

**Boroondara Planning Scheme Amendment C353boro Part 2  
Goldthorns Hill and Environs Heritage Overlay**

**Panel Report**

*Planning and Environment Act 1987*

**9 March 2022**

**How will this report be used?**

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether or not to adopt the Amendment.

[section 27(1) of the *Planning and Environment Act 1987* (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

*Planning and Environment Act 1987*

Panel Report pursuant to section 25 of the PE Act

Boroondara Planning Scheme Amendment C353boro Part 2

**9 March 2022**

A handwritten signature in blue ink, appearing to read 'M Ballock'.

Michael Ballock, Chair

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## Glossary and abbreviations

|         |   |
|---------|---|
| Council | Boroondara City Council                                   |
| DELWP   | Department of Environment, Land, Water and Planning       |
| PE Act  | <i>Planning and Environment Act 1987</i>                  |
| PPF     | Planning Policy Framework                                 |
| PPN01   | Planning Practice Note 01 'Applying the Heritage Overlay' |
| Study   | Municipal-Wide Heritage Gap Study Volume 4 Kew 2020       |
| UPSC    | Urban Planning Special Committee                          |

## Overview

### Amendment summary

|                    |   |
|--------------------|---|
| The Amendment      | Boroondara Planning Scheme Amendment C353boro Part 2  |
| Common name        | Goldthorns Hill and Environs Heritage Overlay   |
| Brief description  | Applies the Heritage Overlay to 26 Goldthorns Avenue, 3-5 Florence Avenue and 97 Argyle Street, Kew and amends the <i>Thornton Estate Residential Precinct Statement of Significance</i> incorporated document to identify 33 Thornton Street, Kew as a 'contributory' place in the Thornton Estate Residential Precinct. |
| Subject land       | 26 Goldthorns Avenue, 3-5 Florence Avenue, 97 Argyle Street and 33 Thornton Street, Kew   |
| The Proponent      | City of Boroondara  |
| Planning Authority | City of Boroondara  |
| Authorisation      | By letter dated 26 May 2021   |
| Exhibition         | 22 July to 27 August 2021   |
| Submissions        | Number of Submissions: 2 Opposed: 2<br>- Jiongyu Wang<br>- Juliette Rea   |

### Panel process

|                        |  |
|------------------------|--|
| The Panel              | Michael Ballock (Chair)  |
| Directions Hearing     | By video conference 16 December 2021   |
| Panel Hearing          | On the papers  |
| Site inspections       | Unaccompanied, 21 February 2022  |
| Parties to the Hearing | - Council, represented by Nick Brennan, Senior Strategic Planner who called expert evidence on heritage from Natica Schmeder of GML Heritage Victoria Pty Ltd<br>- Guiseppe and Ida Rea represented by Juliette Rea. |
| Citation               | Boroondara PSA C353boro Part 2 [2022] PPV  |
| Date of this report    | 9 March 2022   |

## Executive summary

Boroondara Planning Scheme Amendment C353boro seeks to apply the Heritage Overlay to 26 Goldthorns Avenue, 3-5 Florence Avenue and 97 Argyle Street, Kew; and amend the Thornton Estate Residential Precinct statement of significance incorporated document to identify 33 Thornton Street, Kew as a 'contributory' place in the Thornton Estate Residential Precinct.

Amendment C353boro follows the recommendation of the Panel Report for Amendment C294boro Part 2 that the properties at 20 and 26 Goldthorns Avenue and 97 Argyle Road, Kew should be assessed through a separate process to determine whether they met the local heritage threshold as individual places. Following further work, Council identified 26 Goldthorns Avenue and 97 Argyle Road, Kew as locally significant heritage places and initiated Amendment C353boro to apply the Heritage Overlay.

Submissions opposing the Amendment were received in response to the exhibition of Amendment C353boro from the owners of 26 Goldthorns Avenue, Kew and 97 Argyle Road, Kew. A supporting submission was received for 3-5 Florence Avenue, Kew.

Post exhibition Council resolved to split the Amendment into two parts. Part 1, which dealt with 3-5 Florence Avenue, Kew proceeded as exhibited. Part 2, which dealt with 26 Goldthorns Avenue, Kew and 97 Argyle Road, Kew was referred to the Panel.

Key issues raised in submissions included:

- the merit of the heritage assessment of 26 Goldthorns Avenue, Kew due to past modifications and the need to undertake repairs and modify the property in the future
- the identification of 97 Argyle Road, Kew as having heritage significance as it was not identified for heritage protection in the Kew Urban Conservation Study prepared in 1988.

The Panel accepted the evidence of Ms Schmeder that both buildings meet the threshold for local significance and that the Heritage Overlay should be applied.

Council and Ms Schmeder proposed changes to the exhibited documents. These matters are discussed in more detail in the Report.

The Panel concludes:

- 97 Argyle Street, Kew:
  - It is appropriate and justified to apply the Heritage Overlay (HO932).
  - The Heritage Overlay polygon for HO932 should include the entire property.
  -

The post exhibition changes to the statement of significance recommended by Council and the additional changes recommended by Ms Schmeder are appropriate.

- 26 Goldthorns Avenue, Kew:
  - It is appropriate and justified to apply the Heritage Overlay (HO930).
  - Potential individual economic impacts are not a relevant consideration in assessing the application of the Heritage Overlay .
  -

The words 'ledged timber doors providing access to the back yard on the east and west sides' should be added to the statement of significance .

## Recommendations

Based on the reasons set out in this Report, the Panel recommends that Boroondara Planning Scheme Amendment C353boro Part 2 (the Amendment) be adopted as exhibited subject to the following:

- 1. Replace the exhibited 'Skye' (former), 'Argyle' (97 Argyle Street, Kew) Heritage citation, August 2020 with the Panel Preferred Version as shown in Appendix B.**
- 2. Edit the Panel Preferred Version of the 97 Argyle Street, Kew citation as shown in Appendix B by:**
  - a) amending the citation to indicate that the place is still known as 'Skye' and its name has never been changed**
  - b) amending the text under the statement of significance heading to state that the west elevation and the roof form over this side of the house and the current driveway brick paving are not significant**
  - c) removing the comment that an original chimney on the west side was demolished**
  - d) stating 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 however the volcanic rubble retaining walls in the garden are present.**
- 3. Replace the text of the exhibited 'Skye' (former), 'Argyle' Statement of Significance under the headings 'What is significant?', 'How Is it significant?' and 'Why is it significant?' with the wording under the same headings in the statement of significance section of the Panel preferred version of the citation as shown in Appendix B.**
- 4. Amend the citation and statement of significance to include the words 'ledged timber doors providing access to the back yard on the east and west sides' to the end of the last paragraph under 'Why is it significant?' before '(Criterion E)'.**

# 1 Introduction

## 1.1 The Amendment

### (i) Amendment description

The purpose of the Amendment is to apply the Heritage Overlay to 26 Goldthorns Avenue, 3-5 Florence Avenue and 97 Argyle Street, Kew; and amend the Thornton Estate Residential Precinct statement of significance incorporated document to identify 33 Thornton Street, Kew as a 'contributory' place in the Thornton Estate Residential Precinct.

Specifically, the Amendment:

- amends Map 8HO to apply:
  - HO930 to 26 Goldthorns Avenue, Kew
  - HO931 to 3-5 Florence Avenue, Kew
  - HO932 to 97 Argyle Street, Kew
- amends the Schedule to Clause 43.01 (Heritage Overlay) to:
  - apply HO930 to HO932 and the respective statement of significance for the properties listed above
  - update the date of the Thornton Estate Residential Precinct statement of significance
- amends the Schedule to Clause 72.04 to introduce three new incorporated documents titled:
  - former Watson Residence (3-5 Florence Avenue, Kew) statement of significance, April 2021
  - Seeger House (26 Goldthorns Avenue, Kew) statement of significance, April 2021
  - 'Skye' (former), 'Argyle' (97 Argyle Street, Kew) statement of significance, April 2021
- amends the Schedule to Clause 72.04 to update the date of the Thornton Estate Residential Precinct statement of significance to reflect the date the statement of significance was updated to reflect the grading change for 33 Thornton Street, Kew
- amends the Schedule to Clause 72.08 to introduce four new background documents titled:
  - former Watson Residence (3-5 Florence Avenue, Kew) Heritage citation, April 2021
  - Seeger House (26 Goldthorns Avenue, Kew) Heritage citation, August 2020
  - 'Skye' (former), 'Argyle' (97 Argyle Street, Kew) Heritage citation, August 2020
  - Thornton Estate Residential Precinct Heritage citation, May 2021.

### (ii) The subject land

The Amendment, as exhibited, applies to the following properties:

- 26 Goldthorns Avenue, Kew
- 3-5 Florence Avenue, Kew
- 33 Thornton Street, Kew
- 97 Argyle Street, Kew.

Post exhibition Council resolved to split the Amendment into two parts. Part 1 included the properties at 3-5 Florence Avenue, Kew and the Thornton Estate Residential Precinct statement of significance. Part 2 of the Amendment, which dealt with 26 Goldthorns Avenue, Kew and 97 Argyle



Road, Kew, was referred to the Panel with related submissions. The remainder of this Report deals with Amendment C353boro Part 2.

## 1.2 Background

At its Ordinary Meeting on 25 July 2016, Council resolved to prepare the Municipal-Wide Heritage Gap Study for the City of Boroondara. The purpose of the study was to implement a priority action graded as 'very high' in its *Heritage Action Plan 2016* by identifying and protecting identified heritage properties and precincts through the application of the Heritage Overlay. Council adopted the *Heritage Action Plan 2016* on 2 May 2016.

Kew was the fourth suburb to be assessed as part of the Municipal-Wide Heritage Gap Study. The Municipal-Wide Heritage Gap Study Volume 4 Kew 2020 (the Study) (the subject of Amendment C294boro) was undertaken during 2017 and 2018. The draft Study recommended the application of the Heritage Overlay to 21 individually significant heritage places and nine heritage precincts, including a mix of significant, contributory and non-contributory places. It also recommended the extension of the existing Barrington Avenue Precinct (HO142), Barry Precinct (HO143), Glenferrie Road Precinct (HO150), Sackville Street Precinct (HO162), Kew Junction Commercial Heritage Precinct (HO520) and High Street South Residential Precinct (HO527) to include additional properties.

Preliminary consultation on the draft Study was undertaken from 13 November to 8 December 2017 with 84 submissions received. The Urban Planning Special Committee (UPSC) meeting on 16 April 2018 resolved to adopt the Study subject to changes to address submissions and to commence a planning scheme amendment to implement the recommendations of the Study.

By letter dated 24 October 2018, a delegate of the Minister for Planning authorised Council to prepare the Amendment which was formally exhibited from 21 February to 25 March 2019. Council received 94 submissions to the Amendment and on August 2019 and the UPSC resolved to refer Amendment C294boro and all submissions received to a planning Panel for consideration.

The Panel Hearing was held on 17, 18, 21, 23 October and 6 - 7 November 2019. Among other things, the Panel recommended that the Amendment be adopted subject to changes and abandoned with respect to the following properties and precinct:

- the west side of Bradford Avenue (Nos 7 to 15), 20 Bradford Avenue, 12 Stoke Avenue and 365 Cotham Road in the Bradford Estate Precinct
- the Clifton Estate Residential Precinct
- the Goldthorns Hill and Environs Precinct (which included 26 Goldthorns Ave and 97 Argyle Street).

In addition, the Panel concluded that:

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.

The Panel also recommended that the property at 33 Thornton Street be regraded from non-contributory to contributory within the Thornton Estate Residential Precinct and that this regrading should be carried out through a separate amendment process.

On 20 July 2020, the UPSC considered a report on the Panel's recommendations and, among other things, resolved to undertake further heritage assessments of and commence a planning scheme amendment to apply the Heritage Overlay to the following properties:

- 26 Goldthorns Avenue, Kew
- 97 Argyle Road, Kew
- 3-5, 6 and 7 and 8 Florence Avenue, Kew.

The further assessment undertaken by Council ultimately recommended the following three properties for protection in the Heritage Overlay:

- 5 Florence Avenue, Kew
- 26 Goldthorns Avenue, Kew
- 97 Argyle Road, Kew.

Council prepared citations for the three properties as well as a revised citation for the Thornton Estate Residential Precinct which altered the grading of 33 Thornton Street from non-contributory to contributory. Council then applied to the Minister for Planning seeking authorisation to prepare and exhibit a planning scheme amendment to introduce Heritage Overlays to the three properties on a permanent basis and to change the grading of 33 Thornton Street.

By letter dated 26 May 2021 the delegate of the Minister for Planning authorised Council to prepare Amendment C353boro which was exhibited from 22 July to 27 August 2021. A total of three submissions were received including:

- one submission supporting the protection of 3-5 Florence Avenue in the Heritage Overlay
- one submission objecting to the protection of 26 Goldthorns Avenue in the Heritage Overlay
- one submission objecting to the protection of 97 Argyle Road in the Heritage Overlay.

On 8 November 2021, the UPSC considered the submissions to the Amendment and resolved to:

- split Amendment C353boro into the following two parts:
  - Part 1 included the properties that had received no submissions or only supporting submissions, that is, 3-5 Florence Avenue, Kew and the regrading of 33 Thornton Street, Kew
  - Part 2 included the properties that had received objecting submissions, 26 Goldthorns Avenue, Kew and 97 Argyle Road, Kew
- request the Minister for Planning to appoint an independent planning Panel to consider submissions to Amendment C353boro Part 2.

Amendment C353boro Part 1 was adopted at an Ordinary Meeting of Council on 13 December 2021 and gazetted on 24 February 2022.

**Table 1** Summary of chronology of events

| Date                           | Event   |
|--------------------------------|---|
| 25 July 2016                   | Resolution to commence Municipal-Wide Heritage Gap Study        |
| 2017/2018                      | Drafting of Kew Heritage Gap Study                              |
| 13 November to 8 December 2017 | Preliminary consultation of Kew Heritage Gap Study              |
| 16 April 2018                  | Adoption of Kew Heritage Gap Study                              |
| 21 February to 25 March 2019   | Exhibition of Amendment C294boro                                |
| 5 August 2019                  | Resolution to refer Amendment C294boro Part 2 to Planning Panel |

| Date  | Event   |
|---|---|
| 17, 18, 21 & 23 October and 6 & 7 November 2019 | Amendment C294boro Part 2 Panel Hearing   |
| 21 January 2020                                 | C294boro Part 2 Panel Report received by Council  |
| 20 July 2020                                    | Resolution to make changes to Amendment C294boro Part 2 as recommended by Panel                 |
| 24 August 2020                                  | Adoption of Amendment C294boro Part 2   |
| 22 February 2021                                | Approval of Amendment C294boro Part 2   |
| 12 March 2021                                   | Gazettal of Amendment C294boro Part 2   |
| 26 May 2021                                     | Authorisation granted for Amendment C353boro  |
| 22 July to 2 August 2021                        | Exhibition of Amendment C353boro  |
| 8 November 2021                                 | UPSC considers submissions to C353boro. Resolution to split Amendment and refer Part 2 to Panel |
| 10 November 2021                                | Request to appoint a Panel to consider C353boro Part 2 lodged                                   |
| 15 November 2021                                | Panel appointed for C353 Part 2   |
| 13 December 2021                                | Adoption of C353boro Part 1   |
| 16 December 2021                                | Directions Hearing for C353boro Part 2  |
| 11 February 2022                                | Panel Hearing for C353boro Part 2   |
| 24 February 2022                                | Gazettal of C353boro Part 1   |

### 1.3 Procedural issues

Prior to the Directions Hearing Ms Rea, on behalf of the owners of 97 Argyle Road, Kew expressed a wish to be heard at the Panel Hearing. Consequently, the Hearing was scheduled for Friday 11 February 2022. Prior to the Hearing, on 9 February 2022, Ms Rea advised the Panel that she preferred to make a written submission rather than appear at the Hearing (Documents 10 and 11). Council then requested that the Hearing be dealt with on the papers and also that it be given the opportunity to respond to the Ms Rea's submission (Documents 12 and 14).

By letter dated 10 February 2022 the Panel issued Directions that the Hearing would be conducted on the papers. In addition, the Panel agreed to receiving a further written response from Council. This response (Documents 15 and 16) along with the further submission of Ms Rea (Document 17) was received on 11 February 2022. Council was invited to respond to Ms Rea's submission and provided a brief response by email on 17 February 2022 (Document 18).

## 1.4 Summary of issues raised in submissions

### (i) Planning Authority

The key issues for Council were whether the Heritage Overlay was appropriately applied to the properties at:

- 26 Goldthorns Avenue, Kew
- 97 Argyle Road, Kew.

### (ii) Individual submitters or groups of submitters

The key issues for submitters were:

- the merit of the heritage assessment of 26 Goldthorns Avenue, Kew due to past modifications and the need to undertake repairs and modify the property in the future
- the identification of 97 Argyle Road, Kew as having heritage significance as it was not identified for heritage protection in the Kew Urban Conservation Study prepared in 1988.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment, observations from site visits and submissions, evidence and other material presented to it during the Hearing. It has reviewed all material provided and has been selective in referring to the more relevant or determinative material in the Report. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the Report.

This Report deals with the issues under the following headings:

- Planning context
- Individual heritage places.

## 2 Planning context

### 2.1 Planning policy framework

Council submitted that the Amendment is supported by various clauses in the Planning Policy Framework (PPF) and Municipal Strategic Statement, which the Panel has summarised below.

#### Victorian planning objectives

The Amendment will implement section 4(1)(d) of the *Planning and Environment Act 1987* (the PE Act) to:

- conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest or otherwise of special cultural value
- balance the present and future interests of all Victorians.

#### Planning Policy Framework

The Amendment supports:

- **Clause 15.01-5S** (Neighbourhood character) which seeks to recognise, support and protect neighbourhood character, cultural identity and sense of place
- **Clause 15.03-1S** (Heritage conservation) which seeks to ensure the conservation of places of heritage significance. Relevant strategies are:
  - Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.
  - Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.
  - Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific or social significance.
  - Encourage appropriate development that respects places with identified heritage values.
  - Retain those elements that contribute to the importance of the heritage place. Encourage the conservation and restoration of contributory elements.
  - Ensure an appropriate setting and context for heritage places is maintained or enhanced.

#### Clause 21 (the Municipal Strategic Statement)

The Amendment supports the Municipal Strategic Statement by:

- Clause 21.04-5 (Built Environment and Heritage) of the Municipal Strategic Statement includes the objective 'to identify and protect all individual places, objects and precincts of cultural heritage, aboriginal, townscape and landscape significance'
- Clause 22.03-2 (Heritage Policy) which seeks 'to preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm'.

### 2.2 Other relevant planning strategies and policies

#### (i) Plan Melbourne

*Plan Melbourne 2017-2050* sets out strategic directions to guide Melbourne's development to 2050 to ensure it becomes more sustainable, productive and liveable as its population approaches 8 million. It is accompanied by a separate implementation plan that is regularly updated and refreshed every five years.

Plan Melbourne is structured around seven Outcomes, which set out the aims of the plan. The Outcomes are supported by Directions and Policies, which outline how the Outcomes will be achieved. The following are relevant to the Amendment:

- **Outcome 4:** Melbourne is a distinctive and liveable city with quality design and amenity
  - **Direction 4.4:** Respect Melbourne’s heritage as we build for the future
  - **Policy 4.4.1:** Recognise the value of heritage when managing growth and change
  - **Policy 4.4.4:** Protect Melbourne’s heritage through telling its stories.

## (ii) **Boroondara Heritage Action Plan (2016)**

The Heritage Action Plan was adopted by Council on 2 May 2016 and establishes the framework to guide Council’s heritage work program as it relates to the identification, protection, management and promotion of Boroondara’s heritage assets.

The Amendment is consistent with ‘very high’ priority action VH5 of the Heritage Action Plan 2016: Prepare and implement a heritage study of Kew as part of the municipal-wide heritage [gap study].

## 2.3 Planning scheme provisions

The Heritage Overlay purposes are:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To conserve and enhance heritage places of natural or cultural significance.
- To conserve and enhance those elements which contribute to the significance of heritage places.
- To ensure that development does not adversely affect the significance of heritage places.
- To conserve specifically identified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The Heritage Overlay requires a planning permit to demolish, subdivide, build or carry out works. The Heritage Overlay enables its Schedule to specify additional controls for specific trees, painting previously unpainted surfaces, internal alterations and an incorporated plan (which may exempt buildings and works and other changes from requiring a planning permit). The Schedule may also identify if a place can be considered for uses that are otherwise prohibited, subject to a planning permit.

## 2.4 Ministerial Directions and Practice Notes

### Ministerial Directions

The Explanatory Report discusses how the Amendment meets the relevant requirements of:

- Ministerial Direction 11 (Strategic Assessment of Amendments)
- Ministerial Direction (The Form and Content of Planning Schemes pursuant to section 7(5) of The Act) – referred to as Ministerial Directions 7(5) in this Report
- Ministerial Direction No. 9 - Metropolitan Planning Strategy which requires amendments to have regard to *Plan Melbourne 2017-2050*.

That discussion is not repeated here.

## Planning Practice Note 1 – Applying the Heritage Overlay (August 2018)

*Planning Practice Note 1- Applying the Heritage Overlay* (PPN01) provides guidance about using the Heritage Overlay. It states that the Heritage Overlay should be applied to, among other places:

Places identified in a local heritage study, provided the significance of the place can be shown to justify the application of the Overlay.

PPN01 specifies that documentation for each heritage place needs to include a statement of significance that clearly establishes the importance of the place and addresses the heritage criteria. It recognises the following model criteria (the HERCON criteria) that have been adopted for assessing the value of a heritage place:

- Criterion A:** Importance to the course or pattern of our cultural or natural history (historical significance).
- Criterion B:** Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).
- Criterion C:** Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).
- Criterion D:** Importance in demonstrating the principal characteristics of a class of cultural or natural places or environments (representativeness).
- Criterion E:** Importance in exhibiting particular aesthetic characteristics (aesthetic significance).
- Criterion F:** Importance in demonstrating a high degree of creative or technical achievement at a particular period (technical significance).
- Criterion G:** Strong or special association with a particular community or cultural group for social, cultural or spiritual reasons. This includes the significance of a place to Indigenous peoples as part of their continuing and developing cultural traditions (social significance).
- Criterion H:** Special association with the life or works of a person, or group of persons, of importance in our history (associative significance).

## 2.5 Conclusion

For the reasons set out in the following chapters, the Panel concludes that the Amendment is supported by and implements, the relevant sections of the PPF and Municipal Strategic Statement and is consistent with the relevant Ministerial Directions and PPN01. The Amendment is well founded and strategically justified and the Amendment should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.



## 3 Individual heritage places

### 3.1 97 Argyle Street, Kew (HO932)

#### Exhibited Statement of significance



#### What is significant?

‘Skye’ (now ‘Argyle’) at 97 Argyle Road, Kew, is significant. The single-storey house was 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 and aesthetic significance to the City of Boroondara.

#### Why is it significant?

The former ‘Skye’ is significant for demonstrating the principal characteristics of interwar Arts and Crafts domestic design, 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)



**(i) The issues**

The issues are:

- whether it is appropriate and justified to apply the Heritage Overlay (HO932) to 97 Argyle Street, Kew
- whether the Heritage Overlay polygon should be amended
- whether the post exhibition changes to the statement of significance are appropriate

**(ii) Evidence and submissions**

The owners of 97 Argyle Road submitted that various heritage studies undertaken by Pru Sanderson, Lovell Chen and Context, on behalf of the then City of Kew and the City of Boroondara, had not identified the property as having heritage value and had concluded that the Goldthorns Hill and Environs Precinct should not have the Heritage Overlay applied.

Ms Rea, on behalf of the owners, informed the Panel that the current title of the property is the result of the purchase and consolidation of a number of lots in 1929 and 1930. She requested that the extent of the Heritage Overlay if it were to be applied, be limited to the land on which the house is located and the land containing the tennis court be excluded because it has no heritage value. She considered that the alignment of the driveway did not warrant application of the Overlay, but nevertheless she *“would consider the extent of the Overlay following this alignment.”* She added that she disagreed with Council’s view that land on the east of the property was important to appreciate the architecture of the house because there are numerous examples of heritage properties that cannot be viewed from the public realm.

Council submitted that the failure of previous studies to identify a place as significant does not diminish its potential significance or suitability for inclusion in the Heritage Overlay now. Council informed the Panel that it proposed to amend the citation (Document 6) to include additional information regarding the architect of the property, further comparative analysis and an additional heritage criterion (Criterion H - Associative Significance). Council added that the amended citation does not include any additional restrictions or requirements. Council circulated its revised citation to all parties on 14 January 2022.

Council acknowledged that, due to an administrative error the amended citation was not included in the authorisation request or exhibited with the other amendment documents. It submitted that the amended citation should be the basis for consideration of the heritage significance of the place.

Ms Schmeder, providing heritage evidence for Council, informed the Panel that she undertook the assessments of 97 Argyle Road and 26 Goldthorns Avenue using the methodology adopted in the Kew Gap Study. On the basis of a more extensive comparative analysis, she concluded that while 20 Goldthorns Avenue did not meet the threshold of local significance, 26 Goldthorns Avenue and 97 Argyle Road did. She recommended that the Heritage Overlay polygon for 97 Argyle Road cover the original site and the addition to the south east.

Her evidence was that in drafting the citation she uncovered the identity of the designing architects, Hudson, Wardrop and Ussher. In response she prepared a revised citation and statement of significance that she referred to as the 30 November 2020 version (Document 6). She identified:

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.

She added that while Council accepted the 30 November 2020 version, the previous version, without the architect's details was used in the *"the implementation of Amendment C353boro."*

Ms Schmeder acknowledged that the heritage studies concerning Kew undertaken between 1988 and 2014 had not recommend the property for the Heritage Overlay as an individual place or precinct. She explained this was the result of the amount of attention given to interwar places and the:

... 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.

In addition, more recent buildings were graded at a less significant level because they *"are not yet rare enough to be graded higher or cannot be judged with sufficient objectivity to warrant strict conservation protection."* She explained:

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.

Ms Schmeder's evidence was this pattern was repeated over subsequent heritage studies of Kew until the Study with which she was involved and commenced in 2017.

She informed that the owners' representative made a verbal submission to the UPSC detailing alterations to the building, driveway and materials of the building making it unsuitable for applying the Heritage Overlay. She added that her views were informed by a site inspection of the place on 19 January 2022 in the presence of a Council officer and a representative of the owners.

She stated that the exhibited citation identified alterations to the west elevation of the building and a two-storey addition. She acknowledged that the owner of the property has stated that there had been extensive alterations to the building and as a result of her site inspection and the discovery of building permit plans she agreed that it was appropriate to clearly indicate in the citation that neither the west elevation nor the roof form over this side of the house are significant, due to these alterations. However, she noted that these alterations are to the rear elevation and in her opinion the place retained its local significance despite them.

Ms Schmeder also agreed with the owners that no chimneys had been removed from the building. Consequently, she recommended removal of Figure 7 from the 30 November 2020 version and deleting the comment that the original chimney was demolished. Figure 7 in the citation shows the elevation from the 1987 building permit plans which shows a new chimney that was never built and was mistaken for one that had been demolished.

She agreed that the roof material was not original but was nevertheless sympathetic in nature and the change has *"only a very minor impact on the heritage significance of this house."* She also considered the rough cast render applied to the building to be part of its significant fabric, apart from the west elevation.

Ms Schmeder agreed that the change in name for the house was incorrect and it should be known as 'Skye.' She agreed that the red and cream brick paving of the driveway is recent and that much of the original vegetation is no longer present. She recommended revising the statement of

significance to note that the driveway paving is not significant. She also noted that no tree controls were proposed for the place.

With respect to the Heritage Overlay curtilage polygon Ms Schmeder's evidence was that the original property was made up of three lots which were consolidated and the south east corner lot was added in 1986, as the following diagram shows.

**Figure 1** Diagram showing the approximate boundaries of the allotments forming 97 Argyle Road



Source: Figure 6 from the Statement of Evidence of Ms Schmeder 2 February 2022

She agreed that the 1986 addition had no historic links to the heritage place and could be excised from the Overlay without any negative impact. Similarly, she agreed that the tennis court and swimming pool have no heritage significance, however, she acknowledged that the land provides a suitably generous garden setting for the house.

With respect to the driveway she stated:

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.

Her evidence was that it is standard practice to include the original extent of a place in the Overlay. This approach is supported by PPN01. However, she agreed it was appropriate to leave the south-east corner of the land, added in 1986, outside of the Heritage Overlay and retaining it to the original extent of the land.

In summary she recommended the following changes to the 30 November 2020 citation:

- 1) Revise the place citation and statement of significance 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.
- 2) Remove the south-east corner block, added in 1986, from the HO polygon.

In its response to Ms Rea's submission, Council expressed concern about the administrative burden on the owners and Council of excluding portions of the property. It added that there is no clear boundary on the property that would provide a visual clue to the boundary of the Heritage Overlay. Council referred to a similar circumstance considered in Amendment C318boro where the Panel recommended the Overlay follow the outline of the building. It added:

In the case of 97 Argyle Road, Kew, the alignment and position of the tennis court does not follow the historic lot boundaries and does not provide a clear and easily distinguished separation from the significant fabric of the house.

It submitted that the citation and statement of significance are clear that the tennis court and pool are not of heritage significance. Council stated it would be unlikely that any significant works on the 1986 addition land would be likely to intrude on land affected by the Heritage Overlay and still require a planning permit. It concluded that it would be more appropriate to apply the Overlay to the entire site.

In her supplementary submission Ms Rea stated that the owners were prepared to have the driveway surveyed by *"licensed surveyor and plans prepared."* She added that the owners did not consider it an administrative burden and that the survey plan would readily identify the area covered by the Heritage Overlay which should alleviate the Council's concern. She concluded:

... we believe a survey showing the exact location of the curved driveway be carried out and be used for the purpose of defining the HO Polygon. We believe this approach is more appropriate, fair and reasonable and provides the heritage protection the Council and Ms Schmeder is seeking while providing the owners their wishes.

In its response Council reiterated its concern that it would be necessary to determine the boundary each time a permit application was made if the boundary was not clearly distinguished. Council added:

Council also notes that the discussion has now moved from aligning with the historic lot boundaries to aligning with the curved driveway. The curve of the driveway is identified by Ms Schmeder as being an original feature of the property. This would ordinarily be protected by a curtilage, which would extend into the tennis court area. Again, this would be an unclear boundary requiring clarification each time a permit application was made.

### **(iii) Discussion**

The Panel accepts Ms Schmeder's explanation about why the property at 97 Argyle Road was not previously identified in the Kew heritage studies. The Panel agrees that the identification and assessment of interwar places is a relatively recent component of heritage studies.

The Panel agrees with Council's submission that the significance of a building is not diminished because it has not been identified by previous studies. A feature of heritage studies is that gathering information about a building is a process of discovery and primary sources of information may take time to come to light. The discovery of the architect of 97 Argyle Road is a useful example of this process.

The Panel accepts Ms Schmeder's evidence that alterations to the building do not diminish the significance of the building. The Panel acknowledges that the statement of significance identifies the north and east elevations as the building's principal facades and that the alterations are largely confined to the west. The roof materials are not original but sympathetic. The Panel notes that the submissions of Ms Rea effectively provide tacit acceptance of the appropriateness of the Heritage Overlay for the building.

Nevertheless, in her submissions to the Panel, Ms Rea was primarily focused on the extent of the Overlay on the property. She submitted that the Overlay should exclude the tennis court and pool. Ms Schmeder recommended that the Overlay apply to the original property and could exclude the 1986 addition. Council submitted that the Overlay should apply to the whole property.

The Panel does not accept Council's submission that the boundary of the Heritage Overlay would have to be determined each time there was an application and that a revised curtilage would represent an administrative difficulty. Put simply, if a modified polygon that did not apply to the entire property was recommended, that boundary could be determined by a survey (as offered by Ms Rea) and once approved, could be used for any subsequent permit applications. In addition, the initial definition could be based on existing features, such as the west fence of the tennis court.

The Panel acknowledges that Ms Schmeder's assessment is that the tennis court and swimming pool have no heritage significance. However, on viewing the site and from the aerial photography it is difficult to accept her position that the tennis court and swimming pool provides a generous garden setting for the house given both elements are devoid of any vegetation or garden area.

PPN01 provides some guidance in determining the extent of the Heritage Overlay and provides the following example:

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).

It also acknowledges that there are situations where only the building should have the Heritage Overlay applied. It states:

Reducing the curtilage and the polygon will have the potential benefit of lessening the number of planning permits that are required with advantages to both the landowner and the responsible authority.

PPN01 recommends a number of steps to establish a curtilage and polygon including the following

- the polygon should include those elements that are significant
- curtilages, defined as "the land surrounding the heritage item," are almost always necessary
- boundaries should be uncomplicated and easily recognised.

The revised statement of significance contains the following under '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.

The statement of significance identifies the large block of land as part of what is significant. Given that the eastern elevation, one of the principal facades, of the building has an outlook to this area, in the Panel's view, it contributes to the significance of the heritage place, even though it is occupied by a tennis court and pool.

In the Panel's view it is also significant that the building meets the threshold for Criteria D and E which deal with the characteristics and aesthetics of a heritage place.

While Ms Schmeder acknowledges that the 1986 addition could be removed from the Overlay there is no visual context, such as the fence line suggested by PPN01. While the lot boundaries might have had some significance when first created, on the basis presented to the Panel that these have now been consolidated into a single land parcel, they cease to have a practical relevance. In the Panel's view the 1986 addition reads as part of the "*large block of land*" that forms the outlook from the house and should be considered as part of the curtilage of the heritage place.

#### **(iv) Conclusions and recommendations**

The Panel concludes:

- It is appropriate and justified to apply the Heritage Overlay (HO932) to 97 Argyle Street, Kew.
- The Heritage Overlay polygon for HO932 should apply to the entire property at 97 Argyle Street, Kew.
- The post exhibition changes to the statement of significance for 97 Argyle Street, Kew recommended by Council and the additional changes recommended by Ms Schmeder are appropriate.

The Panel recommends:

- 1. Replace the exhibited 'Skye' (former), 'Argyle' (97 Argyle Street, Kew) Heritage citation, August 2020 with the Panel Preferred Version as shown in Appendix B.**
- 2. Edit the Panel Preferred Version of the 97 Argyle Street, Kew citation as shown in Appendix B by:**
  - a) amending the citation to indicate that the place is still known as 'Skye' and its name has never been changed
  - b) amending the text under the statement of significance heading to state that the west elevation and the roof form over this side of the house and the current driveway brick paving are not significant
  - c) removing the comment that an original chimney on the west side was demolished
  - d) stating 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 however the volcanic rubble retaining walls in the garden are present.
- 3. Replace the text of the exhibited 'Skye' (former), 'Argyle' Statement of Significance under the headings 'What is significant?', 'How is it significant?' and 'Why is it significant?' with the wording under the same headings in the statement of significance section of the Panel preferred version of the citation as shown in Appendix B.**

## 3.2 26 Goldthorns Avenue, Kew (HO930)

### Exhibited Statement of significance



#### 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 (Criterion E)



**(i) The issues**

The issues are:

- whether it is appropriate and justified to apply the Heritage Overlay (HO930) to 26 Goldthorns Avenue, Kew
- whether potential individual economic impacts are a relevant consideration.

**(ii) Evidence and submissions**

Mr Wang, the owner of 26 Goldthorns Avenue, submitted that the building had been significantly altered and making it unsuitable for application of the Heritage Overlay. His listed the alterations as:

- the lounge room and kitchen have been rebuilt
- a number of windows have been altered
- some of the walls and have been significantly damaged and require rebuilding
- the roof requires maintenance after significant rain damage.

He submitted that a number of elements of the building require significant maintenance and rebuilding, including expanding the garage and that prior to the notification on the Amendment, that process was about to commence. He stated that the alterations are now on hold until the Amendment process is concluded.

He added that the proposed Amendment would significantly impact his ability to rebuild one or two dwellings on the lands and that the Amendment would impact the value of his property.

Council submitted that the consideration of the impact on property values and individual economic impacts are not a matter for consideration in applying the Heritage Overlay. It referenced recent heritage Panels including Melbourne C207 and Moreland C149 that had considered and ultimately rejected individual economic impacts, such as the effect on land values as a consideration of the application of the Heritage Overlay.

Council added that the Heritage Overlay does not prohibit maintenance, repairs or additions to a building but requires a planning permit which assesses the impact of the works on the significance of the place.

Council acknowledged that when the owner purchased the property in 2015 there were no heritage controls proposed for the site. Consequently, any advice that was provided at the time that the site could be redeveloped was correct. Council submitted that planning controls are subject to change and the process invites the participation of those impacted by this change before any decision is made. Council added that all affected property owners had been given sufficient opportunity to access the Amendment materials and to voice their concerns.

Ms Schmeder informed the Panel that internal controls are not proposed and consequently alterations to the lounge room and kitchen have no impact on the heritage significance of the place. With respect to the external alterations to the building her evidence was that she could not identify any alterations to the roof although the metal valley flashing may have been recently replaced. Ms Schmeder's evidence provided a comparison of the existing windows of the house with the 1938 building construction plans. As a result of this analysis she concluded that:

... 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.



A similar analysis was presented for the garage and its timber doors which Ms Schmeder stated was a rare find. She added that she did not see any evidence that the building was in poor condition and she observed that the Council and the Panel had not been provided with any documentation or professional assessment that supported this view. She concluded that the building was clearly of local significance and added that statement of significance section in regard to aesthetic significance, was missing the end of the final sentence should have the following words added 'ledged timber doors providing access to the back yard on the east and west sides.'

### **(iii) Discussion**

The Panel was not presented with any information that demonstrated an unreasonable individual financial impact as a result of the application of the Heritage Overlay to the property. While the PE Act requires consideration of social and economic matters as well as the principles of net community benefit and sustainable development, these matters relate to the interests of the broader community and not individual impacts.

Furthermore, the Panel was not presented with any information that demonstrated a negative economic impact on the broader Kew community would result from the Amendment. Numerous Panels including a those dealing with the application of the Heritage Overlay have explored this issue of individual economic impacts and have reached the conclusion that it is not a relevant consideration in the application of the Heritage Overlay. This Panel is no different and accepts Council's submission.

The Panel accepts Ms Schmeder's evidence that the building is highly intact and a representative example of the interwar Old English style which was evident from her photographic comparison to the original building plans and the Panel's inspection. The Panel notes that internal controls are not proposed and consequently most of the alterations referred to in submissions do not impact on the heritage significance of the place.

### **(iv) Conclusions and recommendation**

The Panel concludes:

- It is appropriate and justified to apply the Heritage Overlay (HO930) to 26 Goldthorns Avenue, Kew.
- Potential individual economic impacts are not a relevant consideration in assessing the application of the Heritage Overlay to 26 Goldthorns Avenue, Kew.
- The words 'ledged timber doors providing access to the back yard on the east and west sides' should be added to the statement of significance for 26 Goldthorns Avenue, Kew.

The Panel recommends:

- 4. Amend the citation and statement of significance to include the words 'ledged timber doors providing access to the back yard on the east and west sides' to the end of the last paragraph under 'Why is it significant?' before '(Criterion E)'.**

## Appendix A Document list

| No. | Date       | Description   | Provided by |
|-----|------------|---|-------------|
| 1   | 19/11/2021 | Directions Hearing letter   | PPV         |
| 2   | 17/12/2021 | Directions and timetable  | PPV         |
| 3   | 14/02/2022 | Boroondara Municipal-Wide Heritage Gap Study Volume 4 Kew 2020        | Council     |
| 4   | 14/02/2022 | Amendment Boroondara C294boro Part 2 Panel Report                     | Council     |
| 5   | 14/02/2022 | Email from Council providing documents requested by the Panel         | Council     |
| 6   | 14/02/2022 | Revised citation for 97 Argyle Street, Kew (30 November 2020 version) | Council     |
| 7   | 04/02/2022 | Council Part A submission   | Council     |
| 8   | 04/02/2022 | Evidence statement of Natica Schmeder                                 | Council     |
| 9   | 09/02/2022 | Council Part B submission   | Council     |
| 10  | 10/02/2022 | Email from Juliet Rea providing written submission                    | Ms J. Rea   |
| 11  | 10/02/2022 | Submission on behalf of Guiseppe and Ida Rea                          | Ms J. Rea   |
| 12  | 10/02/2022 | Email request from Council for Hearing on the Papers                  | Council     |
| 13  | 11/02/2022 | Panel Directions for Hearing on the papers                            | PPV         |
| 14  | 11/02/2022 | Council request to respond to submission by Juliette Rea              | Council     |
| 15  | 11/02/2022 | Council response to submission by Juliette Rea                        | Council     |
| 16  | 11/02/2022 | Amendment C318boro Panel Report (Balwyn Heritage)                     | Council     |
| 17  | 11/02/2022 | Supplementary submission by Juliette Rea                              | Ms J. Rea   |
| 18  | 17/02/2022 | Council response to further submission by Juliette Rea                | Council     |

## Appendix B Panel Preferred Version of the citation for 97 Argyle Street, Kew

### ‘Skye’ (former), ‘Argyle’

Prepared by: Context [with Trethowan Architecture](#)

#### Address:

97 Argyle Road, Kew

|   |   |
|---|---|
| <b>Name:</b> Former ‘Skye,’ now ‘Argyle’      | <b>Survey Date:</b> August 2020   |
| <b>Place Type:</b> Residential                | <b>Architect:</b> <del>unknown</del> <a href="#">Hudson, Wardrop and Ussher</a> |
| <b>Grading:</b> Significant                   | <b>Builder:</b> unknown   |
| <b>Extent of Overlay:</b> To title boundaries | <b>Construction Date:</b> 1929- <del>30</del>                                   |



### Historical Context

The first survey of the Kew area was by government surveyor Robert Hoddle, who divided the 1400 acres (570 hectares), the Parish of Boroondara, into 150 blocks of different sizes in 1837 (Morrissey 2008). Kew was divided into large allotments to encourage the establishment of small farms and market gardens to supply the growing settlement of Melbourne. These larger allotments meant that future subdivision proceeded in a piecemeal way (Sanderson 1988:4/2).

Access to Kew was originally via a bridge to Hawthorn, opened in 1852 and by the privately owned Studley Park Bridge (nicknamed the Penny Bridge), opened in 1857. Direct access to Kew was gained when the Johnston Street Bridge was built in 1858. In 1856 the Boroondara

Road Board District, comprising Kew, Hawthorn and Camberwell, was proclaimed (*Victorian Places* 2015).

The first houses in Kew were built in the 1850s around the area now known as the Kew Junction. During the gold rushes of the 1850s, speculation on land purchases increased and the region experienced rapid expansion. As Jane Carolan writes, Kew became a 'suburb of British expatriates who built their homes and gardens to replicate those left behind.' Many of the villas and mansions were built to overlook the city of Melbourne and were set in acres of land (Carolan 2003:3).

Subdivision of land to form residential estates in the Kew area occurred from the 1860s, although plans from the 1860s and 1870s suggest that the scale of subdivision was quite small. In the 1880s, Melbourne's land boom was influential in establishing Kew's residential street pattern (Sanderson 1988:4/7-9).

Subdivision slowed with the economic depression of the 1890s. However, by the end of 1897, housing construction had begun anew. In 1903, Kew was described by the *Australian Handbook* as a 'very favourite place of residence for the merchants and upper tradesmen of the city and is dotted with their elegant mansions, villas and well-kept gardens' (cited in *Victorian Places* 2015).

From 1920 Victoria experienced the highest marriage rate in its history and families sought homes away from the crowded inner suburbs of Melbourne. Following the tramlines, new estates were established in Kew. The pattern of expansion continued through the rest of the decade and was reflected in the construction of War Service Homes, a scheme administered by the State Bank from July 1922, with houses in Kew built mostly on subdivisions in the north and east of the suburb. New subdivisions in the 1920s changed the rural nature of north Kew, as housing and large recreation reserves began to replace dairy farms and market gardens. Estates were also established on the grounds of former mansions. Between 1921 and 1933, Kew's population increased by 46.62% and its house numbers by 62.73% (Sanderson 1988:4/11-17). As a result of Council policy to limit industry, Kew had only 29 factories in 1927 compared with Hawthorn's 140 (Morrissey 2008), further reinforcing its reputation as a genteel residential suburb.

Subdivision slowed once again with the economic depression of the late 1920s and early 1930s, but new estates appeared in the mid-1930s. Most of the new estates were of a modest scale built around small courts or short streets that bisected the former grounds of large houses. However, some in the northern part of the suburb had more substantial houses. Further subdivision occurred after World War Two (Sanderson 1988:4/20 and 4/24). The Studley Park area of Kew underwent intensive and significant infill development in this period (Built Heritage 2012:17).

Today, Kew retains evidence of this historical growth and development. As the *City of Kew Urban Conservation Study* states:

*To the north and east twentieth century housing predominates, the result of the suburban expansion that followed both World Wars. In the rest of the suburb the housing is more mixed, a legacy of constant subdivision. For this reason Kew does not have significant nineteenth century streetscapes, but in the mixture of housing styles numerous important buildings remain and in the individual examples both old and new, Kew's built heritage is almost a compendium of domestic architecture in*

Melbourne, from smaller family houses through to grand mansions (Sanderson 1988:4/25).

## History

The place is located on Crown Portion 84 of the Boroondara Parish, approximately 146 acres purchased by Peel and Motherwell in 1851 (Parish Plan Boroondara 1931).

By the 1860s, Crown Portion 84 was bounded by Burke Road, Park Hill Road East (later Argyle Road), Cotham Road, Belford Road and Harp Road ('Plan of Borough of Kew' 186).

Between 1887 and 1888, four large estates were proposed around the East Kew station of the Outer Circle railway line: the Belford Estate, the Segtoun Park Estate, the Monterey Estate and the Harp of Erin Estate (Sanderson 1988:4/8).

The subject house is located on several allotments of the Monterey Estate. This very large subdivision was created in 1888 and stretched from Burke Road to Normanby Road, between Harp Road and Argyle Road (at that time named Park Hill Road). It encompasses within it First Avenue, Maitland Avenue, Second Avenue and Griffiths Grove/Lady Brassey's Drive and the East Kew Station of the Outer Circle Line was to be located at its western edge. Auctions began in March 1888 and continued through the early 1890s, but despite healthy initial sales, few houses were actually built until the interwar era. In large part, this was due to the closure of this section of the Outer Circle Line in 1893 and the subsequent lack of public transport serving this area.

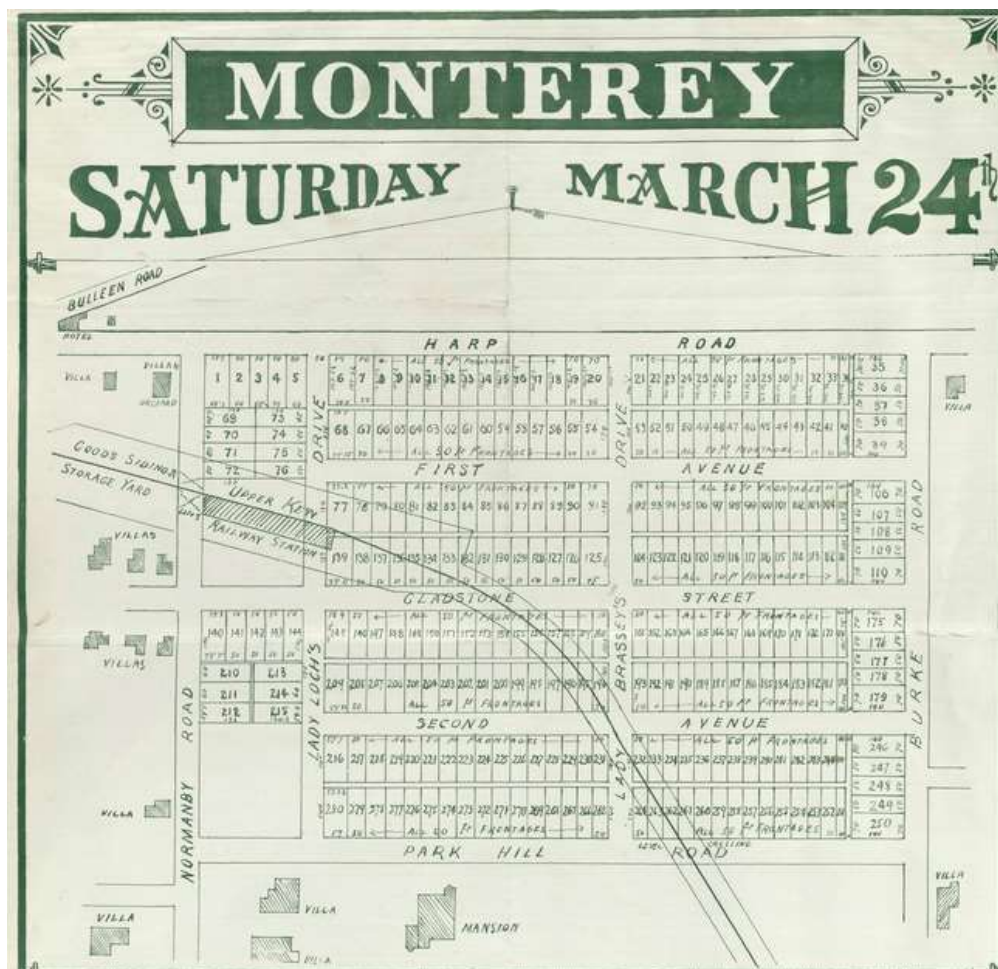
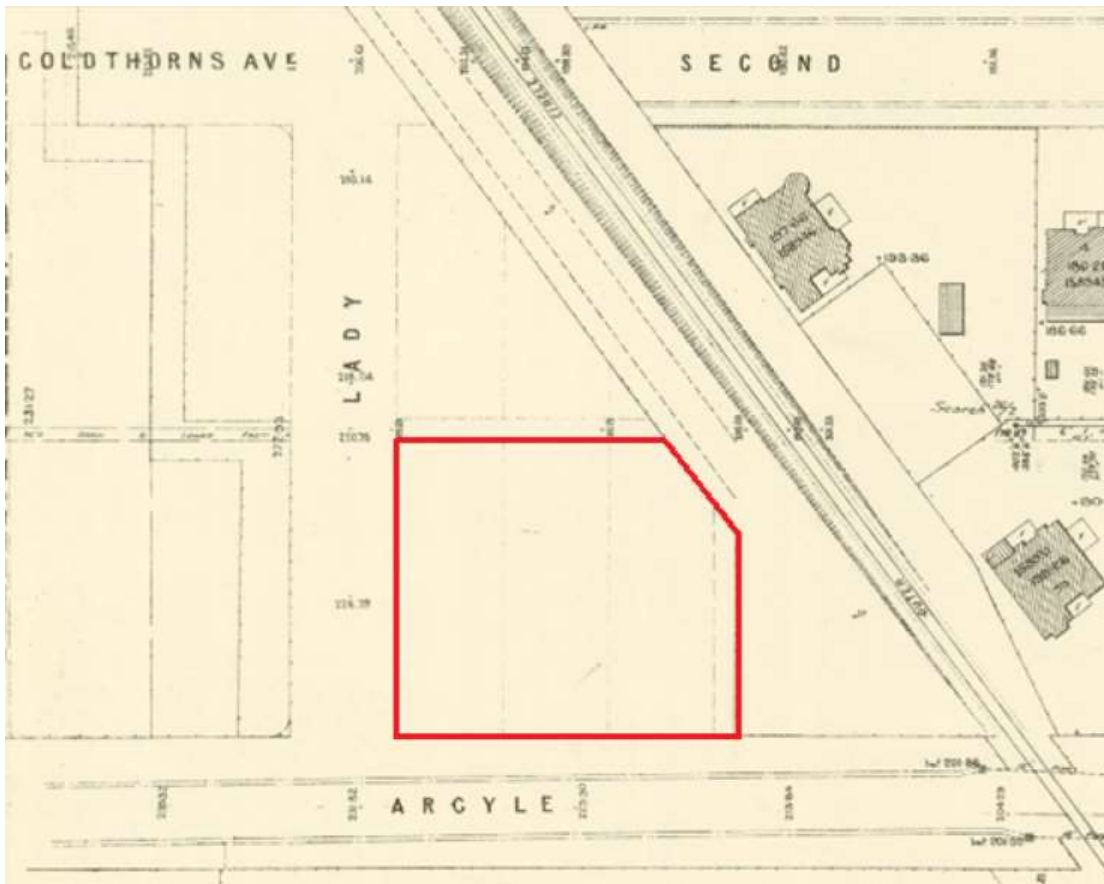


Figure 1. Monterey Estate plan, 1888. (Source: SLV)



A series of re-subdivisions took place in the western half of the Monterey Estate in the 1920s, leading to more intensive development just west of the subject site. This included the Normanby Heights Estate, creating new house blocks in 1919 on the south side of Argyle Road to the west of Royston Court and the Goldthorns Hill Estate of 1925, which created new house blocks on the north side of Argyle Road (Normanby Estate and Goldthorns Hill Estate plans, SLV). The most intensive development of Argyle Road, between Normanby Road and the former railway line, took place in the late 1920s and early 1930s (S&Mc). This included the house at 97 Argyle Road.



**Figure 2. Detail from MMBW Detail Plan No. 1603 dated 1926, with the vacant 97 Argyle Road site outlined. (Source: SLV)**

In 1923, accountant Walter George Hiscock owned a series of irregularly shaped allotments along the west side of the former Outer Circle Line from Campbell Street to Argyle Road. The following year he began to transfer them to private purchasers and the National Permanent Building Society. One of the sites transferred to the building society was the subject site, comprising Lots 263 and 264 and parts of Lots 261 and 262 of the Monterey Estate, on 22 December 1924 (CT Vol. 4772 Fol. 355). Hiscock was closely associated with the National Permanent Building Society, being one of its directors and having his office in the same building, the Royal Bank Chambers, 70 Elizabeth Street, Melbourne (*Argus*, 20 Oct 1920:12; *Daily Commercial News and Shipping List*, 27 Jul 1934:3).

~~While building societies began as localised operations taking deposits from and providing loans to a small group of members, a change in legislation in 1876 allowed Australian building societies to buy and sell or mortgage freehold and leasehold property. Leading institutions competed for the best real estate and in the process 'converted many building~~

~~societies into little more than speculative operations, using public money which had been subscribed for quite different purposes' (Sandercock 1979:8; Cannon 1972:19). This was the case with the National Permanent Building Society, which was established under the new legislation, in 1877 (Daily Telegraph, 1 Mar 1887:5). It not only loaned money to home buyers, but also issued shares to investors and carried out developments. For example, it requested that a water main be laid to Hubert Street (now Cecil Street), off Argyle Road in 1921 and proposed to erect 'a large block of shops at the corner of Cotham and Burke roads, Kew' in 1952 (Box Hill Reporter, 23 Sep 1921:3; Age, 4 Jun 1952:3).~~

~~Prior to 1929, the~~The subject site was ~~owned by~~transferred from the National Permanent Building Society of Melbourne. ~~It was transferred~~ to Rudolph Arthur Schuchard on 11 January 1929. It appears he had earlier placed a caveat on the property, lodged 4 September 1928, which expired on the date of the transfer (CT Vol. 4944 Fol. 605).



**Figure 3. Aerial view of 97 Argyle Road in December 1945. The L-shaped house is visible in extensive grounds bordering the former rail line. (Source: Landata)**

Rudolph Arthur Schuchard was born in Hawthorn in 1889, to a father who was a naturalised German (Australian Imperial Force (AIF) enlistment, 10 Aug. 1915). When he enlisted at the age of 26, he was working as a company secretary. Upon his return from the war, he held a series of financial and management positions with gas companies at a time when there were many takeovers and mergers. This included as director of the Bacchus Marsh Gas Co. (*Melton Express*, 30 Apr 1921:3), liquidator of the Ararat Gas Co. Ltd (*Argus*, 17 Oct 1923:23), acting secretary and liquidator of the Melbourne Hydraulic Power Co. (*Age*, 4 Mar 1925:16) and chairman of the Warracknabeal Gas Co. Ltd (19 Aug 1925:16). This culminated in the founding, with four others, the Gas Supply Co. Ltd, which amalgamated six regional gas companies. Schuchard served as its chairman of directors for many decades (*Herald*, 5 Jan 1927:18; 16 Sep 1927:24; *Northern Miner*, 21 October 1954:2).

A year after acquiring his chairmanship, Schuchard wed Marion Ashley Hunter of Moorooduc (*Age*, 4 Jul 1928:1). Their first home was on Grandview Grove, Armadale. The newlyweds left for a six-week trip to Queensland a few weeks after lodging a caveat on the Argyle Road land (*Prahran Telegraph*, 28 Sep 1928:6).

A sketch of the Schuchard's new house on Argyle Road was depicted in the architectural pages of The Herald in May 1929, described as exhibiting an 'Unusual Domestic Style in Kew Residence' and a 'Harmonious Color [sic] Scheme' (8 May 1929:15). The architects were recorded as Philip B Hudson, Wardrop and Ussher.



**Figure 4. Sketch of 97 Argyle Road, then under construction. (Source: *The Herald*, 8 May 1929:15)**

The article contained a description of the clever planning and details of the interior and exterior materials palette as follows:

*Illustrated is a house at Kew designed by Messrs Phillip B. Hudson, Wardrop and Ussher, in an attractive and unusual domestic style. A pleasing and harmonious color [sic] scheme will result from the use of warm grey roof, cream roughcast on walls and clinker brick base and dressings. A restrained use of clinker brick pattern work in the gablette over entrance and over the bay window in the foreground will impart relief.*

*The "L" shaped plan gives a fine forecourt and by having the entrance in the internal angle of the "L," compact planning is also possible. This type of plan lends itself to a good separation of the different functions of the house. This can be readily seen as the living room and dining room occupy one arm of the "L," the bedroom accommodation takes up another, while the kitchen and maids' quarters occupy the space at the external corner.*

*Generous cupboard accommodation, complete fittings and service, attractive vista have all been embodied. Internally the hall, living room and dining room will be finished with coloured textured walls and wood beamed ceiling, while the other rooms will be tinted on plaster.*

The 1930 street directory records a 'House being built' in this location, followed by a listing for R.A. Schuchard in the 1931 directory (S&Mc). This corresponds with a house built in 1929 (during compilation of the 1930 directory), which is confirmed by the MMBW Property Service Plan for 97 Argyle Road, which was signed off as "examined" on 17 April 1929 and shows the footprint of the house (Yarra Valley Water, PSP 175491; ~~unfortunately the name of the agent/architect does not survive on the digital version~~).

~~Newspaper tender notices were searched from September 1928 (when Schuchard may have placed a caveat on the property) to April 1929 (when the PSP was signed off). The tender notice that corresponds most closely with the period of construction was placed on 23 January 1929 by J. Edmund Burke and Associates for a 'Brick Residence at Kew' (*Argus*, 23 Jan 1929:3). This was about two weeks after Schuchard came into possession of the land. J. Edmund Burke is best known for his Federation-era designs, including several fine houses in~~



~~Boroondara: HO391 7-9 Mangarra Road, Canterbury, of 1906; HO594 59 Auburn Road, Hawthorn, of 1899; and 26 Victoria Avenue, Canterbury, of 1899. Burke died in December the same year the house was built (*Box Hill Reporter*, 13 Dec 1929:3). No examples of substantial interwar dwellings designed by Burke could be identified to see if they were similar in design or details to 'Skye,' so there is no firm basis to attribute this design to Burke.~~

~~Other potentially applicable tenders for new houses in Kew were announced either too late for this timeframe, one in July 1929 (since identified as 57 Marshall Street, Kew) and one November 1929, while a third — placed by Chris A Cowper, Murphy and Appleford in December 1928 — fits the timeframe but calls for 'erection of a brick attic residence at Kew' while the subject property is single storey (*Age*, 27 Jul 1929:1 & 16 Nov 1929:1; *Argus*, 5 Dec 1928:4). It should also be noted that this part of Kew was often referred to as "East Kew" during the interwar period as it was near the Outer Circle Railway line station of that name.~~

The Schuchards named the house 'Skye.' Marion Schuchard hosted a number of events in its extensive grounds, including a Children's Aid Society fundraiser in 1933 and a Women of the University Fund garden afternoon to raise money for Save the Children in 1953 (*Argus*, 21 Jun 1932:1 & 18 Dec 1933:8; *Age*, 23 Oct 1953:5). Marion was reportedly a keen gardener who introduced the cultivation of bonsai trees to Victoria and her garden full of irises, rhododendrons and azaleas was noted in the 1950s (*Age*, 26 Jan 1961:7 & 23 Oct 1953:5).

They remained in residence at 'Skye' until the death of Rudolph on 15 June 1960 and the death of Marion just six months later in a level crossing accident. They were survived by a son, John and daughter, Mrs Anne Beaumont. The property was transferred to daughter Anne in October 1961 and she resided at 'Skye' before selling it to a Margaret Carragher in 1965 (CT Vol. 4944 Fol. 605; *Age*, 26 Jan 1961:7).

There have been several changes to the site and the house since the Schuchard family's ownership. The original footprint of the house is shown below, with a garage linked by a narrow passage at the north-west (top left) corner of the site.

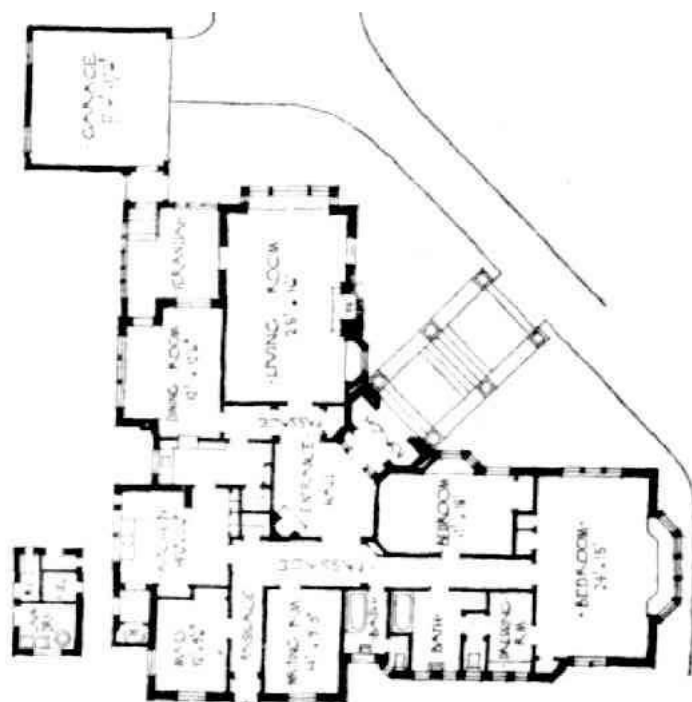


Figure 5. Plan of 97 Argyle Road, then under construction. (Source: *The Herald*, 8 May 1929:15)

~~This~~ The Property Service ~~p~~Plan, dated April 1929<sup>4</sup>, shows a tennis court on the east (right) side of the site, running north-south. A 1987 site plan shows the court in the same position (BP 2935/1987), but it ~~has~~ had since been enlarged and reorientated to follow the angle part of the east boundary.

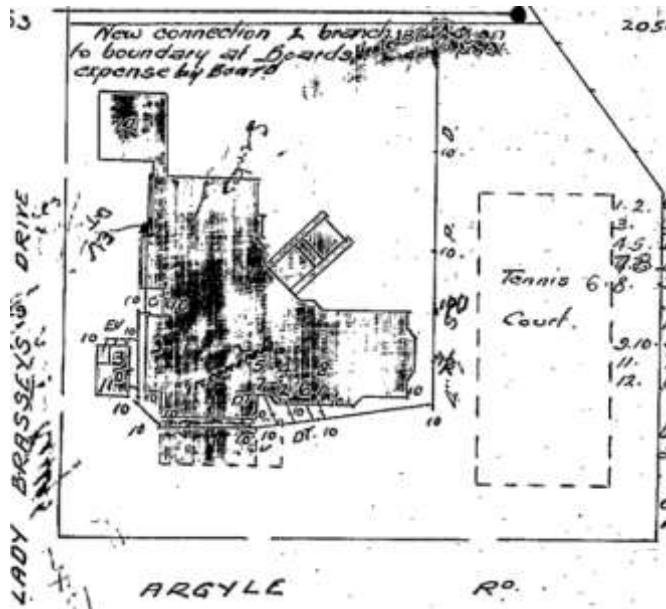


Figure 64. Site plan of 97 Argyle Road in 1929<sup>4</sup>, showing original house and garage footprint, as well as the original tennis court. (Source: Yarra Valley Water, PSP 175491)

In 1968 a swimming pool and change room were constructed (BP 763/1968 & 1056/1968).

There are 1987 and 1990 building permit plans issued to replace the original garage with a single-storey structure, linked to the house at one corner (BP 2935/1987 & 4876/1990). It appears that neither of these plans were carried out and instead a two-storey addition was made in this location, most like in 1991 (BP 5665/1991, these plans do not survive). There was a building permit for an upper-storey addition to the west side of the house in 1999, but these works did not eventuate (BP 18572/1999). Images from the 1990 plans indicated that a chimney ~~was~~ 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 (see Figure 10).

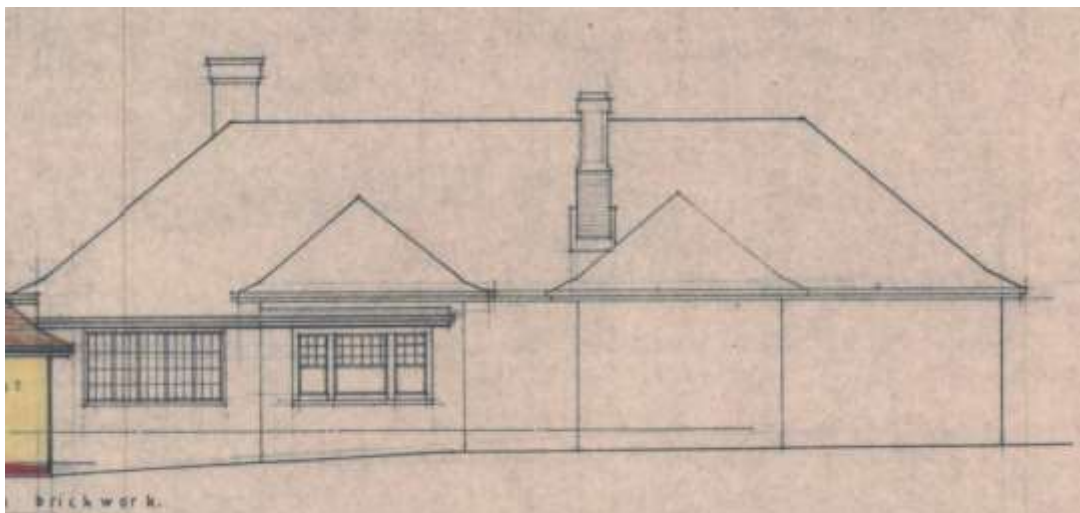


Figure 7. West elevation, facing Griffiths Grove, in 1987, showing separate roofs above bay windows and a chimney on this elevation. (Source: BP 2395/1987)



Figure 8. Current roof form to the west side. (Source: Context, 2020)

The current 1.3 metre brick and render fence along south sides of the property was erected in 2003 (BP 28928/03). It replaced a paling fence.

### Description & Integrity

The former 'Skye' is a substantial house located on a large block (three allotments) situated on a rise overlooking the former Outer Circle Line (now the Anniversary Trail).

The house is set back from Argyle Road behind a medium-sized front garden and has a narrower "rear" setback from Griffiths Grove. It is surrounded on the west and south sides by a high masonry wall which is not original but does reflect the brick and roughcast render walls of the house. The property is entered via vehicular gates on Argyle Road and a slightly curved entrance drive, leading past the house to the garage at the north-west corner of the site, survives. The front entry to the house is at the internal corner of the house, on its east side and cannot be seen from the street. This entrance is reached by a long flight of shallow steps, leading from the front drive.

The property retains soft landscaping to its south (Argyle Road) and east sides and the driveway entrance is flanked by two mature Cypress trees (*Cupressus sempervirens*), heavily pruned because of the adjacent powerlines. These two trees appear to be visible on the

1945 aerial (Figure 3) and are of a size that indicates they were early or original plantings. The eastern side of the property is occupied by a large tennis court and a swimming pool with pool house. As noted in the history, the current tennis court replaced the smaller original court some time after 1987.

The house is L-shaped in plan and has masonry walls with a clinker brick base and roughcast render above. The roof has a high complex hipped form with decorative bellcast eaves, clad in mottled red and brown Marseille terracotta tiles. The decorative form of the roof is highlighted by the presence of breakfronts (projecting bays) and the presence of parapeted bay windows which interrupt the eaves. Windows are double-hung timber sashes with four to ten small panes in the upper sashes, depending on the window size.

While 'Skye' was designed very much in-the-round, its principal façade can be considered its east elevation as well as that part of the north elevation adjacent to the front entry. The Griffiths Grove (west) elevation is treated as the rear of the house, while the Argyle Road (south) elevation has been detailed to provide visual interest to this street frontage but does not have a door. The main feature of interest, as viewed from Argyle Road, are parapeted bay windows to the south elevation and to the east end of this wing. The south bay window is quite wide, with five tiny double-hung windows across it. They are set within a clinker brick wall with a soldier course above lintel level. The parapet above this line is offset by a cement moulding which steps up at the centre to frame a six-pane highlight window. To either side of the highlight is a striking chequerboard pattern formed of squares of roughcast contrasting with squares of horizontal and vertical brickbats (narrow bricks). The top of the parapet is finished by two rows of vertical brickbats.



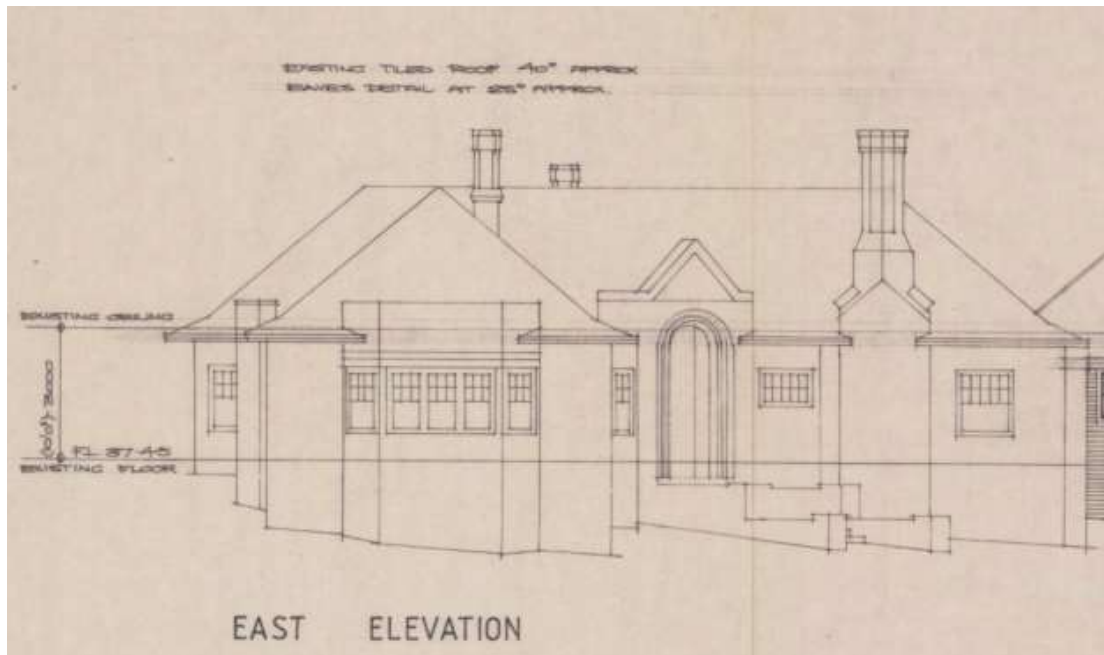
Figure 9. Bay window facing Argyle Road. (Source: Context, 2020)

The bay window facing east has the same materiality, including the intricately constructed parapet, but it is narrower and its canted plan form is more clearly expressed with two of its five six-over-one sash windows located on an end splay.

The front entrance is located at the internal corner of the two wings and is set at a 45-degree angle. It is ~~set~~ between a section of clinker brick walls encompassing a window on each side. The small front porch is reached via a corbelled round-arched opening set below a gabled parapet. The parapet has the same chequerboard treatment as the window bays. To



the north of the entrance is an external clinker brick chimney with sculpted flues indicating a medieval influence.



**Figure 10. East elevation (front façade) of the house in 1990. Note that only the chimney to the right (north) of the front entrance survives in 2020. (Source: BP 4876/1990)**

As noted in the history, the original attached garage on the north side of the house has been replaced with a two-storey multicar garage with rooms above. It has adopted the same wall and roof cladding, but with simplified details. Due to the downward slope of the land to the rear and its shallower hipped roof, the extension is no higher than the original house.

## Comparative Analysis

### English Domestic Revival style

Often referred to as Tudor Revival or Old English, the English Domestic Revival has its roots in the English Arts and Craft Movement of the mid to late nineteenth century. Along with many other English and American revival styles, it became popular with the upper end of the housing market. Domestic Revival style houses used medieval forms and details in a free and flexible manner. These contrasted with more serious and historically correct use of Elizabethan or Tudor details seen in Collegiate Tudor buildings, with prime examples designed by architect Phillip Hudson for Geelong College (the Dining Hall of 1929 and Mackie House of 1938) (Goad, 2012:235).

While 'Skye' has the materiality (roughcast and face brick, tile roof) and window forms (multipaned double-hung sashes) typical of the interwar period, it is otherwise a highly accomplished and idiosyncratic design that does not fit neatly into stylistic definitions. Its use of multiple textures and materials to create visual interest, its unusual plan form and the decorative nature of its bellcast roof and chimney stack are most closely related to the Arts and Crafts origins of the English Domestic Revival style. Details such as the chequerboard patterning and the gabled parapet to the front entrance are also drawn from English medieval architecture. While used for some secular buildings of that era in England – such as

the Arundel shop-house of 1390 depicted below – these details are most commonly seen on churches in Australia.



Figure 11. 18 & 20 High Street, Arundel, West Sussex, UK. (Source: [britishlistedbuildings.co.uk](http://britishlistedbuildings.co.uk), 2011)

While the English Domestic Revival was a high-end style in the 1920s, used by architects for clients in well-heeled suburbs such as Kew and Toorak, by the mid-1930s it had been popularised with the creation of the typical 'Old English' house form. Goad (2012:235) describes this type as 'a single-storey house with a bungalow plan that had a projecting bay with a terracotta-tiled gabled roof, corbelled brick gabled ends to conceal the gutters behind and a porch in clinker brick.' 'Skye' is an excellent example of the earlier version of this style, with a creative and free use of largely medieval forms and materials, by one of the key practitioners of the style.

#### Hudson, Wardrop & Ussher

Philip Burgoyne Hudson was a New Zealand-born architect who moved to Melbourne in 1903 and worked as a pupil of Anketell Henderson. He began his own practice in 1910 with a focus on residential work drawing upon English Domestic Revival and California Bungalow styles popular at the time (Goad & Willis 2014:345-346). His own house, 'Buelah,' built in 1914 in Gardenvale, Victoria (26 Martin Street, Brighton, demolished), drew attention in Building magazine for its 'many commendable features in planning' that were focused on labour saving and openable interiors (Building 12 July 1915:87). In 1919 another large bungalow by Hudson, this time in Cotham Road, Kew (demolished), was more controversial for its 'form follows function' architecture as Hudson experimented with the Modern styles emanating from America with bold square symmetrical forms, broad flat eaves and rows of windows in large sleepouts and verandahs (Building 12 February 1919:60).

After returning from service in the Great War, Hudson formed a partnership with James H Wardrop (1919-30). Their early work included the neoclassical St Kilda Army & Navy Club in St Kilda (1923) and the pinnacle of their public achievement, the Greek Revival styled Shrine of Remembrance in Melbourne (1924-34). They took on a third partner to assist with the

Shrine: architect and engineer Kingsley Ussher. Hudson continued his residential work and in the 1920s was among Melbourne's leading designers of English Domestic Revival style (Statham 2012:346).

The practice of Hudson, Wardrop and Ussher was responsible for a broad variety of work, including a number of notable English Domestic designs such as 1 Chesterfield Avenue, Malvern (c1928) and a house on Albany Road, Toorak (c.1928). Hudson is thought to have led the practice's work in this style. The Albany Road house was highlighted at the Royal Victorian Institute of Architects 1928 Exhibition of Domestic Architecture. A large two-storey house with high boldly sculptured chimneys, it was described as 'among the best representations of modern architectural development in the Exhibition.'\* The 1928 exhibition was a great success and seems to have raised the public's interest in English Domestic (or Old English) design, for from this time references to what had been a relatively uncommon idiom became more frequent (Australian Home Beautiful, May 1928:15, as cited in Raworth 2014). By the late 1920s Hudson could be ranked among Melbourne's most capable designers in this style.

Hudson returned to sole practice after 1930, producing houses and factories along with a number of notable institutional buildings including Toorak College, Frankston; the Union Building, Melbourne University (1936; supervised by Gawler & Drummond); and Mackie House, Geelong College, Geelong (1936-8). Wardrop also went into sole practice and moved to the Jazz Moderne style, designing notable buildings in this style such as Alkira House in Melbourne and the former United Kingdom Hotel in Clifton Hill.

There are other houses and buildings designed by Hudson, both independently and as part of the partnership, that share a use of medieval stylistic elements with 'Skye.' They range from academically correct examples, such as the two Geelong College buildings, to early and later examples of more typical Old English houses.~~The Arts and Crafts movement coalesced from the 1850s in England around artist, designer and writer William Morris. In reaction to the mass production of the nineteenth century, Morris and other Arts and Crafts artisans and designers sought to return to idealised medieval craftsmanship, where art and utility were integrated in everyday life and homes. These same ideals were expressed in Morris' home, Red House, near London, designed by architect Phillip Webb and constructed of red brick and terracotta tiles in 1859. While inspired by medieval vernacular buildings, seen in its complex roof forms, pointed arches, bellcast eaves and seemingly organically scattered windows of many shapes and sizes, the house was unique. It is also noted for rejecting contemporary norms and using an L-shaped plan. The Arts and Crafts style was adopted by some Australian architects by the late 1890s, becoming more common by the 1910s and '20s (Edquist, 2008:xii).~~

1 Chesterfield Avenue, Malvern (Stonnington HO523) – A two-storey house constructed c1928 to designs by architects Hudson and Wardrop. It is architecturally significant as a large, well-designed interwar Old English style residence and historical significance for illustrating Hudson and Wardrop's status as one of the foremost practitioners of the Old English style in interwar Melbourne.

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\* Context (2005:24) gives the address of this house as 65 Albany Road, but no such address exists today and no houses in the Stonnington Heritage Overlay on this street are recorded as the work of Hudson, Wardrop & Ussher. It may have been demolished.



**Figure 12. 1 Chesterfield Avenue, Malvern. (Source: Raworth, 2014)**

**Geelong College (VHR H883)** - The buildings designed by Philip Hudson, including the South Wing of the Main School (1936-38) and the Refectory (Dining Hall, 1928-9) are excellent examples of collegiate Tudor architecture of the 20th century and are also intact. The Dining Hall demonstrates outstanding craftsmanship in the use of timber, particularly in the panelling and doors. The shouldered form of the Dining Hall's dormer gables is similar to the entrance of 'Skye,' and it also shares medieval expressed chimney flues.



**Figure 13. Geelong College Dining Hall. (Source: Heritage Victoria, 1990)**



**17 Highfield Grove, Kew (no HO)** – A two-storey brick house of c1934. It shows a more typical expression of the 'Old English' style, as was popular in the 1930s, with a steeply pitched gable roof and two-storey porch with a 'cat slide' roof. Since its construction, dormers have been added to the front slope of the roof.



**Figure 14. Highfield Grove, Kew, as built.** (Source: [The Herald, 4 Apr 1934:19](#))



**Figure 15. Highfield Grove, Kew, 2019.** (Source: [Google Maps](#))

~~Arts and Crafts houses tend to be designed in the round, rather than focusing on a front façade. Artful informality and asymmetry are used to create picturesque compositions that sometimes appear to have evolved over the centuries. Roofs are often dominant and feature gables or hips with medium to steep pitch and prominent eaves. Corbelled or battered chimneys are often important features of the roofline. In keeping with the aim to avoid mass-produced ornament, visual interest is most often created by “earthy,” natural materials, such as roughcast render, facebrick and terracotta tiles (Apperly et al, 1999:140-143). Arts and Crafts houses in Melbourne’s suburbs are characterised by a diversity of approach and their high quality design and craftsmanship (Edquist 2012:45).~~

In comparison with these other designs by Hudson and his partners, ‘Skye’ is by far the most complex design in its massing and of the greatest interest in its use of contrasting cladding materials.

There are no houses in Boroondara that are closely comparable to ‘Skye,’ but there are others that share some of its features, whether that be materiality, roof form or simply an idiosyncratic design:

**10 Howard Street, Kew (HO315)** – A two-storey brick villa of 1912-13 with a distinctive and unusual design atypical of the period. Stylistically and formally the design is suggestive of early moves in the direction of a Georgian and Mediterranean fusion, which became popular in the interwar era. The hipped roof has bellcast eaves and is clad with terracotta tiles and penetrated by tall chimneys. The façade is divided into three by a central projecting bay (a breakfront) which marks the entrance. The ground floor is clad in tuckpointed brick, while the first floor is finished in roughcast render with brick quoins.

It shares with ‘Skye’ its materiality – contrasting red brick against pale roughcast – and the decorative form of the roof which is emphasised by the eaves of the central breakfront.



Figure 16. 10 Howard Street, Kew. (Source: Lovell Chen, 2005)

**14 The Ridge, Canterbury (HO694)** - A 1923 house designed by architects Carleton and Carleton. It is a fine picturesquely-composed attic storey brick residence, in a successful execution of the Domestic Revival style with American overtones of the Californian bungalow. The brickwork detail to the corners of the house and the chimney is of particular note. It is sited at an unusual 45-degree angle to the street, adding to its picturesque quality.

While quite different in footprint and roof form from 'Skye,' the two houses share fine brickwork detailing and unusual siting.



Figure 17. 14 The Ridge, Canterbury. (Source: Trethowan Architecture, 2016)

**19 Fellows Street, Kew (Significant in HO143)** – A block of four flats massed to look like a single substantial dwelling, c1930s. It is an example of the interwar Tudor Revival at its most stylised. Ground floor walls are of red brick while the first floor is roughcast rendered with clinker bricks around openings for decorative effect. One of the most striking features is its tall splayed and corbelled chimneys.

The materiality and freedom of massing are comparable to 'Skye.'



Figure 18. 19 Fellows Street, Kew. (Source: Realestate.com.au, 2018)

**51 Sackville Street, Kew (Significant in HO162)** – A distinctive interwar house of c1930s. It combines the terracotta roof shingles and dark brickwork of the Tudor Revival with an arched loggia typical of the Mediterranean Revival. Walls are of slim glazed bricks of mottled pink and brown, with a matching front fence.

This house shares with 'Skye' a dominant hipped roof form and an eclecticism of detail.



Figure 19. 51 Sackville Street, Kew. (Source: Google Streetview, 2014)

**12 Tara Avenue, Kew (HO348)** – This is a substantial two-storey residence of 1938 designed in the Old English mode, which incorporates a range of forms and detailing common to the style. The house uses materials imposingly but with restraint and is consistent and straightforward in its fenestration and expression.



As with 'Skye,' one of the dominant visual effects is that of the contrast between the pale roughcast render and other materials (brick, stone, terracotta shingles). The two houses also share the use of irregular banks of windows, adding to a picturesque appearance.



**Figure 20. 12 Tara Avenue, Kew. (Source: Lovell Chen, 2005)**

Looking further afield, 'Skye' shares high-quality and idiosyncratic design as well as some key features with two significant houses in Toorak (in the Stonnington Heritage Overlay):

**39 Irving Road, Toorak (HO501)** – Designed by architect George Nichterlein in 1929. It is a substantial double-storey house with an eclectic Arts and Crafts/-Mediterranean character. The house is orientated so that its principal façade addresses the corner of Irving Road and Grant Avenue. The house's external walls are uniformly finished in a finely textured cream painted render apart from contrasting clinker brick accents at the sills and chimneys. The principal hipped roof has terracotta shingle tiles and graceful bellcast eaves. It is considered to be one of the most impressive and architecturally distinctive interwar Arts and Crafts style residences in Stonnington, in large part due to its unusual and innovative design.

'Skye' shares the elegant bellcast hipped roof form and is likewise distinguished by its inventive and accomplished detail and overall design.



Figure 21. 39 Irving Road, Toorak. (Source: Bryce Raworth PL, 2014)

**9 Linlithgow Rd, Toorak (HO508)** – This large, two-storey Arts and Crafts style house was built in 1927 to a design by architects Arthur and Hugh Peck. It is distinguished by its butterfly plan, responding to its corner site by having two side wings facing each street frontage and meeting at a central entry porch which faces the corner. Above the entry porch are paired half-timbered gable ends. The principal roof is hipped with terracotta shingle cladding. Walls have a roughcast rendered finish with a clinker brick plinth and sills.

The house is principally distinguished by its butterfly plan, which was used by English Arts and Crafts architects Charles Voysey and Edward Prior, but is relatively rare in Australia.

While its plan form is somewhat more complex than that of 'Skye,' whose wings are at right angles to each other, it displays much more standard detailing than 'Skye.'



Figure 22. 9 Linlithgow Road, Toorak. (Source: Bryce Raworth PL, 2014)

To conclude, the former 'Skye' can be considered an unusual and accomplished example of an interwar [Domestic Revival](#) house in the Arts and Crafts tradition. Its links to ~~this style~~[the Arts and Crafts approach](#) are exemplified in its strong roof form, picturesque contrasting of bellcast roof eaves against parapeted bay windows and a free and inventive use of meticulously crafted traditional motifs. The chequerboard patterning, created by slim bricks and roughcast render, is very unusual as applied to domestic architecture [and has been drawn from medieval English examples, as have the sculpted flues of the chimney](#). The L-shaped plan, with the front entrance at the internal corner and facing away from the street, shows both the influence of the English Arts and Crafts butterfly plan as well as a sense of freedom allowing a suburban house to turn away from the street and towards the view. In this aspect, it foreshadows the work of postwar Modernist architects. [Further, 'Skye' is an important work in the oeuvre of 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.](#)

### Assessment Against Criteria

Criteria referred to in *Practice Note 1: Applying the Heritage Overlay*, Department of Environment Land, Water and Planning, revised August 2018, modified for the local context.

*CRITERION A: Importance to the course or pattern of the City of Boroondara's cultural or natural history (historical significance).*

NA

*CRITERION B: Possession of uncommon, rare or endangered aspects of the City of Boroondara's cultural or natural history (rarity).*

NA

*CRITERION C: Potential to yield information that will contribute to an understanding of the City of Boroondara's cultural or natural history (research potential).*

NA

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

The former 'Skye' is significant for demonstrating the principal characteristics of interwar [Domestic Revival design with a strong](#) Arts and Crafts ~~domestic design~~[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 E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance).*

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

NA

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

NA

*CRITERION H: Special association with the life or works of a person, or group of persons, of importance in the City of Boroondara's history (associative significance).*

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. ~~NA~~

## Statement of Significance

### *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 and-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 ~~domestic design~~ 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)

### Grading and Recommendations

Recommended for inclusion in the Schedule to the Heritage Overlay of the Boroondara Planning Scheme as an individually significant place.

Recommendations for the Schedule to the Heritage Overlay (Clause 43.01) in the Boroondara Planning Scheme:

|  |    |
|--|----|
| <b>External Paint Colours</b><br><i>Is a permit required to paint an already painted surface?</i>  | No |
| <b>Internal Alteration Controls</b><br><i>Is a permit required for internal alterations?</i>   | No |
| <b>Tree Controls</b><br><i>Is a permit required to remove a tree?</i>  | No |
| <b>Victorian Heritage Register</b><br><i>Is the place included on the Victorian Heritage Register?</i>   | No |
| <b>Incorporated Plan</b><br><i>Does an Incorporated Plan apply to the site?</i>  | No |
| <b>Outbuildings and fences exemptions</b><br><i>Are there outbuildings and fences which are not exempt from notice and review?</i>                             | No |
| <b>Prohibited uses may be permitted</b><br><i>Can a permit be granted to use the place for a use which would otherwise be prohibited?</i>                      | No |
| <b>Aboriginal Heritage Place</b><br><i>Is the place an Aboriginal heritage place which is subject to the requirements of the Aboriginal Heritage Act 2006?</i> | No |

### Identified By

Context

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