sense the trees are of cultural and historic significance.</p> <p>The Vietnam Veterans Avenue of Honour is the only avenue in Victoria dedicated to the memory of the Vietnam War and its participants.</p> <p>The Avenue's significance was not well understood by Geelong's citizens. Inappropriate intrusions into the Avenue, by a community billboard, commercial signs and mobile advertising hoardings, were seen by veterans as disrespecting the memory of those who had served. Association embarked on a project to educate the public, Councillors and City officers as to the Avenue's significance to veterans and their families.</p> <p>The submission provided details of the submitter's Restoration of the Avenue of Honour project, including tree replacement new signage, the Memorial Park and</p>	<p>See response to Submission 5.</p> <p>The heritage citation prepared by Council recognises that the Avenue of Honour has historical and social significance and that the Memorial has historical, social and aesthetic significance.</p> <p>The Avenue is one of three known Vietnam Veterans avenues of honour in Victoria.</p> <p>Noted.</p> <p>Noted.</p>

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				<p>walkway.</p> <p>Submitter was approached by the City to create a Heritage Overlay for the Avenue of Honour and Memorial. The added protection of such an overlay seemed a recognition of the cultural, historic and social significance of this precinct.</p> <p>Submitter provided information and images to be inlaid in and erected along the bicycle path on the western side of Melbourne Road. The projects shows Council recognises the Avenue is a cultural and historical asset with educational, recreational and tourism value.</p> <p>Work to date on the Restoration of the Vietnam Veterans Avenue of Honour Project has generated deeper understanding and appreciation of the sacrifice of so many. The Avenue is a symbol of that sacrifice. Protecting the Avenue through a Heritage Overlay will ensure inappropriate intrusions do not occur and that its cultural, historic and social values will be preserved.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p>