



Boroondara Planning Scheme Amendment C353boro Part 2

Statement of evidence by Natica Schmeder

Report prepared for the City of Boroondara

2 February 2022

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Contents

1	Introduction	1
1.1	Purpose	1
1.2	Instructions	1
1.3	Preparation of this report	1
1.4	Reports relied upon	2
1.5	Relevant expertise	2
1.6	Qualifications and experience	3
1.7	Summary of recommended changes	4
	Declaration	5
2	Strategic basis to Amendment C353boro Pt 2	6
3	Background and methodology	6
3.1	Kew Heritage Gap Study	6
3.2	Goldthorns Hill & Environs Precinct	7
3.2.1	97 Argyle Road	7
3.2.2	26 Goldthorns Avenue	9
3.3	Am C294 Planning Panel	11
3.4	Assessment of individual places	11
3.4.1	Methodology	12
3.4.2	Conclusions and recommendations	12
3.4.3	Revisions to 97 Argyle Road citation	13
3.5	Conclusion	14
4	Response to Submissions	15
4.1	97 Argyle Road, Kew (appearing)	15
4.1.1	Statement of Significance	15
4.1.2	Recommendations and Amendment C353boro	16
4.1.3	Response to Submission	16
4.1.4	Conclusion and Recommendations	30
4.2	26 Goldthorns Avenue, Kew (not appearing)	31
4.2.1	Statement of Significance	32
4.2.2	Recommendations and Amendment C353boro	33

4.2.3	Response to Submission	33
4.2.4	Conclusion and Recommendations	45

1 Introduction

1.1 Purpose

I, Natica Schmeder, have prepared this statement of evidence for Boroondara City Council in relation to Amendment C353boro Part 2 to the Boroondara Planning Scheme (the Amendment).

Amendment C353boro as a whole proposes to add three individual places to the Boroondara Heritage Overlay and regrade one property in an HO precinct.

There was support or no objection to the following recommendations, which now form Part 1 of the amendment:

- Include 3-5 Florence Avenue, Kew in the Heritage Overlay, and
- Regrade 33 Thornton Street contributory in HO806 Thornton Street Precinct.

There were opposing submissions for two of the recommendations, and they form Part 2 of the amendment:

- Include 97 Argyle Road, Kew in the Heritage Overlay, and
- Include 26 Goldthorns Avenue, Kew in the Heritage Overlay.

This evidence provides some background to the amendment as a whole, but focusses on the properties subject to Part 2.

1.2 Instructions

This statement of evidence was prepared in accordance with a request by a Boroondara Council officer on 6 December 2021 to prepare a statement of evidence and appear as an expert witness for Council at the Planning Panel hearing, and that this statement should respond to the heritage issues raised by the Part 2 submitters in writing as well as points raised about external alterations by a submitter at an Urban Planning Delegated Committee meeting on 8 November 2021.

1.3 Preparation of this report

I, Natica Schmeder, have prepared this statement. The views expressed in it are my own.

1.4 Reports relied upon

In preparing this report, I have relied upon individual place citations for 97 Argyle Road, dated 25 September 2020 and revised 30 November 2020, and for 26 Goldthorns Avenue, dated 29 August 2020.

I have also referred to in preparing this evidence to the 'Kew Heritage Gap Study' (Context, 2020) and the 'Kew Urban Conservation Study' (P Sanderson, 1988).

1.5 Relevant expertise

My area of expertise relevant to this Panel hearing is the assessment of the cultural heritage significance of buildings, structures and precincts in the Melbourne metropolitan area and country Victoria, with reference to current heritage assessment criteria and within the framework of local historical themes.

I have been retained by a number of councils to appear as an expert witness on heritage-related matters at Independent Panel Hearings, including: City of Boroondara (Amendments C116, C177, C178, C183, C236, C243, C263 Pt 2, C266, C274, C276, C284, C294, C305, C306, C308, C318, C333 & C337), City of Brimbank (Amendments C125 & C200), Shire of Cardinia (Amendment C161), City of Maroondah (Amendment C116), City of Moonee Valley (Amendments C142, C143, C164 & C200), City of Moreland (Amendment C149), Shire of Mornington Peninsula (Amendment C214), City of Stonnington (Amendments C233, C238, C248 & 249) and City of Yarra (Amendments C149, C173, C177, C183 & C198), as well as by the National Trust (City of Yarra Amendment C163).

I have an excellent understanding of the historic development and heritage of Boroondara through my involvement in the following projects for the City of Boroondara:

- Glenferrie Oval & Grace Park CMP, 2006.
- Hawthorn Heritage Precincts Review, 2008.
- Provision of in-house strategic heritage advice to the City of Boroondara's Strategic Planning Department, Aug. 2012 to the present. This includes, among other things, heritage assessment of individual places and precincts.
- Peer review of Surrey Hills South Residential Precincts Heritage Study, Lovell Chen, 2014. As part of the implementation of Amendment C177 I peer reviewed all precinct and place citations in this study and revised them where I thought necessary. I then acted as Boroondara Council's expert witness at the panel hearing.
- Peer review of Balwyn and Balwyn North Heritage Study, Built Heritage, 2015. I reviewed all citations in this study and responded to all submissions to the proposed

Amendment C276 to implement recommendations from this study. I then acted as Boroondara Council's expert witness at the panel hearing.

- Municipal-Wide Heritage Gap Study, ongoing, commenced 2016. All suburb-wide gap studies have been completed, for Canterbury, Camberwell, Hawthorn, Kew, Kew East and Mont Albert, Hawthorn East, Glen Iris and Ashburton. I led this project as well as carrying out the initial suburb-wide surveys and assessing some of the places and precincts. I have acted as Council's expert witness at the Amendment C266 Panel hearing (Canterbury), the C274 Panel hearing (Camberwell), the C284 Panel hearing (Hawthorn), the C294 Panel hearing (Kew), the C306 Panel hearing (Kew East), the C308 Panel hearing (Hawthorn East), the C337 Panel hearing (Ashburton), and the C333 Panel hearing (Glen Iris).

1.6 Qualifications and experience

MSc (Building Conservation); Grad Dip (Architectural Conservation); BA (Architectural & Urban History)

I am an architectural historian and buildings conservator with over 20 years' experience in architectural research and assessment, materials conservation, heritage studies, conservation management plans and heritage advice, in Australia, the United States, England and Poland.

I worked at Context from 2005 until June 2018 and was an Associate of that company. In 2021 Context became GML Heritage Vic. Currently, I am contracted by GML Heritage Vic as Heritage Specialist for specific projects. At Context I worked on numerous municipal heritage studies and reviews, many of which I led and/or acted as the architectural historian, including the Mornington Peninsula Heritage Review (Areas 1 & 2), Central Richmond Heritage Gaps Study, Yariambiack Shire Heritage Study, Moonee Valley Thematic Gaps Study, Moonee Valley Heritage Study 2015, City of Yarra Review of 17 Precincts, City of Yarra Central Richmond Gaps Study, Lygon Street Heritage Study, Cardinia Shire Heritage Studies Review, City of Manningham Heritage Study Review, Baw Baw Shire Heritage Study, Murrindindi Shire Heritage Study, Yarra Ranges Shire Heritage Study Review, Moreland North of Bell Street Heritage Study, Stonnington Victorian Houses Study, Stonnington Federation Houses Study, Stonnington Churches and Halls Study, Stonnington Residential Flats Study, Hawthorn Heritage Precincts Study and the Boroondara Municipal-Wide Heritage Gap Study.

I am a member of the Heritage Council of Victoria; a member of the Heritage Advocacy Committee and former Built Environment Committee member (Chair 2012-17) both of the National Trust of Australia (Victoria); and a full international member of Australia ICOMOS (International Council on Monuments and Sites) and served on their Executive Committee

in 2009-12. I have also tutored and lectured for architectural conservation subjects at the University of Melbourne (2010-16), and at the Longford Academy (Tasmania).

1.7 Summary of recommended changes

Based on my consideration of the submissions in regard to Amendment C353boro, I recommend that the following changes be made to the study documentation and/or statutory recommendations:

- **97 Argyle Road, Kew**

1) Revise the place citation and statement of significance as follows:

- Add the additional information about the architect of 'Skye' to the history, comparative analysis and statement of significance, found in the 30 November 2020 version of the citation.
- Indicate that this place is still known as 'Skye' and its name has never been changed.
- Indicate in the statement of significance that the west elevation and the roof form over this side of the house, and the current driveway brick paving are not significant.
- Remove the comment that an original chimney on the west side was demolished.
- State in the description that the current Marseille tile roofing is not original, and that the precise type of 'warm grey' roof cladding is not known but may have been terracotta shingles, and note that Mrs Schuchard's flower garden and bonsai trees do not survive, but the volcanic rubble retaining walls in the garden do.

2) Remove the south-east corner block, added in 1986, from the HO polygon.

- **26 Goldthorns Avenue, Kew**

1) Revise the statement of significance as follows:

- In regard to aesthetic significance, add the missing end of the final sentence: 'ledged timber doors providing access to the back yard on the east and west sides'.

Declaration

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

Signed,

A handwritten signature in dark ink, appearing to read 'Natica Schmeder', written on a light-colored, textured background.

Natica Schmeder

2 Strategic basis to Amendment C353boro Pt 2

The strategic basis to Part 2 of Amendment C353boro are two individual place citations for 97 Argyle Road (of 25 September 2020), and for 26 Goldthorns Avenue (of 29 August 2020).

As these place citations were produced independently of a heritage study, they do not have an associated background report to explain their methodology and recommendations. I have provided this background information in this expert evidence for the benefit of the Planning Panel and the submitters.

3 Background and methodology

In this chapter of my evidence, I will provide the background to why and when the subject places were assessed, and the methodology followed when assessing them and preparing the resultant place citations.

3.1 Kew Heritage Gap Study

Boroondara City Council adopted a new Heritage Action Plan (HAP2016) on 2 May 2016. The HAP2016 sets out the preparation of a Municipal-Wide Heritage Gap Study (MWHGS) for suburbs that had not been the subject of a recent heritage study (such as Surrey Hills and Balwyn) as a very high priority action. The MWHGS involved the investigation of all properties outside the existing Heritage Overlay in Canterbury, Camberwell, Hawthorn, Kew, Kew East, Mont Albert, Hawthorn East, Glen Iris and Ashburton. All of these suburb-based heritage studies have now been completed. I was the project leader for the entire MWHGS, leading a team of heritage consultants from Context and Trethowan Architecture & Design.

As part of the MWHGS, Context and Trethowan carried out the Kew Municipal Wide Heritage Gap Study (the 'Kew Gap Study') in 2017 and 2018. During this study, I carried out a street-by-street survey of the suburb on foot and bicycle to identify potential places and precincts of local heritage significance. This identification was done both by eye, and on the basis of places and precincts that had been nominated in the past by community members and heritage consultants. The long-list that resulted from my survey was refined with input from the other members of the project team.

The Kew Gap Study report details its methodology and the heritage practice guidance we followed in preparing our assessments. These are predominantly *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Heritage Significance* (rev. 2013) and the Victoria Planning Provisions Planning Practice Note No. 1: Applying the Heritage Overlay (2018). I also applied guidance provided in the panel reports for projects in which I have previously been involved.

The study report was revised in response to two rounds of community consultation in 2018 and 2019. It recommended that 21 individual places, nine precincts, and six extensions to existing precincts be added to the Boroondara Heritage Overlay.

Council sought to implement the recommendations of the Kew Gap Study with Amendment C294. Objections to the amendment were reviewed by an Independent Planning Panel in 2019.

3.2 Goldthorns Hill & Environs Precinct

One of the precincts proposed by the Kew Gap Study was the Goldthorns Hill and Environs Precinct. I identified it during the initial suburb survey, and it was then assessed in detail by my colleagues Christina Dyson (assessment) and Robyn Ballinger (precinct history).

The final extent of this precinct comprised 60 Campbell Street; 1-25 and 2-26 Goldthorns Avenue; 1-11 Lady Lochs Drive; 47-97 and 52-88 Argyle Road; 66-74 Normandy Road; and 31-37 Heather Grove.

Within the precinct, four properties were graded 'significant'. These were 88 Argyle Road, 97 Argyle Road, 20 Goldthorns Avenue, and 26 Goldthorns Avenue. The precinct citation contained more detailed information about each of the 'significant' properties and noted specific reasons for their heritage significance in assessment of significance. The pertinent information for the two subject properties is reproduced below from the version of the Kew Heritage Gap Study dated 21 January 2019, which formed the basis of Amendment C294.

3.2.1 97 Argyle Road

History:

Two other houses at the east end of Argyle Road were also built or under construction by 1930, at 71 and 97 Argyle Road, and represent more unique expressions of interwar architectural styles.

Description:

'Argyle' (formerly 'Skye') at 97 Argyle Road, was built by 1930, and comprises a single-storey brick and roughcast render Bungalow distinguished by the fine detailing on two brick bays with decorative parapets which project from the south and east facades. The parapets are distinguished by a striking brick and render patchwork pattern, accentuated by the contrasting colours of the cream-painted render and rich red-brown brick. The house has been extended substantially, but its core form appears to include red brick foundations, roughcast rendered walls, with a glazed terracotta tile hip roof, and timber sash windows with multi-paned upper sashes. And these distinguishing features of the house remain legible in views from the street. One hexagonal brick chimney is visible extending from the north-facing roof plane. The house is situated behind a high brick and render wall (not original) close to the Griffiths Grove (west) and Argyle Road (south) boundaries on a large allotment that adjoins the Outer Circle Railway corridor. Two mature Cypress trees (*Cupressus sempervirens*) frame the entrance to the property, heavily pruned because of the adjacent powerlines.

Comparative analysis:

There are five houses within the precinct that stand out as fine or uncommon examples of their architectural style, some of which are additionally notable for the high level of intactness of the property as a whole. 71 and 97 Argyle Road are fine and uncommon examples of interwar architectural styles, as detailed in the description.

Assessment against HERCON Criteria:

'Argyle' (formerly 'Skye') at 97 Argyle Road, built by 1930, comprises a single-storey brick and roughcast render Bungalow distinguished by unusual and visually arresting detailing on two brick bays with decorative parapets. The parapets are distinguished by their striking brick and render patchwork pattern, accentuated by the contrasting colours of the cream-painted render and rich red-brown brick. The house has been extended substantially, but its core form appears to include red brick foundations, roughcast rendered walls, with a glazed terracotta tile hip roof, and timber sash windows with multi-paned upper sashes, and its distinguishing features remain legible in views from the street.

Statement of significance:

Places of individual significance within the Precinct are 88, and 97 Argyle Road, and 20 and 26 Goldthorns Avenue. ...

There are houses of individual significance within the Precinct, for their particularly high architectural quality and as fine and uncommon examples of their architectural style, some of which are particularly notable for the high level of intactness and integrity of the property as a whole. (Criterion D)

3.2.2 26 Goldthorns Avenue

History:

The two-storey brick residence at 26 Goldthorns Avenue was constructed by builder W F Seeger in 1938 for owner V Seeger. The building permit plans survive and were clearly prepared by an architect, but their name is not recorded on the plans (BP 451).

Description:

The two-storey corner house at 26 Goldthorns Avenue of 1938 is an outstanding and highly intact architect-designed example of the Old English revival style in the precinct. The house incorporates many features typical of its architectural style including gable roof with Marseilles pattern terracotta tiles, red and textured brick walls, with herringbone pattern expressed brickwork to gable edges and diamond pattern expressed brickwork on the north and east facing walls, brick mullions to window and door openings, shallow segmental arched openings, corbelled brickwork, timber sash windows with leadlight glazing and plate glass, an oriel to upper storey (north elevation), and wrought iron balustrades to the entry porch and upper level 'Juliet' balcony.

The architect's drawings show that the property was conceived as a whole. As well as the house, the drawings detail the garage, timber garage doors and curved brick retaining walls to the driveway entry off Griffiths Grove. These features share the same high-quality design and detailing as the house. The front garden path, corner front gate and gate piers, timber side gates were also part of the original design and they all remain extant (an entry gate on the west side of the property, shown in the drawings, was not visible from the street). The front fence to Goldthorns Avenue and Griffiths Grove consists of a mortared rubble stone retaining wall, with matching gate piers and a mild steel front gate. Almost all of these features are early or original. The planting in the north facing section of the garden includes low-growing and pruned shrubs which leave the house clearly visible from the street, with deciduous trees along the east-facing side.

Comparative analysis:

20 and 26 Goldthorns Avenue and 88 Argyle Road are also fine examples of their interwar architectural styles; Moderne, Old English, and Moderne respectively. They are distinguished from the first two by their high level of intactness, which encompasses their front fences, landscaping, and garages. These features were included in the original design for 26 Goldthorns Avenue, and appear to also have been part of the original designs for 20 Goldthorns Avenue and 88 Argyle Road.

20 & 26 Goldthorns Avenue and architects RM and MH King

Analysis of the designs of 20 and 26 Goldthorns Avenue compared with other drawings and designs for residential properties by architects RM and MH King, suggests that either or both of the properties could have been designed by their architectural practice. As noted in the history in January 1941, architects M and M H King invited tenders for the

erection of a two-storey brick residence in Goldthorns Avenue (Age 4 January 1941:1). The tender may have gone to builders G Farnsworth and Sons, who advertised for carpenters and fixers for a residence at 20 Goldthorns Avenue in May 1941 (Age 31 May 1941:5). Records from the Kings' architectural practice show that they designed houses in both the Old English revival and Moderne architectural styles, many of which are comparable to the designs for 20 and 26 Goldthorns stylistically and in terms of the level of detailing applied to the conception of the house design as a whole which included garden layouts, garden features, gates, and garages as integral parts of the design.

R.M. and M.H. King

Ray Maurice King began practicing as an architect in Adelaide in 1891. The following year he moved to Melbourne and over the next sixty years he and his son, Maurice Harrington King, who he went into partnership with in 1926, designed many industrial and residential buildings in Victoria. Maurice, who was trained as an engineer, is regarded as having transformed the fledgling practice established by his father into one of Melbourne's most prolific architectural firms of the mid-twentieth century (Kurrajong House website).

Although the firm designed a range of buildings including commercial (e.g., Kurrajong House, Collins Street, Melbourne of 1926-7, and the showroom for the Colonial Gas Company at Box Hill), factories (e.g., the Hopkins Odlum Apex Belting factory at Footscray) and churches (e.g., Knox Presbyterian Church, Ivanhoe of 1927), they are perhaps best known for their houses. R.M. & M.H. King designed many houses in the Tudor Revival, Mediterranean and Bungalow styles that were popular in the 1920s and 30s. However, their Moderne, or Art Deco, houses of the 1930s are regarded as some of the best examples of this style in Melbourne (Kurrajong House website).

Many of the firm's clients were high profile Victorians including theatrical entrepreneurs J. & N. Tait, Arthur Rylah, lawyer and later Chief Secretary and Deputy Premier of Victoria; the Myttons and Beaurepaires. Ray King died in the early 1950s. Maurice King died prematurely in 1956 and the practice was closed shortly afterwards (Kurrajong House website).

Assessment against HERCON Criteria:

20 and 26 Goldthorns Avenue and 88 Argyle Road are individually significant as fine examples of their interwar architectural styles; Moderne, Old English, and Moderne respectively. The high level of intactness of these properties includes their front fences, landscaping, and garages, which were included as their original design for 26 Goldthorns Avenue, and appear to also have been part of the original designs for 20 Goldthorns Avenue and 88 Argyle Road.

Statement of significance:

Places of individual significance within the Precinct are 88, and 97 Argyle Road, and 20 and 26 Goldthorns Avenue. ...

There are houses of individual significance within the Precinct, for their particularly high architectural quality and as fine and uncommon examples of their architectural style, some of which are particularly notable for the high level of intactness and integrity of the property as a whole. (Criterion D)

Additional HO Controls: Outbuilding and fences exemptions were proposed for the front fences and garage at 26 Goldthorns Avenue (among others).

3.3 Am C294 Planning Panel

I was engaged by Boroondara City Council as an expert witness at the Amendment C294 Planning Panel Hearing, along with Mark Stevenson from Trethowan. As team leader for the project, I provided a background to the study and its methodology, and also responded to submissions regarding the places and precincts assessed by me and other Context staff. Mr Stevenson responded to submissions in regard to the places that Trethowan assessed.

Upon reviewing a submission in regard to 88 Argyle Road, in the proposed Goldthorns Hill and Environs Precinct, I recommended that it be downgraded from significant to contributory in the precinct. This was due to alterations to the front façade (change in window format and material).

In their report, the C294 Planning Panel supported most of the recommendations of the Kew Gap Study and further recommendations made in my expert evidence.

They did not, however, support the inclusion of two proposed precincts as a whole: Clifton Estate (1-7 & 2-28 Florence Avenue) and Goldthorns Hill and Environs. Instead, the Panel recommended the following additional work:

Properties at 3-5, 6, 7 and 8 Florence Avenue should be assessed, through a separate process, to determine whether they meet the local heritage threshold as individual places.

...

Properties at 20 Goldthorns Avenue, 26 Goldthorns Avenue and 97 Argyle Road which have been categorised as Significant, should be assessed through a separate process to determine whether they meet the local heritage threshold as individual places.

3.4 Assessment of individual places

As with the remainder of the Municipal-Wide Heritage Gap Study, the work of assessing these individual places was shared by Context and Trethowan Architecture and Design. Trethowan assessed the four houses on Florence Avenue (Nos. 3-5, 6, 7 & 8). They concluded that only No. 3-5 Florence Avenue met the threshold of local significance, and

recommended its inclusion as an individual place in the Boroondara Heritage Overlay. This recommendation will be implemented by Part 1 of Amendment C353boro (recently approved by the Minister for Planning).

On behalf of Context, I carried out individual assessments of 20 Goldthorns Avenue, 26 Goldthorns Avenue, and 97 Argyle Road.

3.4.1 Methodology

As with the underlying Kew Gap Study, in assessing the three places I followed heritage best-practice as set out in *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Heritage Significance* (rev. 2013) and the Victoria Planning Provisions Planning Practice Note No. 1: Applying the Heritage Overlay (2018).

As a starting point, as they were all within the abandoned Goldthorns Estate and Environs Precinct, I was able to integrate pertinent material from the precinct citation. This included the contextual history of this part of Kew, and the brief historical facts, description, comparative analysis and assessment against HERCON Criteria contained in the precinct citation (reproduced above).

I revisited the three properties in August 2020, viewing them from all available public vantage points.

I prepared more detailed place histories, referring to building permit information held by the City of Boroondara and other primary source material such as contemporary newspapers, street directories, and real estate and Melbourne and Metropolitan Board of Works plans. My initial searches for the designing architects of 97 Argyle Road and 26 Goldthorns Avenue, searching contemporary tender notices in newspapers and Property Service Plans held by Yarra Valley Water, did not yield any results. The probable architects for 20 Goldthorns Avenue, RM and MH King, had already been uncovered by the precinct history, so I did not explore this further.

I prepared a comparative analysis for each place, identifying other houses of a similar age and style in the Boroondara Heritage Overlay. The house at 97 Argyle Road was so unusual that I had to seek comparators further afield in the City of Stonnington.

On the basis of the more extensive comparative analyses, I concluded which of the places met the threshold of local significance in Boroondara, and summarised these reasons in a statement of significance.

3.4.2 Conclusions and recommendations

I concluded that 20 Goldthorns Avenue did not meet the threshold of local significance, summarising my rationale as:

While 20 Goldthorns Avenue is an example of a late Moderne house, as demonstrated in relation to the comparative examples above, it is a typical example of the many Moderne houses built in Kew in the late interwar period, and can not be considered an exemplar of this style.

For these reasons, 20 Goldthorns Avenue is not considered to meet the threshold of local significance under Criterion D.

I found that 97 Argyle Road and 26 Goldthorns Avenue clearly met the threshold of local significance and considered the appropriate statutory protections for these two individual places.

For both properties, I recommended that the HO polygon cover the entire current cadastral boundaries. For 26 Goldthorns Avenue, this corresponds with the cadastral boundaries at the time the house was built. In the case of 97 Argyle Road, this includes the original land plus a small later addition at the south-east corner of the block.

I considered recommending Tree Controls for the pair of mature Cypress trees that flank the entrance drive to 97 Argyle Road. They were present by 1945 and were likely some of the original plantings. However, they have been severely pruned on the south (street-facing) side due to adjacent powerlines. I consulted with Christina Dyson of Context about these trees, as she was familiar with them and is an expert in horticultural heritage. She advised me that Tree Controls would not be appropriate in this case due to the poor (lopped) form of the trees.

For 26 Goldthorns Avenue, I recommended that the garage and other elements of hard landscaping (brick and stone fences with associated gates) be recognised in the HO Schedule. The garage and adjacent gateway and walls are shown on the original 1938 plans, as is the front path, pedestrian gate and stone wall around the perimeter of the front garden. Visual inspections by Christina Dyson and later by me confirmed that these elements are highly intact to their original form.

3.4.3 Revisions to 97 Argyle Road citation

After completing a final draft of the 97 Argyle Road citation, I obtained important new information: the identity of the designing architects.

As with all heritage citations produced by Trethowan Architecture and Design, I reviewed the draft citation for 3-5 Florence Avenue, designed by Phillip B Hudson, before it was finalised and provided to Boroondara Council officers.

Trethowan sought other examples of Hudson's work, including in partnership with others, both in heritage registers and contemporary newspaper accounts. One of the examples they found was a house designed in 1929 by Hudson, Wardrop and Ussher described as

'Unusual Domestic Style in Kew Residence'. While the article did not identify the street or owner of this house, it was clear from the sketch and floorplan that it was 97 Argyle Road.

I informed Boroondara Council officers of this new information, and proposed that I include it in a revised version of the place citation. This was agreed, and I produced a 30 November 2020 version of the citation that included information about the architects and their other designs. I also added a new aspect to the statement of significance. While I had previously concluded that it was of architectural (Criterion D) and aesthetic significance (Criterion E), I added associations with architect Phillip B Hudson (Criterion H) to this. I also recorded Trethowan Architecture as the co-author of the revised citation, as I had incorporated their research on Phillip B Hudson.

While this version of the citation was accepted by the Boroondara Council officers, when implementation of Amendment C353boro began the previous version (without the architect) was mistakenly used.

I understand that once this error was discovered, the 30 November 2020 revised version was distributed to the Planning Panel and the owners of 97 Argyle Road.

3.5 Conclusion

It is my professional opinion that I have carried out heritage assessments of 97 Argyle Road, 20 Goldthorns Avenue, and 26 Goldthorns Avenue with rigour and in accordance with current best-practice guidance, and have clearly demonstrated that 97 Argyle Road and 26 Goldthorns Avenue meet the threshold of local significance.

While the exhibited citation and statement of significance for 97 Argyle Road demonstrates its local significance, the revised version dated 30 November 2020 provides important additional information about its architect and how this place fits into his oeuvre. On this basis, I recommend that this revised version replace the exhibited citation.

4 Response to Submissions

4.1 97 Argyle Road, Kew (appearing)



Figure 1. 97 Argyle Road, viewed from the east. (Source: Context, 2020)

4.1.1 Statement of Significance

The statement of significance I prepared for this place, and revised on 30 November 2020, reads as follows:

What is Significant?

'Skye' (now 'Argyle') at 97 Argyle Road, Kew, is significant. The single-storey house was designed by Hudson, Wardrop and Ussher, and built in 1929 on a large block of land overlooking the former Outer Circle Line reserve. The house retains its original substantial block as well as a gently curved entrance drive off Argyle Road.

The post-1987 two-storey garage extension at the north-west corner of the site, boundary fences, tennis court, swimming pool and cabana are not significant.

How is it significant?

The former 'Skye' is of local architectural, aesthetic and associational significance to the City of Boroondara.

Why is it significant?

The former 'Skye' is significant for demonstrating the principal characteristics of interwar Domestic Revival design with a strong Arts and Crafts influence, including a design in-the-round that can be appreciated from multiple viewpoints, a dominant roof form, the use of a variety of "honest" materials to provide visual interest, and a free use of medieval inspiration. (Criterion D)

The former 'Skye' is of aesthetic significance for its highly accomplished and idiosyncratic design and detailing. This includes its L-shaped form, with the front entrance tucked in the internal corner and facing away from the street to views to the north-east, the high hipped roof with overlapping bellcast eaves, the finely wrought parapeted bay windows with chequerboard patterning, created by slim bricks and roughcast render, and the matching gabled parapet to the front entrance above a round-arched opening. This inventive and finely crafted detailing is unique in Boroondara. (Criterion E)

The former 'Skye' is significant for its association with architectural practice Hudson, Wardrop and Ussher, and in particular of Phillip B Hudson, who is considered one of the foremost practitioners of the English Domestic Revival during the interwar period. While Hudson is best known for his academically correct designs for Geelong College, 'Skye' demonstrates his skill at applying medieval forms and materials in a free manner, as well as using innovative floor planning to segregate uses in the L-shaped plan. (Criterion H)

4.1.2 Recommendations and Amendment C353boro

97 Argyle Road, Kew, is proposed for inclusion in the Boroondara Heritage Overlay as an individually significant place. No additional controls are recommended for the HO Schedule.

4.1.3 Response to Submission

The written submission opposes the inclusion of 97 Argyle Road in the Heritage Overlay. At a site visit, the submitter's representative raised additional requests in regard to recognition of alterations and the extent of the HO polygon should the place be added to the Heritage Overlay.

The submitter's points raised are provided below in *italics*, with my response to each issue.

Previous study recommendations

The submitter outlines the various previous heritage studies that have not recommended heritage protection for 97 Argyle Road or the surrounding precinct. These include:

- *Kew Urban Conservation Study. Prepared by Allom Lovell Sanderson and by Pru Sanderson Design, 1986, which identifies houses along Argyle Road as Designation C.*

- *Lovell Chen's review of B-graded buildings in Kew, Camberwell and Hawthorn, 2007-2009.*
- *Lovell Chen's Assessment of Heritage Precincts in Kew, 2013.*
- *Lovell Chen's further heritage investigation of 40 individual places, 2014.*
- *Heritage Gap Study by CONTEXT, 2020. The Context report continues and notes the Goldthorns Hill + Environs Precinct not be included in the Heritage Overlay. The report does not identify 97 Argyle Road as an individual property.*

How is 97 Argyle Road Kew deemed "Significant" given multiple reports which have been engaged by the Council DO NOT recommend an individual heritage overlay?

The submitter is correct in stating that heritage studies concerning Kew between 1988 and 2014 did not recommend that 97 Argyle Road be added to the Heritage Overlay, either as an individual place or in a precinct. This is all the result of the amount of attention and level of gradings given to interwar places in the 'Kew Urban Conservation Study' carried out by Pru Sanderson Design Pty Ltd and completed in 1988.

This study was carried out when interwar houses such as 97 Argyle Road were 50-70 years old and were thus considered recent heritage (comparable to 1950s-1970s houses today). For this reason, there was a greater focus on Victorian and Edwardian places than interwar and postwar. For example, Grade A places included 37 Victorian houses, 13 late Victorian-Edwardian houses, and just six interwar and eight postwar houses. Similarly, of the six heritage precincts recommended for protection, five were predominantly Victorian or Victorian and Edwardian in character, with a single interwar precinct. The interwar precinct was HO157 Oswin Street, Kew East, which contains a good collection of 1920s bungalows.

The study used a system of letter grades, which was standard at the time. Grade A was equivalent to today's State or Nationally significance. Grade B was equivalent to today's local significance. Grade C was generally equivalent to today's contributory grade.

Sanderson explained the difference between Grade B and Grade C buildings. In some cases, it was due to substantial alterations, in others it was because:

... buildings are of relatively recent construction (from the 1920s to the 1960s) and while they may be good examples of their period, [they] are not yet rare enough to be graded higher or cannot be judged with sufficient objectivity to warrant strict conservation protection. (Sanderson 1988: Vol. 1, p. 2/6)

Volume 3 of the 1988 study contains master lists of property gradings for all of Kew. In some cases, there are individual grades given to each property of heritage value in a street. In others, as Sanderson explained, 'if a street is almost completely of Grade C buildings of one period (such as many of the streets in Kew East), a blanket statement has been made to that effect (Sanderson 1988: Vol. 1, p. 2/6). This approach has been taken for Argyle Road, Goldthorns Avenue, and many other streets:

ARDEN COURT	Predominantly 1930s houses of Designation C
ARGYLE ROAD	Predominantly 1920s-1940s houses of Designation C
ASQUITH STREET	Predominantly 1920s-1940s houses of Designation C

[illegible]

Looking through the master lists, it is clear that most streets designated as containing houses from the 1920s through to the 1960s are given short shrift in this way. In many other instances, whole streets were noted as containing 'No buildings of interest to the Study', which in many cases indicates a streetscape mainly of post-war buildings. The only exceptions are Lofts Avenue of 'predominantly Victorian houses of Designation C' which was recommended for inclusion in a heritage precinct, Windella Avenue of 'Predominantly Edwardian and 1920s houses of Designation C', and Stanley Street which comprised 'Predominantly Edwardian houses of Designation C'.

Due to the conscious avoidance of detailed assessment of most interwar and postwar streetscapes in the 1988 'Kew Conservation Study', many of the finest examples of interwar domestic architectural, such as 97 Argyle Road, were not identified at the time.

The scope of the subsequent heritage study, carried out by Lovell Chen, was based on the gradings from the 1988 'Kew Conservation Study'. As its name indicates, the 'Review of B-graded buildings in Kew, Camberwell and Hawthorn' (2007-2009) had a restricted scope. As noted in the study report:

... the Project Brief required the consultants to review all those individual residential B-graded buildings identified in earlier urban conservation studies for Camberwell (1991) and Kew (1988) which were not currently affected by Heritage Overlay controls pursuant to the Boroondara Planning Scheme. A list of buildings was provided to the consultants. (Lovell Chen, 2009, p.1)

The consultants were not commissioned to look at the interwar and postwar streetscapes given a blanket Grade C in the 1988 study. This means that they did not assess houses such as 97 Argyle Road.

In the course of the fieldwork for the 'Review of B-graded buildings in Kew, Camberwell and Hawthorn', Lovell Chen noted a number of potential precincts in the areas with B-graded buildings and recommended further work to assess these precincts.

They describe this in the 'Assessment of Heritage Precincts in Kew' (2013):

During the course of these reviews of individual properties, which included site visits and streetscape inspections, a number of areas in Kew and Hawthorn were identified as having potential for consideration as Heritage Overlay precincts. (Lovell Chen 2013:3)

As one would expect, the potential heritage precincts were all in the south-western area of Kew, where most B-grade properties were located. None were in the north-eastern part of Kew (in the vicinity of Argyle Road) or in Kew East.

Similarly, the scope of Lovell Chen's 'Kew and Hawthorn: Further heritage investigation – Assessment of specific sites' (2014) followed on from previous studies. As they noted in the background section:

The 40 properties in the study have been assessed based on recommendations from two precinctual heritage reviews, the Assessment of Heritage Precincts in Kew, 2010 (Lovell Chen) and the Hawthorn Heritage Precincts Study, 2010 (Context). In the majority of cases, the recommendation to assess sites for potential individual Heritage Overlay controls has been made where the consultants undertaking these precinctual studies have noted the buildings in the course of their fieldwork and where the buildings are located in an isolated context such that the application of a precinct-based Heritage Overlay is not appropriate. (Lovell Chen 2014:3)

So, again, as with the 'Assessment of Heritage Precincts in Kew', places identified for assessment in Kew were those in the vicinity of places given a B Grade by the 1988 'Kew Conservation Study', and were concentrated in the western and southern parts of Kew, with none in Kew East.

The first time since 1988 that the entire suburb of Kew was surveyed to identify places and precincts of potential heritage significance was during Context's 'Kew Heritage Gap Study', which began in 2017. As noted in methodology to that report, I surveyed every street in Kew that was not wholly in the Heritage Overlay, and there was no restriction to only consider previously identified places and precincts.

During this survey, I identified a potential heritage precinct with a tentative boundary comprising Goldthorns Avenue, the adjacent part of Argyle Road, Lady Lochs Drive, and parts of Normanby Road and Heather Grove. I also flagged that 97 Argyle Road might be of individual heritage significance.

As discussed in section 3.2 of this evidence, my colleague Christina Dyson assessed the proposed Goldthorns Hill and Environs Precinct, delineating its final boundaries and grading

properties within it. Amongst others, she graded 97 Argyle Road as 'significant' in the precinct.

According to Clause 22.03 Heritage Policy of the Boroondara Planning Scheme:

'Significant' graded places within a precinct are of the same cultural heritage value as places listed individually in the Schedule to the Heritage Overlay. (Cl. 22.03-5)

As discussed in section 3.3 of this evidence, the Amendment C294 Planning Panel did not support inclusion of the entire Goldthorns Hill and Environs Precinct in the Heritage Overlay. For this reason, when the 'Kew Heritage Gap Study' report was revised in line with the Planning Panel's recommendations, the entire precinct citation was removed from the study report. This means that all mention of 97 Argyle Road has been removed from the study versions dated 11 June 2020 and 11 May 2021.

However, as also noted in section 3.3, the Amendment C294 Planning Panel recommended that a number of specific properties from the Goldthorns Hill and Environs Precinct be assessed to confirm if they are, indeed, significant and warrant a site-specific Heritage Overlay. As detailed in this evidence, I undertook this assessment in 2020 and concluded that 97 Argyle Road is of local significance and should be added to the Boroondara Heritage Overlay.

In conclusion, neither the 1988 'Kew Conservation Study' nor the subsequent Lovell Chen heritage studies assessed the heritage value of 97 Argyle Road. It was only the 'Kew Heritage Gap Study' by Context that first considered it individually, and graded it significant within a larger precinct. When that precinct was not supported by an Independent Planning Panel, its local significance was confirmed by an individual assessment in 2020.

Alterations to house and site

While the issue of intactness was not raised in the written submission to Amendment C353boro, and no submission was made at all to Amendment C294, the submitter mentioned alterations to the house in a verbal submission to the Boroondara Urban Planning Delegated Committee meeting, on 8 November 2021. On this basis, a Council officer contacted the submitter to request an on-site visit to view the exterior of the building and its setting. This visit took place on 19 January 2022. I was accompanied by a Council officer and representative of the submitter who pointed out external changes to the house and its setting.

Addition to house

As currently noted in the place citation (both the advertised and revised 30 Nov. 2020 versions), there were alterations and extension to the west elevation of the house made in the early 1990s. They are described in the citation as follows:

Images from the 1990 plans indicated that a chimney has been removed from the west side of the roof since that time, and that the west side of the roof may have been rationalised (removal of separate roofs over two bay windows). There is no indication on any of the plans that the Argyle Road (south) elevation or the principal façade (east elevation) of the house have been altered since its construction, apart from the removal of a chimney to the south of the front entrance.

The citation also notes that: 'a two-storey addition was made in this location [where the original garage was located], most like[ly] in 1991 (BP 5665/1991, these plans do not survive)'. As the 1991 plans could not be located when I was assessing the property in 2020, I could not be more precise in defining what work had been done to the west elevation.

The submitter's representative pointed out on site that not only had the roof over the western elevation been rationalised with individually roofs over bay windows removed, but the rooms on this side had been extended to the west. As all original materials and window types were copied in these works, this extension is only apparent close up.

In preparation for this panel hearing, I requested another attempt at locating the BP 5665/1991 building permit plans in the City of Boroondara's archives. They were found, nested inside the file for a previous building permit (BP 4876/1990), and provide a more accurate indication of works to the west elevation, as shown below.

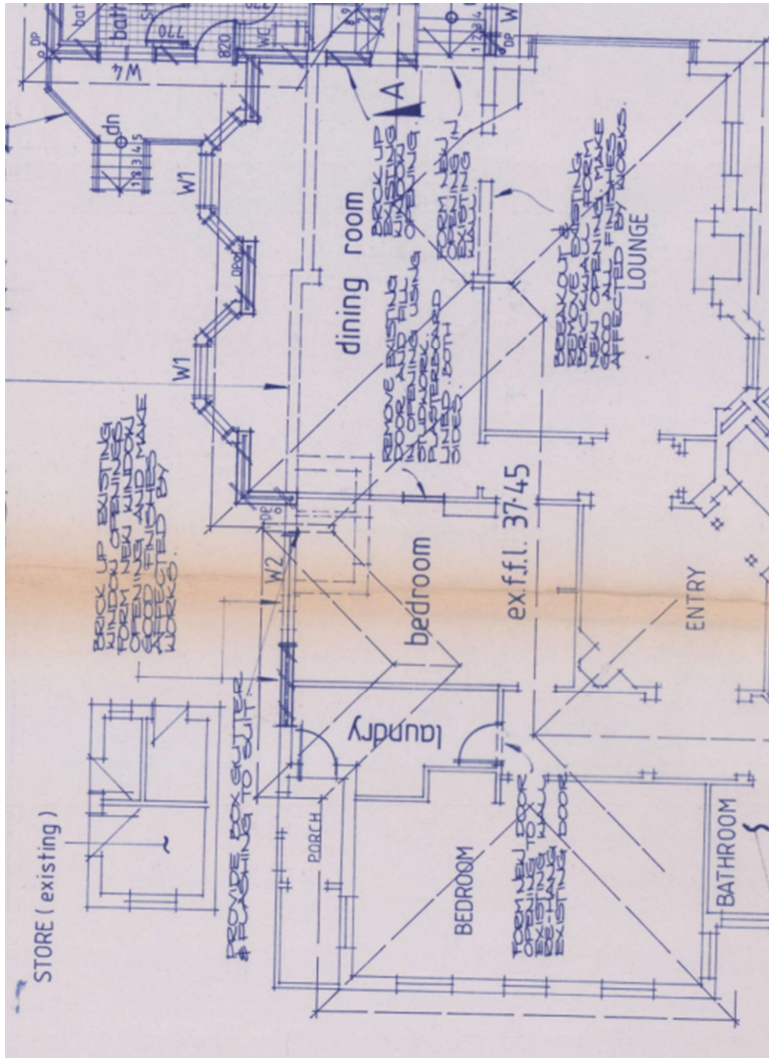


Figure 2. Detail from BP 5665/1991 plans, drawing A1, May 1991. The original line of the west elevation is shown dotted, as well as the construction of two new canted bay windows (marked W1), and infill of an original window to the laundry. Note that the freestanding 'store' has since been removed.

In addition, since 1991, the 'porch' shown above at the south-west corner of the house has been infilled with a masonry wall (roughcast rendered). This means that virtually the entire western elevation dates from the 1990s.

On the basis of my site inspection, and supported by these plans, I agree that it is appropriate to clearly indicate in the place citation that neither the west elevation nor the roof form over this side of the house are significant, due to alterations. As an aside, I note that this is the rear elevation of the house, as designed, so in my professional opinion the place is of local significance despite this extension.

The submitter's representative stated that, contrary to the place citation, no chimneys had been removed from the house. I have returned to the original (1929) and subsequent building plans for the house and determined that it was built with only two chimneys: one to the living room (an external chimney just north of the front entrance), and one to the entrance hall (one room back from the front door). Both of these chimneys are extant.

The 1987 building permit plans (BP 2395/1987) are misleading in this regard, as they show a chimney on the west side of the house, hence my understanding that this was an original chimney removed post-1987. I now conclude that these plans show a proposed new chimney in this position, which was never built.

On this basis, I propose to remove Figure 7 from the 30 Nov. 2020 citation (shown below) and remove the comment that an original chimney was demolished.

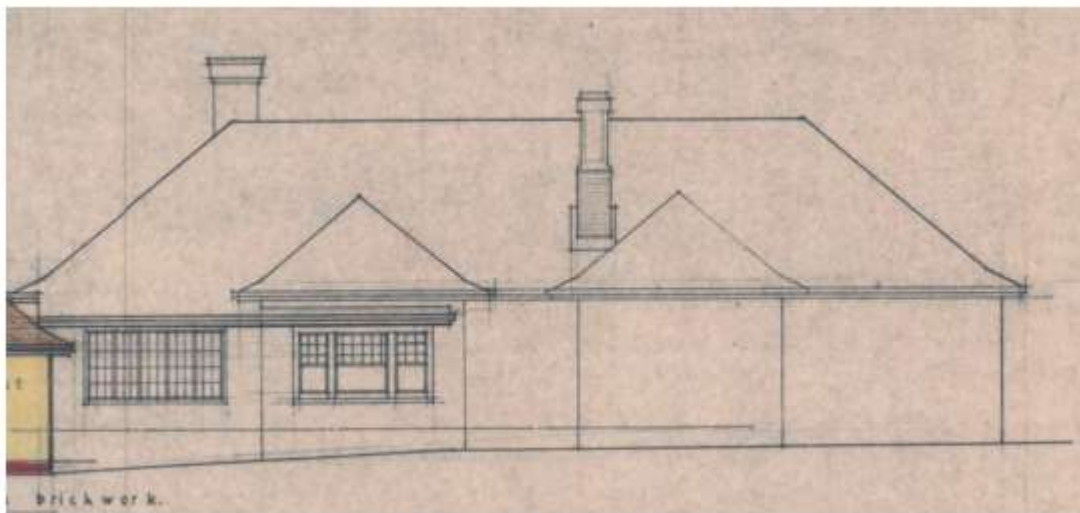


Figure 7. West elevation, facing Griffiths Grove, in 1987, showing separate roofs above bay windows and a chimney on this elevation. (Source: BP 2395/1987)

Materials of the house

The submitter's representative also noted that the entire roof was reclad as part of the 1990s works when the two-storey garage addition and extension to the west elevation were constructed. She recalls that original cladding was flatter in form than the current Marseille-pattern terracotta tiles.

The submitter's representative noted that the roughcast render may have been (re-) applied to the entire house as part of 1990s extension works, and questioned whether the render is part of the significant fabric of the house in such a case.

As noted in the 30 Nov. 2020 version of the citation, the house was described in 1929 as having a 'warm grey roof, cream roughcast on walls and clinker brick base and dressings' (*The Herald*, 8 May 1929:15).

I agree that the current deep red-brown terracotta tiles do not match the description of a 'warm grey' roof cladding, and that they are also in a good condition suggesting a 1990s installation instead of 1929 installation.

The original roof cladding may have been slate – a flatter form than Marseille tiles – or concrete tiles, which were popular during the interwar period. Another type of 'flat' roof tile that was used for superior interwar houses such as this one was terracotta shingles. This type of roof cladding survives on some of the comparative examples depicted in the place citation: 51 Sackville Street, 12 Tara Avenue and 39 Irving Road. Also see photos of the north and east elevations of 26 Goldthorns Avenue in section 4.2.3 of this report for an example of such shingles. As seen on 26 Goldthorns Avenue, the most popular roofing colours during the interwar period were terracotta-red through to dark brown, often a mottled mix of hues in this range. It is possible, however, that a 'warm grey' glazed shingle was also available. This form of cladding would certainly have suited the elegant bellcast eaves of the 97 Argyle Road roof.

In light of the above, I recommend that the place citation be revised to clearly state that the current Marseille tile roofing is not original, and that the precise type of 'warm grey' roof cladding is not known but may have been terracotta shingles. While not as elegant a roofing type as terracotta shingles (or slate), the current Marseille tiles are a profile, material and colour that were common in the interwar period, so they are sympathetic in nature though not significant fabric in their own right. Cyclical replacement of roof cladding is essential for the maintenance of buildings, so in my professional opinion this change has only a very minor impact on the heritage significance of this house.

In regard to the possible application of roughcast render in the 1990s, we know from the 1929 description that this was one of the original cladding materials of the house, so if roughcast was reapplied, this was repair work and not a true alteration. This type of repair work is considered standard maintenance and does not require a planning permit in the Heritage Overlay so long as such works do not 'change the appearance of a heritage place' and they are 'undertaken to the same details, specifications and materials' (Clause 43.01 Heritage Overlay).

Furthermore, having examined parts of the house where minor works have taken place, it is apparent that there are visible demarcations between areas of original render and alterations (for example, a window infilled at the rear of the south elevation). This suggests that new render was applied in a restrained way, to the rear extension and alterations, but was not applied evenly across the entire exterior.

On this basis, I still consider the roughcast render to the building – apart from the west elevation – to be part of its significant fabric.

Name of the house

The submitter's representative stated that, contrary to the place citation, the name of the house has never been changed from the original 'Skye'.



Figure 3. House name 'Skye' painted on the eastern gatepost. (GML, 2022)

Examination of the brick gate posts on the south property boundary indicated why the original Context assessor believed the house name to have been changed to 'Argyle'. While the faint remains of 'Skye' in gold lettering survives on the western gatepost, above a brass number '97', on the eastern gatepost is an 'Argyle' nameplate which was thought to indicate a new house name.

I agree that the citation should be revised to reflect that the house retains its original name, 'Skye'.

Setting of the house

The submitter's representative requested that greater clarity be introduced into the statement of significance in regard to what original elements survive (or do not), and which elements of the setting are of no heritage value. She mentioned in particular paving and whether any plantings remained of original owner Mrs Schuchard's renowned garden.

Currently, the statement of significance notes:

The post-1987 two-storey garage extension at the north-west corner of the site, boundary fences, tennis court, swimming pool and cabana are not significant.

Having inspected the site, I agree that the current red and cream brick paving of the driveway is recent (alignment as original), and that the irises, rhododendrons, azaleas and bonsai trees cultivated by Mrs Schuchard in the 1950s are no longer apparent.

I did note volcanic rubble retaining walls along the east side of the driveway and to garden beds on the south and east sides of house which are characteristic of the interwar period and likely original.

On this basis, I recommend that the statement of significance be revised to note that the driveway paving is not significant.

While the submitter's representative requests that the statement of significance be revised to note that only the cypress trees flanking the entrance survive from the original plantings, I do not consider this essential. This is because significant trees must be specified in the HO Schedule to warrant protection, and lower plantings such as flowers and shrubs are generally not protected. In this case, no Tree Controls have been recommended as the cypress trees have been substantially lopped. Instead, I suggest that a note be added to the place description clarifying that the flower garden and bonsai trees do not survive, but the volcanic rubble retaining walls in the garden do. This will provide guidance to Council's Heritage Advisor and planners in the future.

Extent of HO polygon

Another new issue raised during the site visit of 19 January 2021 was the proposed extent of the HO polygon. The submitter's representative indicated that they would be requesting exclusion of the land that is occupied by the current tennis court, as the place citation had documented that the original tennis court had been enlarged and repositioned, so the current one is of no heritage value. No diagram of the proposed new HO boundary was provided at the time, so I can only comment generally at this time.

To start, the original dimensions of 97 Argyle Road should be defined, that is, in 1929 when the house was first built.

On 11 January 1929, Rudolph Arthur Schuchard purchased Lots 262, 263 and 264, plus a western sliver of Lot 261. The consolidated block of land had a straight north-south boundary along most of the east side, which then slanted to the north-west along the Outer Circle railway line.

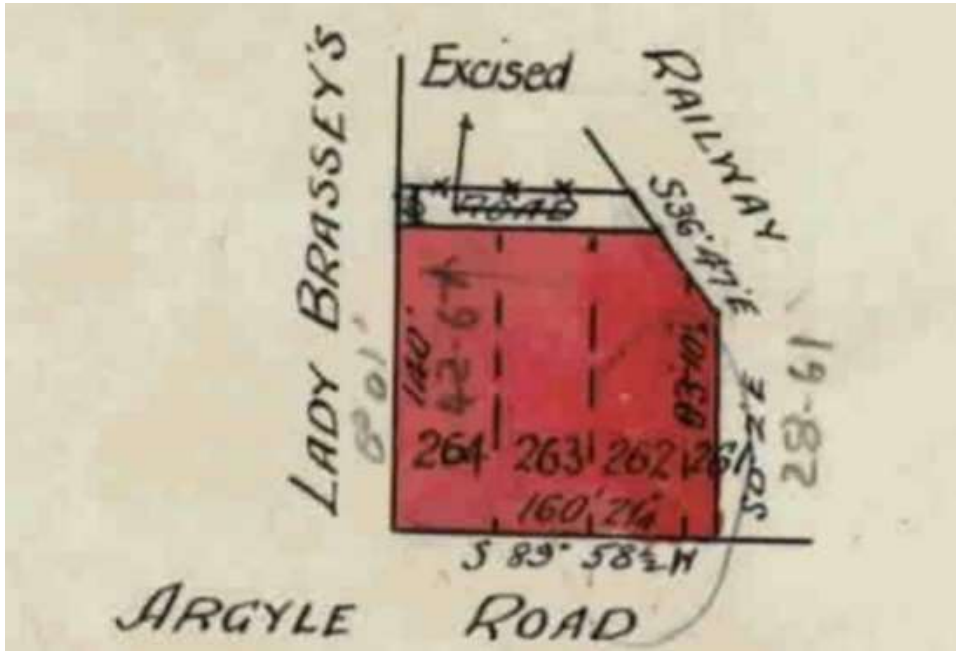


Figure 4. Certificate of Title diagram showing the land purchased by Schuchard in 1929. (CT Vol. 4944 Fol. 605)

In 1986, an additional corner of land was added to the south-east corner of the site, extending the boundary along Argyle Road and the diagonal boundary along the former rail line. The four allotments (and parts of allotments) were consolidated into a single block at this time by CP 16271F.

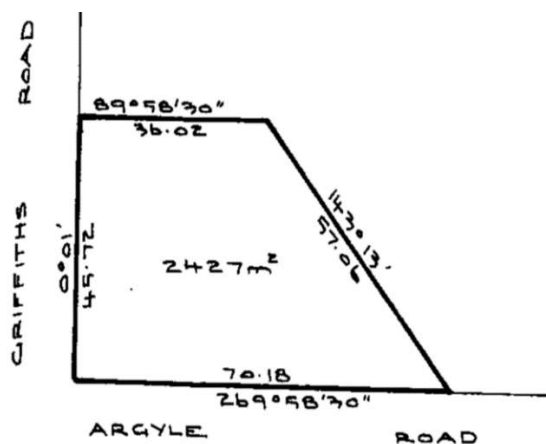


Figure 5. Consolidated allotment as enlarged in 1986. Note additional land to the south-east corner. (CT Vol. 9685 Fol. 941)

The approximate boundaries of the original allotments, and the south-east corner added in 1986 are shown on the aerial photo below.



Figure 6. Diagram showing the approximate boundaries of the original allotments forming 97 Argyle Road (in red), and the south-east corner added in 1986.

I agree that the south-east corner block, added in 1986, has no historic links with the creation of this place or the Schuchards, so it has no heritage value and could be excised from the HO polygon without any negative impacts.

While I agree that the current tennis court and swimming pool have no heritage significance, the land they stand on (minus the 1986 addition) provides a suitably generous garden setting for the house.

In addition, the curved driveway alignment and apparently the vehicular gateway are original elements of the design and should be retained with the house. The driveway is partially shown in the 1929 plan found in the newspaper and is visible with its present alignment in the 1945 aerial. As noted above, the east side of the driveway retains its original volcanic rubble retaining wall.



Figure 7. 1945 aerial view of 97 Argyle Road, showing its original extent and the same driveway alignment as today. (Source: Landata)

The current 1.3 metre brick and render fence along south sides of the property was erected in 2003 (BP 28928/03). These plans are not clear in regard to the entrance gateway, but as the gateposts are of the same type of brick as the house and the gold lettering 'Skye' appears to be much more than 20 years old, I assume that they are also an early or original element of the place.

The unusual orientation of the house is also a very important factor when considering an appropriate curtilage. As set out in the statement of significance (both versions), this is not a typical design with one or two principal facades facing a street. While the Argyle Road elevation is designed to be enjoyed by the public, it is the north and east elevations that are the true principal elevations. Apart from retaining the original driveway alignment and associated rubble retaining wall, it is also important to retain enough land on the east side of the house so that there is enough room to see the entire house from the east and understand its architectural composition.

In addition, in my professional opinion, it is standard practice to include the entire original extent of a place, particularly in a suburban setting. This approach is supported by the Victorian Planning Provisions Practice Note No. 1 'Applying the Heritage Overlay' (2018), which states:

The Heritage Overlay applies to both the listed heritage item and its associated land. It is usually important to include land surrounding a building, structure, tree or feature of importance to ensure that any development, including subdivision, does not adversely

affect the setting, context or significance of the heritage item. The land surrounding the heritage item is known as a 'curtilage' and will be shown as a polygon on the Heritage Overlay map. In many cases, particularly in urban areas and townships, the extent of the curtilage will be the whole of the property (for example, a suburban dwelling and its allotment).

The Practice Note also gives an example of an instance where it might be appropriate to take a less common approach and draw a tighter HO polygon, excluding some of the land:

Examples of situations where a reduction in the curtilage and polygon may be appropriate include:

- A homestead on a large farm or pastoral property where it is only the house and/or outbuildings that is important. In most cases with large rural properties, the inclusion of large areas of surrounding farmland is unlikely to have any positive heritage benefits or outcomes.

While 97 Argyle Road comprises more than three suburban allotments, it is a far cry from a 'large rural property'. Instead, it is a substantial residence on a substantial suburban block.

In conclusion, I consider it appropriate to leave the south-east corner of the land, added in 1986, outside of the Heritage Overlay, but the original extent of the land should be included.

4.1.4 Conclusion and Recommendations

It is my opinion that:

- The individual assessment of 97 Argyle Road, carried out in 2020, clearly demonstrates that it is of local significance to the City of Boroondara and should be protected in the Heritage Overlay. The lack of earlier assessments, prior to the Kew Heritage Gap Study, does not undermine its significance.
- The 97 Argyle Road place citation and the associated statement of significance should be revised to include the new information about the architect of this place, as set out in the 30 November 2020 version of the citation.
- In addition, the place citation and statement of significance should be revised as follows:
 - Indicate that this place is still known as 'Skye' and its name has never been changed.
 - Indicate in the statement of significance that the west elevation and the roof form over this side of the house, and the current driveway brick paving are not significant.

- Remove the comment that an original chimney on the west side was demolished.
- State in the description that the current Marseille tile roofing is not original, and that the precise type of 'warm grey' roof cladding is not known but may have been terracotta shingles and note that Mrs Schuchard's flower garden and bonsai trees do not survive, but the volcanic rubble retaining walls in the garden do.
- Remove the south-east corner block, added in 1986, from the HO polygon.
- No further changes should be made to Amendment C353boro in response to this submission.

4.2 26 Goldthorns Avenue, Kew (not appearing)



Figure 8. 26 Goldthorns Avenue, Kew. (Source: Context, 2022)

4.2.1 Statement of Significance

The statement of significance I prepared for this place reads as follows. Note that in the current version of the statement of significance, half of the last sentence has been left out. As the full version of the text is found in the Assessment against Criteria section of the citation, I have added it here in square brackets:

What is Significant?

26 Goldthorns Avenue, Kew, is significant. It was built in 1938 for Victor C. Seeger by his brother, builder William F Seeger. The designer has not been identified.

The dwelling including external fixtures such as the front entrance lanterns, the attached garage, the rubble-stone retaining wall and mild-steel front gate, and the brick fences with pointed-arched doors to the backyard, are significant.

How is it significant?

26 Goldthorns Avenue is of local architectural and aesthetic significance to the City of Boroondara.

Why is it significant?

26 Goldthorns Avenue is a fine and highly intact representative example of the interwar Old English style. It demonstrates key elements of this style, such as a steeply pitched complex roof form with vergeless gables and corbelled eaves, the use of clinker face brick, the presence of substantial chimneys, diamond leadlight windows, and an oriel window. The intact, attached garage, facing Griffiths Grove, also demonstrates the growing importance of car ownership during the interwar period, and the move away from distant detached garages typical of the 1920s. (Criterion D)

26 Goldthorns Avenue is of aesthetic significance for its landmark qualities as a three-dimensionally modelled building set on a prominent elevated corner site. The built form responds to its site with picturesque massing appreciated from three sides. Its aesthetic significance is enhanced by the extensive high-quality decorative details seen on the house and its setting. These include brickwork detailing (the use of overburnt bricks, diaper pattern of projecting headers, ribbed frieze to the eaves, quoins to windows and gables, herringbone pattern to gable apexes, basketwork detail to gable vents, tapering vault at the front door), matching mild-steel balusters to front steps, balcony and front gate, medieval lanterns around the front entrance, original front door with linen-fold moulding, elaborate strap hinges and bulls-eye glazing, and the matching garage with its original timber doors. Its aesthetic significance is further enhanced by the intactness of its setting and retention of rubble-stone retaining walls, mild-steel front gate, curved front path, curved brick walls around the garage, and high brick walls with ribbed brickwork detail and pointed [ledged timber doors providing access to the back yard on the east and west sides.] (Criterion E)

4.2.2 Recommendations and Amendment C353boro

26 Goldthorns Avenue, Kew, is proposed for inclusion in the Boroondara Heritage Overlay as an individually significant place. Outbuilding and fences exemptions are recommended for the garage, and brick and stone fences with associated gates.

4.2.3 Response to Submission

Both during the exhibition period for Amendment C294 (for implementation of the Kew Heritage Gap Study, including 26 Goldthorns Avenue as a significant property in the Goldthorns Hill and Environs Precinct) and for the current Amendment C353boro, the submitter has raised issues related to the intactness and condition of the house and its garage. As the information provided has been mostly general in nature, particularly in regard to the exterior of the house, I hoped to obtain more details from the submitter at a site visit. The Council officer managing the current amendment process has sought to contact the submitter via email to arrange a site visit in December 2021 and January 2022, but received no response. I have attempted to respond to the issues raised in both the C294 and C353boro submissions insofar as the issues raised are clear to me. I have also included a general discussion of external intactness, comparing 2022 photos with the original 1938 plans.

The submitter opposes the inclusion of 26 Goldthorns Avenue in the Heritage Overlay. The submitter's points raised are provided below in *italics*, with my response to each issue following it.

In my evidence, I generally respond only to issues related to the heritage significance of the precinct and grading of properties within it, such as intactness, history and comparison to other places. I do not respond in detail to non-heritage issues, such as maintenance costs, property value or future development plans, as I understand that Council will respond to them and furthermore in my experience they are properly dealt with at the planning permit stage.

Internal alterations

Floor plan of bathroom and laundry room has been changed, both rooms have been renovated. [C294]

Lounge room and kitchen have been rebuilt. [C353boro]

Internal controls are not proposed for this property, so a planning permit is not required to carry out internal changes to the house (insofar as they do not require alterations to windows or external doors and walls).

On this basis, in my professional opinion, it is not necessary to take into account the internal intactness of the house when considering if it should be added to the Heritage Overlay.

External alterations to house

Roof Trench has been rebuilt since 1993. [C294]

Windows has been changed and renovated completely. [C294] Windows have been altered. [C353boro]

I externally inspected this property in 2019 while responding to the Amendment C294 submission, in 2020 when preparing the individual place citation, and in January 2022 in relation to Amendment C353.

I am not sure what the submitter means by "roof trench". I can only guess that the submitter is referring to the gutters or roof valleys.

I have compared the roof plan, as shown in the original plans (City of Kew Building Permit 451/1938), with a current aerial of the house (4 April 2021).

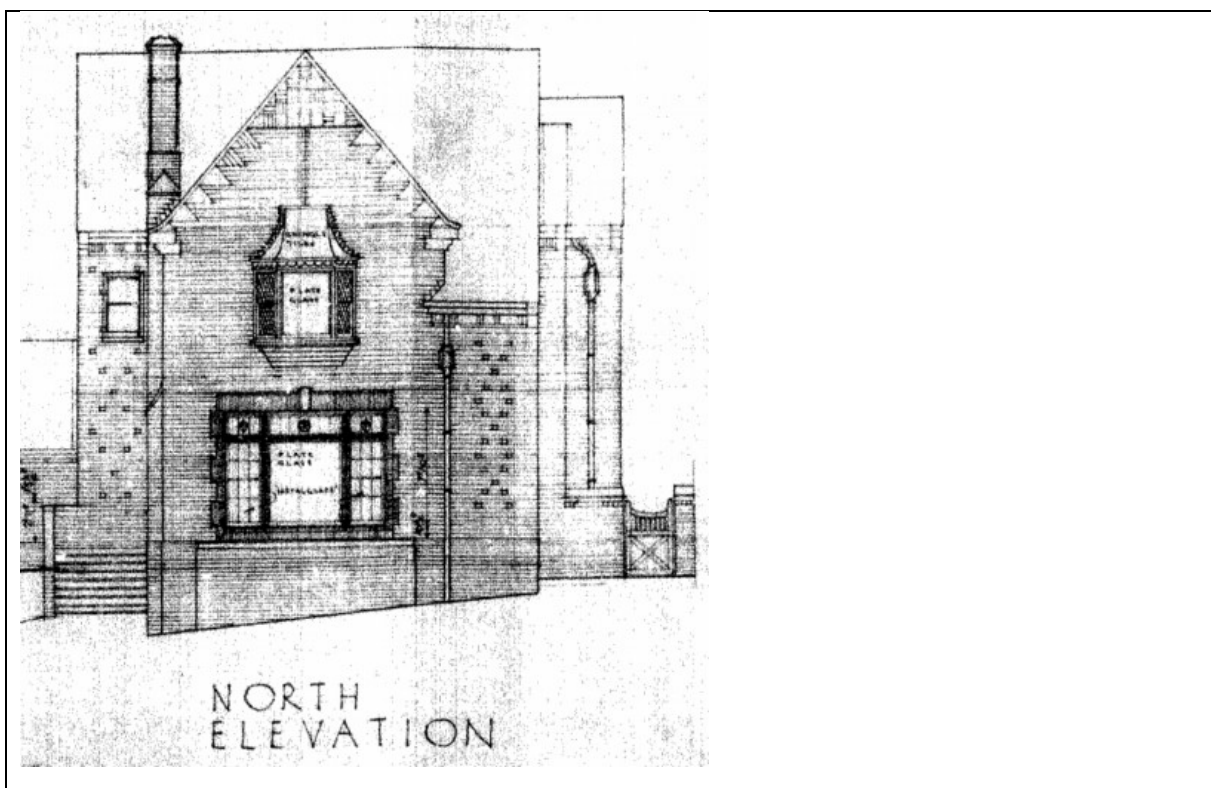


Comparing the two images above, I cannot identify any alterations to the roof, though the metal valley flashings are bright and may have been replaced recently. In my professional opinion, the cyclical replacement of valley flashings, gutters, downpipes and other

elements of roof plumbing is necessary maintenance to preserve a heritage building and in no way diminishes its heritage value.

In regard to the assertion that windows have been altered, I again compared the 1938 plans (City of Kew Building Permit 451/1938) with its current (2022) appearance as set out below. Note that the west and south elevations are only partly visible from the public domain. In most cases I have used photos taken in 2022, but in some cases earlier photos taken in winter were clearer. In such cases I've indicated the date.

Front (north) elevation, facing Goldthorns Avenue





Oriel window of first floor. Note diamond leadlights with coloured bullseye accents, and terracotta shingle roof.



Chicago window of ground floor. Note diamond leadlights, coloured bullseyes, and faux-antique heraldic symbols.



First-floor window; retains diamond pane leadlights.

As is apparent from the photos above, the front façade of the house retains all original windows and all decorative leadlights shown on the 1938 plans.

East side elevation, facing Griffiths Grove





All windows retain the diamond leadlights as on the plans. The Chicago window at lower right incorporates coloured bulleyes (2017).



Front door (original) and abstract leadlight window.



A second abstract leadlight window at the north end, below a terracotta shingle rooflet.

I could discern no changes to windows on this elevation in relation to the 1938 plan, nor since 2017.

West side elevation



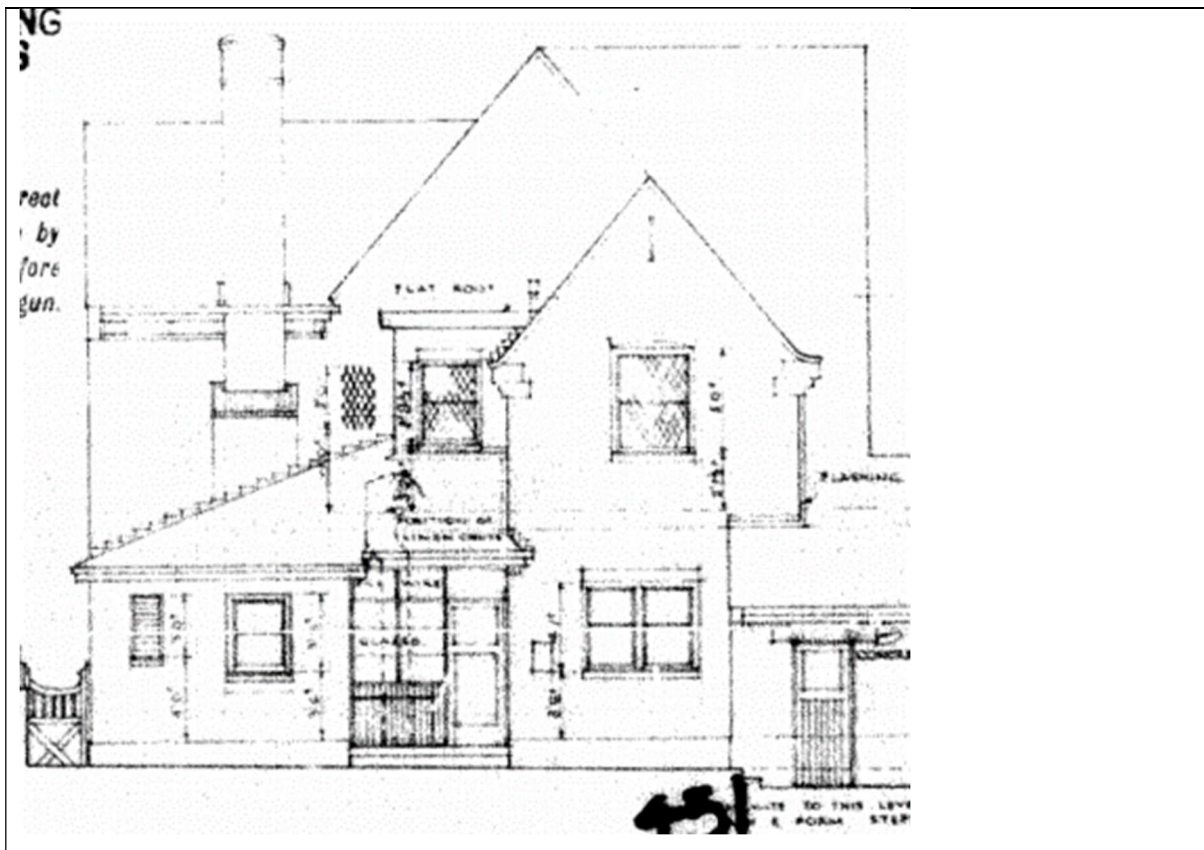
First floor of west elevation. A triple diamond pane window is just visible at left.



Above are two original frosted glass windows to the upstairs bathroom

As is apparent from the above images, it is only possible to confirm that the first-floor windows of the west elevation are intact. The others are not visible from the street.

Rear (south) elevation



Rear elevation as viewed from Griffiths Grove (2020)



An intact first-floor windows with two diamond light sashes (2020). Only the upper sash was visible in January 2022; it was intact.



Figure 9. Rear elevation of 26 Goldthorns Avenue in 2015, at which time it was intact.
(<https://www.realestate.com.au/sold/property-house-vic-kew-119529784>, accessed 28 Jan. 2022)

While real estate photos from 2015 showed that the rear elevation was intact at that time, it is only possible to see one window from the public domain, so there could have been alterations to other, hidden windows.

In summary, all windows of the two principal facades, north and east, are intact, as are all those on the two other elevations that are visible from the public domain.

While it is possible that there have been alterations to non-visible windows, and perhaps replacement in kind of visible windows, in my professional opinion the exterior of the house is exceptional and absolutely sufficient for a building of local significance.

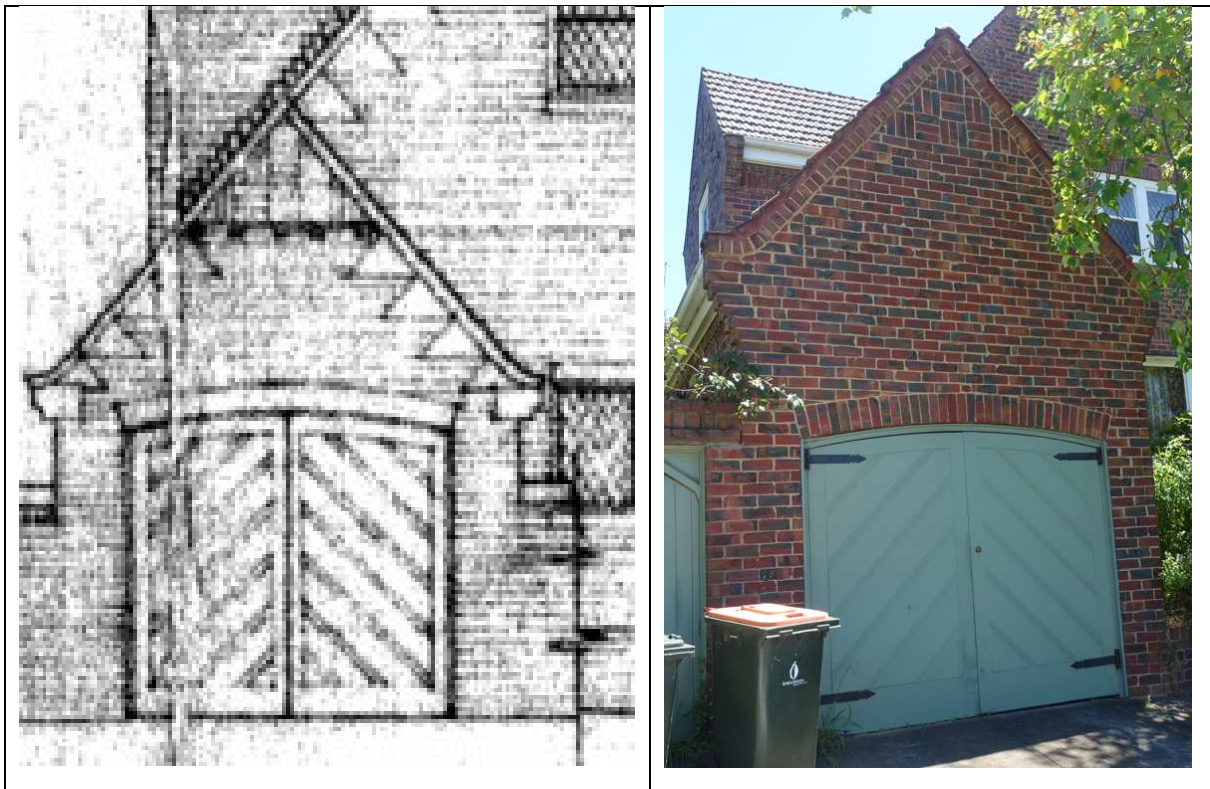
External alterations to garage and fences

Garage door and windows has been changed and renovated completely. The cracked wall inside and outside has been repaired, some with different materials from the original. [C294]

Brick fence has been repaired with different material. [C294]

Garage

As shown by the images below, the front façade of the garage, facing Griffiths Grove, is wholly intact. This includes the timber garage doors with diagonal beaded boards and strap hinges. The medieval detailing of the garage doors and the decorative brickwork to its façade (chequerboard pattern at apex, corbelled eaves) makes it an integral part of the house design.



The 1938 plans show a pedestrian door on south wall of the garage, which is not visible from the public domain. It is possible that this door has been altered or replaced, as stated by the submitter.

In my professional experience, it is rare to find an interwar garage that retains its original timber doors. Even if the pedestrian door has been altered, in my professional opinion this is still a significant element of the place and it still warrants protection as an original and intact part of an integrated architectural design.

Fences and gates

As the front garden is surrounded by an original low wall of volcanic rubble, the reference to the brick fence appears to relate to the short length of fence adjacent to the garage and/or the brick wing wall on the west side of the house.

Both of these fences were built of identical clinker bricks as used on the house and garage, and they had pointed and ledged doors/gates, in keeping with the medieval styling of the house.

I have been able to examine the fence beside the garage, and the only change I could see was some repointing in hard cement mortar above the gateway to the back yard. There has been movement in these bricks, making the top of the parapet somewhat uneven.



Figure 10. The brick fence adjacent to the garage. Note the movement of bricks in the parapet and some inexpert repointing. (GML, 2022)

I was not able to view the similar wing wall on the western side of the house, so I cannot comment on its current condition. A 2015 real estate photo, however, suggests that there was similar movement and repointing to the bricks of the parapet above the door/gate.



Figure 11. Wing wall/brick fence on the western side of the house. Note grey (re-)pointing above the gateway. (<https://www.realestate.com.au/sold/property-house-vic-kew-119529784>, 2015)

In both cases, the presence of localised repointing with the wrong-coloured mortar is a very minor change, noticeable up close, and one that could be corrected if desired. In my professional opinion, it has little or no impact on the heritage value of the fences, which are distinguished by their stylistic and material continuity with the rest of the house.

Condition of house

A few windows are broken, some has been repaired and some require to be repaired. [C294]

The wiring and plumbing is poor, which require the upgrade. [C294]

The roof requires maintenance after significant rain damage. [C353boro]

In addition, the current condition of the building requires it to be repaired and altered, the window and some parts of the facade have been significantly damaged and required to rebuild. [C353boro]

While front garden was noticeably overgrown and unkempt when I visited in January 2022, I could not see – when viewing from the public domain – any signs that the building itself was in poor condition (for example cracks in walls).

Furthermore, poor repair is not generally a consideration in the assessment of heritage significance. There is a large body of panel consideration and precedent about how the

(poor) condition of a heritage place should affect deliberations at panel hearings on whether it should be given heritage protection.

For example, this approach was accepted by the Shire of Mornington Peninsula Amendment C214 Panel (2018), which stated (page 15):

The Panel accepts Ms Schmeder's evidence that there must be evidence that the building is at a point where demolition is inevitable so that it can be considered during the Amendment stage.

Evidence of a poor condition requiring demolition may be a report from a structural engineer with recognised experience with heritage buildings, or sometimes from a heritage architect.

In the case of 26 Goldthorns Avenue, the submitter has not provided any documentation of its purportedly poor condition, and the works they consider necessary do not add up to demolition being an 'inevitable outcome'.

For this reason, in my professional opinion, this is a case where it is not appropriate to consider condition at the planning panel stage. If the Heritage Overlay is introduced on a permanent basis, it can be considered among other issues during the planning permit application process.

Size of garage

We have gotten the designed floor plan [for a new garage] and are ready to expand the space that allows two cars to be parked, this is critical for us to have for the property due to the multiple cars that we have. [C353boro]

This is not related to the heritage value of the garage and is properly dealt with at the planning permit application stage.

4.2.4 Conclusion and Recommendations

It is my opinion that:

- The individual assessment of 26 Goldthorns Avenue, carried out in 2020, clearly demonstrates that it is of local significance to the City of Boroondara and should be protected in the Heritage Overlay.
- In the statement of significance section in regard to aesthetic significance, the missing end of the final sentence should be added: 'ledged timber doors providing access to the back yard on the east and west sides'.
- No other changes should be made to Amendment C353boro.