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# Statement of Expert Evidence

Amendment C368 to the Boroondara Planning Scheme

Report to the Planning Panel regarding the property at:

32 Corby Street, Balwyn North

Prepared for and under instruction of  
Jane & Sanjiv Vij

Author    Claire Miller M.Arch Ph.D M.ICOMOS  
             Trethowan Architecture

Date       09 September 2022



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# 1 Introduction

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## 1.1 Instructions

- [01] This Statement of Evidence has been prepared on the instructions of Jane and Sanjiv Vij, owners of 32 Corby Street, Balwyn North (the subject site) and submitters to Amendment C368boro.
- [02] I have been asked to provide my opinion on a review of the City of Boroondara's (Council) proposed Planning Scheme Amendment C368. The amendment proposes to include the subject site within an individual Heritage Overlay (HO) on a permanent basis.
- [03] I have been asked to provide independent expert evidence to the Panel in relation to C368.
- [04] I have previously assisted the owners of the subject site in relation to this matter. I was engaged to prepare a memorandum (dated 15/10/2021) to assist them in preparing for Council's Urban Planning Delegate Committee meeting on 18th October 2021. I was then engaged to prepare a report (dated 07/12/2021) reiterating my opinion on this matter, in response to Council's requesting authorisation from the Minister for Planning to prepare the amendment. These documents are appended to this report.

## 1.2 Site Inspection

- [05] The subject site and surrounding area were inspected by on 30<sup>th</sup> June 2022 by me, Claire Miller, accompanied by the property owner on site.

## 1.3 Sources of Information

- [06] The following documents were review as part of the preparation of this Statement:
- Boroondara Planning Scheme Amendment C368boro Explanatory Report
  - Incorporated and supporting documents exhibited as part of C368boro
  - Alistair Knox Foundation, *Alistair Knox: Designer, environmentalist, builder, landscape architect*, <https://alistairknox.org/>, accessed August 2022.
  - Apperly, Richard, Robert Irving, and Peter Reynolds. *A Pictorial Guide to Identifying Australian Architecture: Styles and terms from 1788 to the present*. Sydney: Harper Collins Publishers, 1994.
  - Brown-May, Andrew and Shurlee Swain (eds). *The Encyclopedia of Melbourne*. Melbourne: Cambridge University Press, 2005.
  - Built Heritage. *Balwyn and Balwyn North Heritage Study (incorporating Deepdene & Greythorn)*. prepared for City of Boroondara, August 2015.
  - Built Heritage. *City of Boroondara Thematic Environmental History*. May 2012.
  - Built Heritage. *[Former] Withers House, 32 Corby Street, Balwyn North Heritage Assessment*. 14 July 2021.
  - *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, 2013.
  - Context Pty Ltd. *Withers House place citation*, May 2021.
  - Department of Environment, Land, Water and Planning. *Planning Practice Note 1: Applying the Heritage Overlay*, August 2018.
  - Goad, Philip James, "The Modern House in Melbourne 1945-1975" Ph.D, University of Melbourne, 1992. <https://cat2.lib.unimelb.edu.au/record=b2274790>.
  - Goad, Philip. *Melbourne Architecture*. Sydney: The Watermark Press, 2009.

- Goad, Phillip and Julie Willis (eds). *The Encyclopedia of Australian Architecture*. Melbourne: Cambridge University Press, 2012.
- Grow, Robin. *Melmo: Modernist Architecture in Melbourne*. Melbourne: Slattery Books, 2021.
- Heritage Alliance. *Survey of Post-War Built Heritage in Victoria: Stage One*. Prepared for Heritage Victoria. October 2008.
- Heritage Council of Victoria. *Assessing the cultural heritage significance of places and objects for possible state heritage listing: The Victorian Heritage Register Criteria and Threshold Guidelines*. Updated 4 April 2019.
- Heritage Council of Victoria. *State of Heritage Review: Local Heritage 2020*. Melbourne: Finsbury Green, 2020.
- Heritage Victoria, *submission to the: Inquiry into the Protections Within the Victorian Planning Framework*, January 2022.
- Knox, Alistair. *Living in the Environment*. Leura (NSW): Back Row Press, 1985.
- Lovell Chen. *Proposed Yarra Boulevard Heritage Precinct, Kew: Architectural Essay*. Prepared for City of Boroondara. May 2011.
- N2K Consulting Engineers. *Structural Report: 32 Corby Street Balwyn North VIC*. 07 October 2021.
- YG Consulting Engineers. *Structural Inspection Report: 32 Corby Street, Balwyn North VIC 3104*. 29 September 2021.

#### 1.4 Qualifications, Experience & Area of Expertise

- [07] A statement of my qualifications and experience with respect to heritage and urban conservation issues is appended to this report.
- [08] I have assisted with the preparation of expert evidence on similar matters to Planning Panel and VCAT on several occasions in the past.

#### 1.5 Summary of Opinion

- [09] It is my opinion that Council has not demonstrated that the house at 32 Corby Street, Balwyn North (the subject site) meets the threshold for inclusion on the HO as an individually significant place. It is my opinion that the building at the subject site does not meet the threshold of individual significance and should not be included on the HO on that basis.



## 2 Subject Site

### 2.1 Location, Description and General Conditions

- [10] The subject site is located on the south side of Corby Street, between Balwyn Road at east and Hill Road at west (Figure 1). The subject site is in that part of Balwyn North bound by the Eastern Freeway to the north and east, Doncaster Road to the south, and Bulleen Road to the west.
- [11] The surrounding area is residential, dominated by freestanding one and two-storey family dwellings on generous lots (Figure 2). The area includes community and institutional sites such as parks, churches and schools. Commercial and retail sites are concentrated at the major thoroughfares such as Doncaster Road.

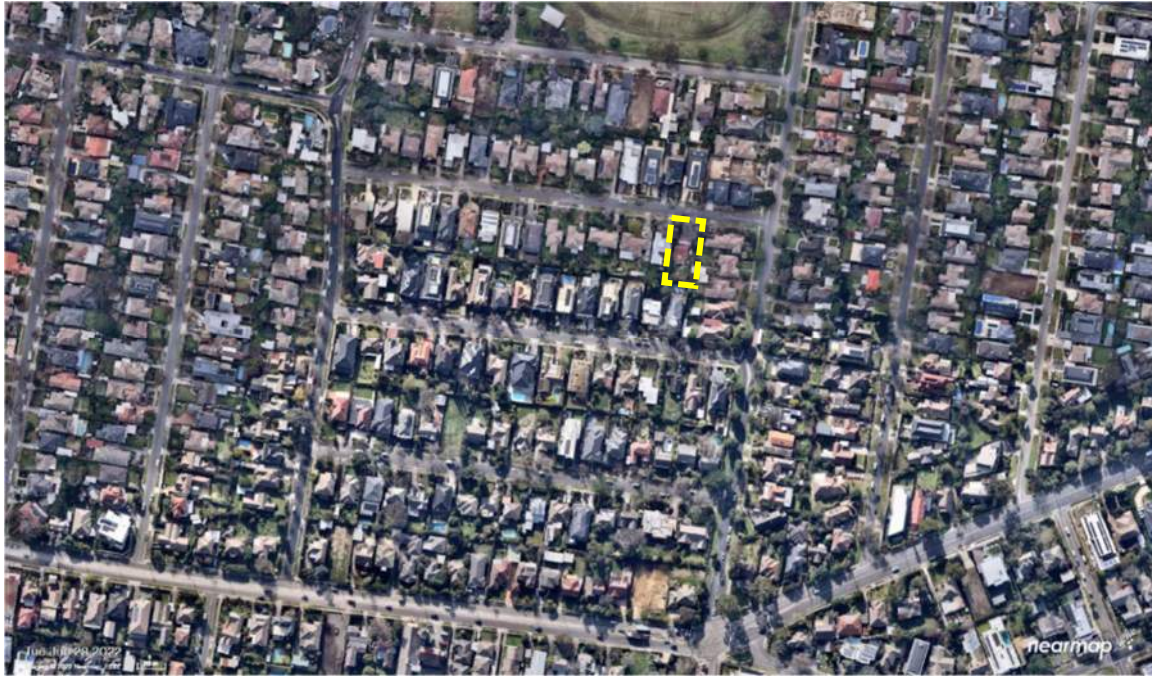


Figure 1: Aerial view of the general context surrounding the subject site (indicated in yellow). Source: Nearmap, accessed August 2022.



Figure 2: Closer view of the subject site (indicated in yellow) and its immediate context. Source: Nearmap, accessed August 2022.



- [12] The surrounding context of Corby Street comprises a mix of dwelling types and periods (Figure 3 to Figure 5). There is a fairly consistent front setback pattern, and most homes incorporate vehicle storage at the front. Adjacent properties to the east and west are low-scale brick homes, generally from the second half of the twentieth century. There are recent infill double-storey developments directly opposite the subject site and along Corby Street to the west.



Figure 3: Streetscape view looking east. Source: Trethowan Architecture, 2022.



Figure 4: Streetscape view looking west: Source: Trethowan Architecture, 2022.

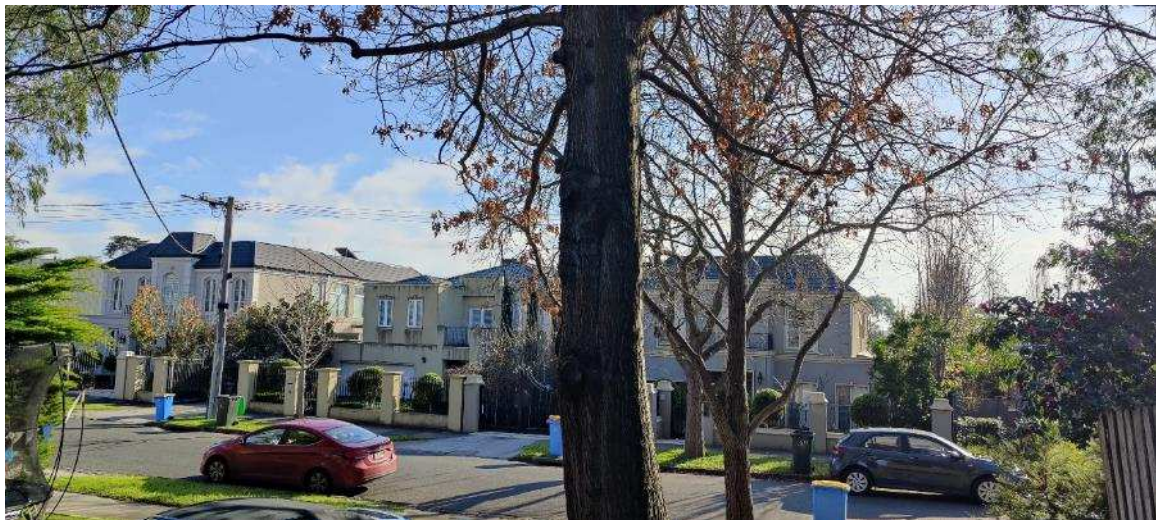


Figure 5: Houses directly opposite the subject site. Source: Trethowan Architecture, 2022.



- [13] The building at the subject site is a single-storey dwelling constructed of concrete brick veneer with a flat tray deck roof. The site slopes down towards the north (front). The house is set into the slope at the rear and the flat floor slab creates an undercroft for vehicle parking and storage at the front (Figure 6). The undercroft includes a small studio / storage room at the west that is finished in timber and glazed louvres (Figure 7). At the back of the undercroft is a separate storage area built into the earth which is finished with shotcrete to the retaining walls (Figure 8). The main concrete floor slab for the house forms the roof of the undercroft.
- [14] Access to the house is via steps at the east that lead up to a walkway along the front of the house with the door at the western side. The steps are of timber and the walkway features a thin metal balustrade (Figure 9). The front façade of the house features a glazed wall to the living room, a projecting section for the entrance and a recessed section at the west partly concealed by planting (Figure 6). The flat roof extends beyond the walls to provide shallow eaves.
- [15] The front of the house is currently painted a dark grey colour with white window frames and soffits. The sides and rear of the house remain unpainted beige/brown face brick and brown painted window and door frames (Figure 11).



Figure 6: General view of the front of the house. Note the undercroft providing car storage and steps up to the entrance at left. The house has been recently painted. Source: Trethowan Architecture, 2022.



Figure 7: Studio room at the undercroft. Source: Trethowan Architecture, 2022.





Figure 8: Storage area at rear of the undercroft. Note the shotcrete to the retaining walls. The concrete slab to the floor above is noticeably bowed in this image. Source: Trethowan Architecture, 2022.



Figure 9: View of the front entrance walkway and door. Source: Trethowan Architecture, 2022.



Figure 10: View of the letter box, and part of rock wall garden bed. Source: Trethowan Architecture, 2022.

- [16] The house is set back from the street behind a garden setting with curved, paved driveway and rock and brick walled garden beds. There is no front fence, but a brick letter box at the north-east corner in bricks matching the house (Figure 10). A timber fence and gate at the east side leads to the rear garden via paved walkway. Landscaping to the side and rear of the property comprises paving and terraced garden beds as the site slopes up to the rear (Figure 11). There is a small brick shed in the south-west corner of the site of bricks matching the house. There is evidence of a former pond at the rear which is now infilled with planting etc.
- [17] The house is generally rectangular in plan with some projecting and recessed elements at the front, and a projecting rear bedroom. Rooms are arranged around a central corridor and comprise four



bedrooms, living room, kitchen, family / dining room, laundry and two bathrooms (Figure 12). Glazed sliding doors provide access to the garden from rooms along the east side.

- [18] It is noted that some structural issues have been identified with the house. Notably, the bowing / sagging of the main concrete floor slab which is likely a result of corrosion to the reinforcement causing the structure to lose strength (Figure 8). This has been identified as a defect that could lead to structural failure.<sup>1</sup> Elsewhere, there is evidence of cracking to the main floor slab, the lower-level floor slab, the shotcrete retaining wall in the undercroft, and brick walls supporting the slab and garden beds. Cracks are also identified at the connections of steel posts to the concrete where rust can be seen. The original concrete floors are identified to be a low-quality mix.<sup>2</sup> There is evidence of water leaking onto the lower-level floor slab but the source has not been found.
- [19] These structural issues are noted as they impact the overall condition and integrity of the house. However, the structural condition is not generally a consideration with regard to heritage assessment.



Figure 11: Rear of the house and view to the back garden and shed. The rear part of the house has not been overpainted. Source: Trethowan Architecture, 2022.

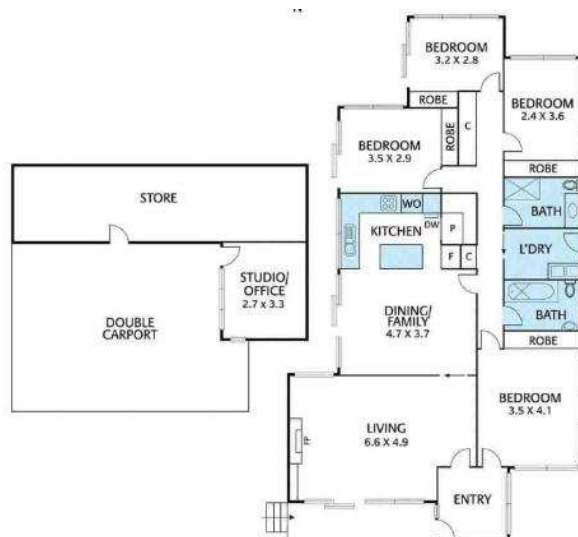


Figure 12: Current floor plan. The general layout is very similar to the original design, but the entrance and front porch are altered, the living room extends further east, and the carport has been moved to an undercroft. Source: Jellis Craig, accessed via <https://alistairknox.org/akimages/3356>

<sup>1</sup> YG Consulting Engineers, *Structural Inspection Report: 32 Corby Street, Balwyn North*, September 2021

<sup>2</sup> N2K Consulting Engineers, *Structural Report: 32 Corby Street Balwyn North*, October 2021.



## 2.2 Historical Summary

- [20] A detailed history of the place and context was included in the *[Former] Withers House, 32 Corby Street, Balwyn North Heritage Assessment* (the Heritage Assessment) prepared by Built Heritage in July 2021. It is not necessary to undertake additional research as the Heritage Assessment is thorough and comprehensive. The following provides a summary of the historical development of the subject site.
- [21] Balwyn North was sparsely settled up until the inter-war period, comprising mostly agricultural land, but experienced a significant development expansion after WWII.<sup>3</sup> This development pattern reflects the general characteristic post-war suburban growth seen elsewhere in Melbourne. Balwyn North became a desirable area for middle class families and continued to expand until about the 1960s.
- [22] The house at the subject site was constructed in 1962 for Percy and Gwen Withers, to a design by Alistair Knox. Withers was the owner of a bus transport company, and Knox undertook design work for Withers' bus depot at the corner of Victoria Street and Doncaster Road, Doncaster in 1959<sup>4</sup> establishing a relationship between the two. It is not clear if the designs for the bus depot were realised. The original house design differs slightly from what was ultimately constructed, primarily at the north (Figure 12 and Figure 13). The entrance was originally designed at the west and the living room wall aligned with the entrance wall. The final design saw the living room set back and extended east with the entrance accessed via the walkway at the east. There was originally a plan for a carport at the east but vehicle storage was moved to the undercroft in the realised design.
- [23] The Heritage Assessment cites building permit cards that refer to additional minor works for a 'workshop' (1963) and a 'fowl shed' (1964), although drawings do not appear to have survived.<sup>5</sup> Without drawings to verify the designs, it is not clear if these elements survive. There is a small shed at the rear corner of the property but there is no firm evidence tying this element to Knox or the early history of the house. It is constructed with similar colour bricks to the house and also has a flat roof. The landscape appears to have been designed after the house was constructed, but no designer has been attributed for this work. The current layout is similar to an early drawing with the driveway, front lawn, steps and east side path constructed as designed (Figure 14).
- [24] The Withers' sold the house in c1970 to Paul Willee and family who lived there until 2006. The current residents are only the fourth owners of the property. Reference to the early drawings indicates that few major alterations have been undertaken since construction. The general footprint and site layout are close to the as-built condition. The storage area at the rear of the undercroft is not shown on the building permit drawings and it is not clear when this element was introduced. Personal communications between the current owners and Paul Willee indicate that when he purchased the property he found that stormwater was not connected and there were various issues with guttering, the roof and soil foundation. Shotcreting to the storage area behind the undercroft was undertaken by Willee, according to personal communication with the current owners. The current owners have painted the façade a dark grey colour with white accents but otherwise have not undertaken any major works.

<sup>3</sup> Built Heritage, *City of Boroondara Thematic Environmental History*, May 2012, P17.

<sup>4</sup> Projects 227, 228 and 254 at Alistair Knox archive, accessed August 2022, <https://alistairknox.org/SearchBuildings?query=withers>

<sup>5</sup> Built Heritage, *[Former] Withers House, 32 Corby Street, Balwyn North Heritage Assessment*, 14 July 2021. P9.

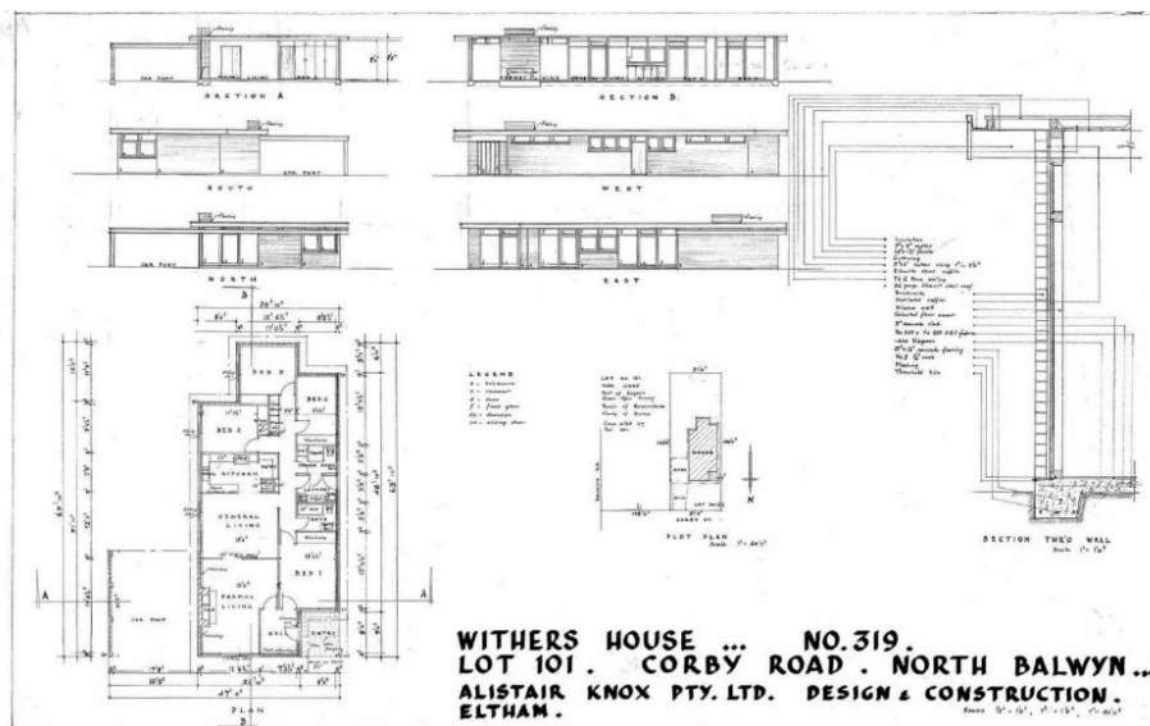


Figure 13: Original drawing for the subject site, this is not the design that was ultimately constructed. Source: <https://alistairknox.org/buildings/148>

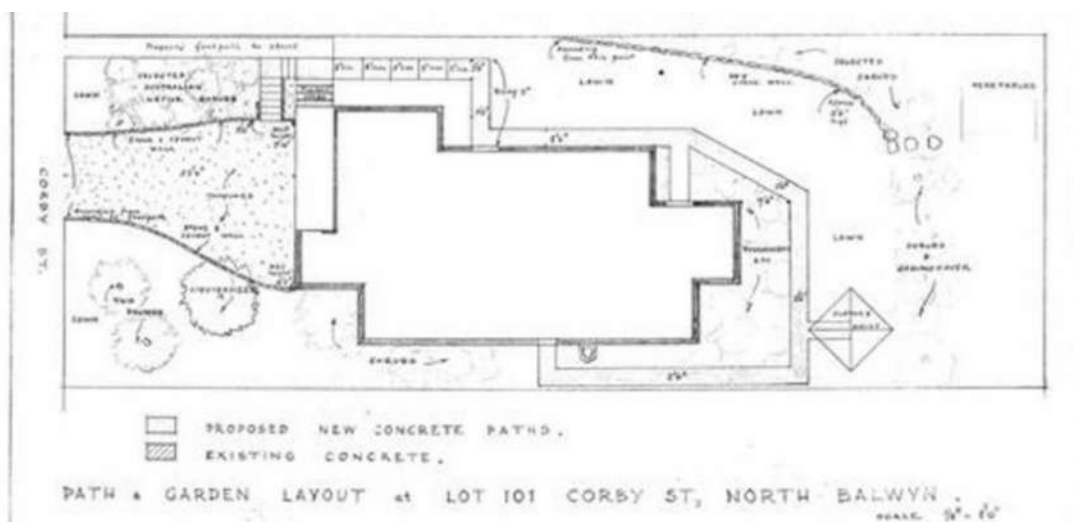


Figure 14: Undated garden layout plan for the subject site. Source: Alistair Knox Foundation, via Heritage Assessment.

### 3 Amendment C368

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- [25] Amendment C368 seeks to apply Heritage Overlay HO940 to the land at 32 Corby Street, Balwyn North on a permanent basis. This is in line with recommendations of the Heritage Assessment which Council is relying on as the basis of the Amendment.
- [26] The Amendment does not relate to any other properties or precincts.

#### 3.1 Heritage Overlay

- [27] Amendment C368 proposes to include the subject site in the *Schedule to the Heritage Overlay* of the Boroondara Planning Scheme as an individual heritage place. No additional controls are recommended for the *Schedule to the Heritage Overlay* at Clause 43.01s.

#### 3.2 Statement of Significance

- [28] A Statement of Significance was prepared for the subject site as part of the Heritage Assessment. It reads as follows:

##### ***What is significant?***

*The former Withers House at 32 Corby Street, Balwyn North, is an elevated single-storey modernist house of beige-coloured modular concrete brick, with a flat roof, broad eaves with exposed beams and an asymmetrical triple-fronted street façade that incorporates a concrete slab balcony with full-height windows and metal balustrade, and a large sub-floor parking area with space for three vehicles. Commissioned in 1962 by transport company proprietor Percy Withers and his wife Gwen, the house was designed and built by Alistair Knox Pty Ltd (who was retained to undertake two minor phases of follow-up work in 1963-64).*

*The significant fabric is defined at the exterior of the entire house, including the matching concrete brick retaining walls and planter boxes, metal balcony stairs, the concrete steps to the driveway, the low stone retaining wall running north-south to the street, and the matching brick letterbox.*

##### ***How is it significant?***

*The former Withers House is of aesthetic and associative significance to the City of Boroondara.*

##### ***Why is it significant?***

*Aesthetically, the house is significant as an excellent example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. With its stark walls of beige-coloured modular concrete brickwork (at the time, a fairly new material), exposed timber beams and asymmetrical facade hovering over an atypically large sub-floor triple garage, it is a particularly sophisticated expression of this idiom. Virtually unaltered since the designer undertook further works in 1963-64, this uncommonly intact house remains potently evocative of its era, enhanced by the retention of some contemporaneous hard landscaping elements such as steps, retaining walls, and a matching letterbox (Criterion E)*

*The house is significant for associations with the eminent and prolific designer Alistair Knox, for whom it represented his first individual residential commission in what is now the City of Boroondara. While Knox went on to design more than a dozen other houses in the municipality over the next two decades (most of which were also located in Balwyn and Balwyn North), the former Withers House stands out as the only one associated with the middle phase of his career, from c.1955 to c.1964, when he embraced conventional building materials and a mainstream modernist idiom to produce modular dwellings of simple but elegant design. (Criterion H)*



### 3.3 Grading

- [29] The heritage assessment recommends the subject site for inclusion as an *individually significant* heritage place. Significant is defined on Council's website as follows:

**Significant:** *places that are individually important. They also contribute to the heritage significance of their precinct.*

- [30] The Boroondara Planning Scheme does not currently include gradings definitions. However, the former Clause 22.03-5 defined *significant* heritage places as follows:

*'Significant' heritage places are places of State, municipal or local cultural heritage significance that are individually important in their own right. When in a precinct, they may also contribute to the cultural heritage significance of the precinct. 'Significant' graded places within a precinct are of the same cultural heritage value as places listed individually in the Schedule to the Heritage Overlay.*

- [31] While this definition is no longer part of the Planning Scheme<sup>6</sup>, it was relevant at the time the Heritage Assessment was prepared. As such, this definition has informed this report.

### 3.4 Assessment Criteria

- [32] The Heritage Assessment concluded that the subject site meets assessment Criteria E and H, for the following reasons:

**Criterion E:** Importance in exhibiting particular aesthetic characteristics (aesthetic significance)

*The Withers House is an excellent and virtually unaltered example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. With its stark walls of beige-coloured modular concrete brickwork, exposed timber beams and asymmetrical facade hovering above a capacious sub-floor triple carport, it is a particularly sophisticated expression of this idiom.*

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

*The Withers House has special associations with celebrated designer Alistair Knox, representing the first of many residential commissions that he undertook in what is now the City of Boroondara, and the only one associated with a phase in his career (from c.1955 to c.1964) in which he embraced conventional building materials and a mainstream modernist idiom to produce modular dwellings of simple but elegant design.*

<sup>6</sup> This change in the Planning Scheme is a result of Amendment C354boro as the municipality undertakes Planning Policy Framework translations that are happening state-wide.

## 4 Previous Heritage Reviews

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- [33] The Heritage Assessment is the culmination of several studies, assessments and peer reviews of Balwyn and Balwyn North generally, and of the subject site specifically. A brief outline of the previous stages of assessment is as follows, with more detailed discussion of the relevant assessments provided in the following sections.
- [34] In 2012 Council engaged Built Heritage to undertake the *Balwyn & Balwyn North Heritage Study* (the Study) and a draft was finalised in 2014. The Study identified a master-list of 370 properties for investigation, including the subject site which was not, however, prioritised for immediate protection or further assessment.
- [35] From March 2017, Context (now known as GML Heritage) was engaged by Council to undertake the *Balwyn Heritage Peer Review Stages 1-2*. In February 2021 Context was then engaged to undertake the *Balwyn Heritage Peer Review Stage 3* which assessed 20 properties identified in the Study (2014), including the subject site, which were added to Council's GIS program as 'Possible Heritage Places'.
- [36] In April 2021 an application for full demolition of the subject site was submitted to Council, which triggered a heritage assessment under Council's Section 29A process. This assessment was undertaken by Context who prepared a draft place citation and determined the site met the threshold for significance under Criteria D and E. Based on Context's assessment Council lodged an interim HO request with the Minister for Planning and suspended consideration of the demolition application.
- [37] A number of submissions were made in response to the interim HO request. The property owners (at that time) commissioned Bryce Raworth Pty Ltd to assess the subject site. Mr Raworth prepared a memorandum outlining his findings that the subject site does not meet the threshold for local heritage significance and does not warrant heritage protection. Council then commissioned Context to review Mr Raworth's assessment. Context did not agree with Mr Raworth's findings and prepared a letter wherein they affirmed their earlier opinion of the site.
- [38] At the request of the property owners, Council engaged Built Heritage to undertake a peer review of Context's draft place citation and Mr Raworth's assessment. Built Heritage determined that the subject site met the threshold for local significance and recommended that a full heritage assessment be undertaken and a place citation be prepared.
- [39] Built Heritage was accordingly engaged to complete this full assessment and prepared the Heritage Assessment report which determined the subject site met the threshold for significance under Criteria E and H. It is this assessment that Council is relying upon in support of Amendment C368 and that will be discussed in this report.
- [40] The following sections detail the findings of these previous studies and assessments in more detail.

### 4.1 Balwyn & Balwyn North Heritage Study – Built Heritage (the Study)

- [41] This Study was undertaken from 2012 to 2014 with the final report prepared in August 2015. As noted, the subject site was included in the master-list of 370 places of potential heritage significance following initial research. The master-list used a set of criteria to determine each place's potential significance in order to prioritise further study. The subject site was ranked *Priority 2: Possible candidate for an individual HO (pending further investigation)*. Due to budget and time constraints the subject site was not prioritised for further study or inclusion on the HO.
- [42] The subject site is referenced only once elsewhere in the Study. It provides comparative analysis against another Knox design, the Cooke House (also known as Oakdene) at 2 Barnsbury Court, Deepdene (now demolished). The subject site is described as predating the Cooke House *but is otherwise not a pertinent comparator, being a far more conventional flat-roofed two-storey brick house in a modernist mode that, while typical of Balwyn North, is entirely anomalous for Knox.*<sup>7</sup>

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<sup>7</sup> Built Heritage, *Balwyn and Balwyn North Heritage Study (incorporating Deepdene & Greythorn)*, August 2015. p43.

- [43] The Study found that the subject site was not a likely candidate for an individual HO and was not prioritised for further study. The subject site was identified as a conventional house typical of Balwyn North that was uncharacteristic of Knox's work.

## 4.2 Place Citation: Withers House – Context

- [44] A place Citation was prepared by Context in May 2021, following their independent heritage assessment. The citation concluded that the subject site warranted inclusion on the HO. Context found that Knox's modernist houses have received little attention but represent an important phase in his career. Context found that the dwelling exhibits the key characteristics of a mid-century modernist house and is an important example of Knox's mid-career work.
- [45] Context assessed that the subject site warrants inclusion on the HO under Criteria D and E as an *individually significant place*. Their reasoning is as follows:

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

*The Withers House is a largely intact, highly representative example of a Modernist house with very few changes visible to the original or early fabric. Built in 1962 to a design by Alistair Knox, Withers House reflects the ideologies of Modernist residential designs, which from the 1950s was being actively experimented by Melbourne architects in attempts to achieve a regional adaptation of the international idiom. Its key design elements representative of the style includes its structural post and beam system with exposed ceiling rafters and beams, concrete slab floor that cantilevers towards the street creating car accommodation underneath, flat roof with deep fascias and concealed gutters, open floor plan that seamlessly integrates inside with outside, large walls of glazing and clerestory windows and the sophisticated integration of the house to the landscape that has resulted in the whole site being planned.*

**CRITERION E:** Importance in exhibiting particular aesthetic characteristics (aesthetic significance).

*The Withers House is a fine example of the residential work of designer Alistair Knox. Its considered response to the site and refined detailing has resulted in a simplicity of form and a sophistication of planning. It provides a refined modernist design response with its use of plain geometry, restrained palette of materials and extensive areas of glazing. It is a sophisticated example of an important, but often overlooked period of Knox's work, where he developed his skills in designing in a purer modernist idiom. Knox later took these design skills and incorporated them with elements of his early mudbrick houses of the 1940s to create his signature 'Eltham Style'*

- [46] No additional controls were recommended. Context prepared a Statement of Significance for the subject site, as follows:

### **What is significant?**

*The Withers House at 32 Corby Street, Balwyn North, designed and built by Alistair Knox, is significant.*

*Significant fabric includes:*

- *original built form, roof form and fascia detail with concealed gutters,*
- *beige brick walls*
- *window and door openings and joinery*
- *structural post and beam system with exposed ceiling rafters and beams*
- *concrete slab on-the ground that cantilevers towards the street creating open car accommodation underneath*
- *two slender steel posts*
- *curved form of the drive*
- *stone retaining walls in both the front and rear yards*
- *stone garden edging and concrete and timber steps to the front deck*



- crazy paving
- brick letterbox

#### **How is it significant?**

*The Withers House at 32 Corby Street, Balwyn North, is of local representative and aesthetic significance to the City of Boroondara.*

#### **Why is it significant?**

*The Withers House is a largely intact, highly representative example of a Modernist house with very few changes visible to the original or early fabric. Built in 1962 to a design by Alistair Knox, Withers House reflects the ideologies of Modernist residential designs, which from the 1950s was being actively tested by Melbourne architects in attempts to achieve a regional adaptation of the international idiom. Its key design elements representative of the style includes its structural post and beam system with exposed ceiling rafters and beams, concrete slab on-the-ground that cantilevers towards the street creating open car accommodation underneath, flat roof with deep fascias and concealed gutters, open floor plan that seamlessly integrates inside with outside, large walls of glazing and clerestory windows and the sophisticated integration of the house to the landscape that has resulted in the whole site being planned. (Criterion D)*

*The Withers House is a fine example of the residential work of designer and builder Alistair Knox. Its considered response to the site and refined detailing has resulted in a simplicity of form and a sophistication of planning. It provides a refined Modernist design response with its use of plain geometry, restrained palette of materials and extensive areas of glazing. It is a sophisticated example of an important, but often overlooked period of Knox's work, where he developed his skills in designing in a purer Modernist idiom. Knox later took these design skills and incorporated them with elements of his early mudbrick houses of the 1940s to create his signature 'Eltham Style'. (Criterion E)*

- [47] The methodology and assessment process undertaken by Context is appropriate. However, the assessment of the subject site's significance differs from that of Built Heritage, who found that the subject site met Criteria E and H. This inconsistency across the studies is indicative of differing professional opinions and inadequate guidance with regard to the application of assessment criteria.<sup>8</sup>

### **4.3 Heritage Memorandum – Bryce Raworth**

- [48] The then-owner of the subject site engaged Bryce Raworth (heritage consultants) to assess the heritage significance of the site. In a memorandum to Council (dated 12 May 2021), Mr Raworth and Carolynne Baker provided their opinion on whether they consider the site to be of sufficient significance to warrant an individual heritage control.
- [49] Raworth and Baker concluded that the subject site does not meet the threshold of significance to warrant an individual Heritage Overlay control in terms of any of the established criteria set out in *Planning Practice Note 1: Applying the Heritage Overlay* (PPN1), (DELWP, August 2018). It is their stated opinion that the subject site is not individually important in its own right.
- [50] Their assessment compares the subject site with its neighbour at 30 Corby Street, and Knox's Cooke House at 2 Barnsbury Court (Deepdene, now demolished). They found that the subject site compares more closely with the undistinguished Corby Street neighbour than the Knox example. The citation for 2 Barnsbury Court notes that the subject site is a far more conventional flat-roofed brick house that is typical of Balwyn North but anomalous for Knox.<sup>9</sup>
- [51] Raworth and Baker's assessment notes that the subject site has minor associative interest as a suburban example of Knox's work, however it is not an architecturally distinguished building. It concludes that there are better examples of the modern mode throughout Melbourne, many of which were designed much earlier.

<sup>8</sup> Heritage Victoria, *Submission to the: Inquiry into the Protections Within the Victorian Planning Framework*, January 2022. p5.

<sup>9</sup> Built Heritage, *City of Boroondara Balwyn and Balwyn North Heritage Study*, p43.

#### **4.4 Response to Submission – Context**

- [52] Context prepared a response to Mr Raworth's memorandum for Council. In their letter (dated 2 June 2021), Context argued that Knox's mid-career period (1955-1970) has been overlooked and underappreciated but was a period of continued design experimentation. As such, the subject site is a representative example of this mid-career work, during which he designed modernist homes influenced by ideals of local architects.
- [53] The letter reiterates Context's earlier position that the subject site is assessed to meet criteria D and E, for representative and aesthetic significance respectively.

#### **4.5 Preliminary Heritage Assessment & Peer Review – Built Heritage**

- [54] Council engaged Built Heritage to undertake a preliminary assessment of the subject site which considered the submissions made by Context and Bryce Raworth to the Amendment. This preliminary assessment (dated 25 June 2021) concluded that the subject site meets the threshold for local significance.
- [55] Built Heritage determined that Mr Raworth's report did not provide a compelling argument not to apply the HO. And that the Context assessment was lacking in comparative analysis and understated the importance of the site. Nevertheless, Built Heritage upheld Context's opinion that the subject site is significant at the local level.
- [56] The preliminary assessment recommended that a full citation be prepared with expanded comparative analysis and an updated Statement of Significance. The Heritage Assessment was thus prepared in response to this recommendation.

## 5 Comparative Analysis

- [57] Comparative analysis is necessary to establish a benchmark of properties that are similar to the subject site which have already been assessed as having heritage significance. The analysis substantiates the significance of each place so that a threshold can be determined. The comparative analysis should demonstrate that the subject site exhibits the relevant characteristics to an equal or greater degree than the comparison properties for the HO to be warranted. PPN1 explains that: *comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay.*<sup>10</sup> It is generally accepted that comparative analysis should review similar places within the municipality which are already listed on the HO, as these have been assessed as meeting the significance criteria and creating a benchmark or threshold.
- [58] Comparative analysis in the Heritage Assessment identifies that comparable properties are found within three categories: post-war houses in Balwyn and Balwyn North, houses in the 'mature modern' mode, and houses by Alistair Knox. The following sections review the comparative analysis, and expand it where necessary, to establish the benchmark against which to compare the subject site.

### 5.1 Post-war houses in Balwyn & Balwyn North

- [59] Post-war housing shortages in Melbourne led to a building boom in many areas. Outer eastern suburbs such as Balwyn and Balwyn North experienced an influx of new development, generally as austere, simplified bungalows in timber and brick.<sup>11</sup> Balwyn and Balwyn North demonstrate the rapid suburban expansion of the post-war period and the range of building types that emerged from 1945 to the mid-late 1950s. Balwyn became a preferred location for middle-class suburbanites as wealth steadily increased through the mid-century period.<sup>12</sup> The Heritage Assessment identifies the following post-war houses currently included on the HO:
- Cameron House, 6 Bulleen Road, Balwyn North (HO170) (Figure 15)
  - Sanders House, 3 Kalonga Road, Balwyn North (HO176)
  - Gillison House, 43 Kireep Road, Balwyn (HO177) (Figure 16)
  - Castle House, 1/2 Taurus Street, Balwyn North (HO189)
  - Bunbury House, 300 Balwyn Road, Balwyn North (HO616)
- [60] The Heritage Assessment then goes on to say that both chronologically and aesthetically *none of these houses is directly comparable to the subject building.*<sup>13</sup> The Heritage Assessment then expands the comparative analysis to four additional properties that were recommended for inclusion on the HO in the *Balwyn & Balwyn North Heritage Review*:
- Lipton House, 67 Hill Road, Balwyn North (Figure 17)
  - Plotkin House, 47 Mountain View Road, Balwyn North (Figure 18 and Figure 19)
  - Mitchell House, 2 Salford Avenue, Balwyn
  - Raftopolous House, 69 Sylvander Street, Balwyn North
- [61] As these properties are not currently included on the HO they do not establish a benchmark of significance and are of limited value as comparators. Nevertheless, the Heritage Assessment found that the first two properties have only broad characteristics in common with the subject site and the second two have very little commonality. The Lipton House, Plotkin House, and the subject site all demonstrate flat roofs, plain brick walls, horizontal strip windows and stepped volumetric massing. However, the subject site is a single storey, box-like dwelling that does not step down the sloped

<sup>10</sup> DELWP, *Planning Practice Note 1: Applying the Heritage Overlay*, August 2018.

<sup>11</sup> Philip Goad, *Melbourne Architecture* (Sydney: The Watermark Press, 2009), P154.

<sup>12</sup> Chris McConville, "Balwyn," in *The Encyclopedia of Melbourne*, eds. Andrew Brown-May and Shurlee Swain (Melbourne: Cambridge University Press, 2005), p56.

<sup>13</sup> Built Heritage, *Heritage Assessment*, P11.

site or use volumetric massing to articulate the form. The sloped site is dealt with through an overhang with undercroft, it is not reflected in the building volume. Of the three dwellings, the subject site is the least innovative in its planning response to a sloped site and has less elegant articulation. The subject site does not compare favourably against these comparators. The Heritage Assessment also describes the Lipton House and Plotkin House as aesthetically manifestations of the 'mature modern'.

[62] Expanding the comparative analysis even further, the Heritage Assessment reviews an additional eight houses, drawn from the 40 recommended for further assessment in the *Balwyn & Balwyn North Heritage Study*, that date from the 1960s:

- Heenan House, 41 Campbell Road, Balwyn (Neil Clerehan & Guilford Bell, 1962) (Figure 20)
- Montalto House, 101 Cityview Road, Balwyn North (Dr Ernest Fooks, c1962)
- Karakostas House, 9 Earls Court, Balwyn North (Robert H Denny, 1969)
- Inge House, 30 Ferdinand Avenue, Balwyn North (Drayton & Coleman, 1964)
- McBride House, 72 Greythorn Road, Balwyn North (David Godsell, 1961)
- Henning House, 9 Penn Street, Balwyn North (Norman Brendel, 1962)
- Schuster House, 27 Tuxen Street, Balwyn North (Holgar & Holgar, 1964)
- Dr Leong House and clinic, 46 Walnut Road, Balwyn North (John F Tipping, 1965)

[63] As above, these properties are not currently included on the HO and therefore do not provide an adequate benchmark of significance and are of limited value as comparators. All the above houses feature typical stylistic features of the period including face brickwork and flat roofs. Narrowing down this list of eight, the Heritage Assessment found that three of the houses were directly comparable to the subject site:

- Montalto House, 101 Cityview Road, Balwyn North
- Henning House, 9 Penn Street (demolished), Balwyn North
- Heenan House, 41 Campbell Road, Deepdene. (Figure 20)

[64] The Heenan House at 41 Campbell Road is noted as the best comparison as it features face brick walls and projecting and recessing planes. However, these features are standard characteristics of mid-century suburban homes typical of Balwyn North. These features and do not provide a particularly noteworthy aesthetic interest or heritage value worthy of protection.

[65] The comparative analysis in this case has not demonstrated that the subject site meets the benchmark set by comparable post-war properties that are already included on the HO. The subject site does not compare favourably against places which have already been assessed as significant. Expanding the comparative analysis to places recommended for inclusion on the HO and places recommended for further assessment has not, in my opinion, demonstrated that the subject site is a high-quality example of the type. Drawing comparators from outside the existing HO is not the standard approach. If there are no comparators this could be evidence of a place's rarity, but the Heritage Assessment is not claiming that the subject site is rare.



Figure 15: Cameron House at 6 Bulleen Road. Source: Trethowan Architecture, 2022.



Figure 16: Gillison House at 43 Kireep Road. Source: Trethowan Architecture, 2022.



Figure 17: Lipton House at 67 Hill Road. Source: Trethowan Architecture, 2022



Figure 18: Plotkin House at 47 Mountain View Road. Source: Trethowan Architecture, 2022.



Figure 19: Alternative view of the Plotkin House, 47 Mountain View Road. Source: realestate.com.au



Figure 20: Heenan House at 41 Campbell Road. Source: realestate.com.au

## 5.2 Houses in the 'Mature Modern' mode

- [66] The Heritage Assessment identifies several examples of this sub-style within Boroondara, some of which are already listed on the HO. In reviewing the comparative analysis of houses in the 'mature modern' style, several questions arise. Firstly, what are the particular characteristics of the 'mature modern' style? Secondly, is the subject site a good example of this style when compared with others? Finally, is this style significant to Boroondara?

### 5.2.1 What is 'mature modern'?

- [67] To define the 'mature modern' style, the Heritage Assessment refers to Professor Philip Goad's Ph.D. thesis *The modern house in Melbourne, 1945-1975*. Drawing from Goad, the Heritage Assessment describes 'mature modern' as an aesthetic sub-style that emerged in the early 1960s



as a more sedate and monumental contrast to the Melbourne Regional style of the 1950s; exhibiting the following characteristics:

- efficient structural means
- a reduced palette of materials
- generous amounts of glass
- elegantly simple details
- carefully considered rectilinear planning
- broad-eaved flat roofs
- stark planar walls in face brick or concrete block

[68] Goad describes the maturing of the modern house in Melbourne as a stylistic development undertaken by architects who were already well-versed in modern design. His thesis describes the development and outcomes of the style as follows:

*Despite the turning away in the 1960s from the slim reductive aesthetic of the 1950s towards mass, texture, a resurgence of interest in the vernacular image and the gradual closure of the open plan, a very small number of Melbourne architects pursued their formal interests of the 1950s and proceeded to mature the designing of the modern home in Melbourne. These architects understood the rigours of the post-war International Style: efficient structural means, a reduced palette of materials, generous amounts of glass, and elegantly simple details. . . . The successful integration of garden and house are the highlights of these pristine pavilions.<sup>14</sup>*

[69] Integration of garden and house should, therefore, be added to the list of stylistic characteristics that define the 'mature modern' mode.

[70] Goad describes the 'mature moderns' as designers with differing influences but all demonstrating skill in meticulous detailing; a quest for restraint and simple sparse furnishings; and a delight in the essential qualities of building materials. Goad identifies architects Neil Clerehan, Guilford Bell, Bernard Joyce, David McGlashan and John Adam as consistent producers of elegant 'mature modern' architecture. Goad then identifies the best examples as J. Dale Fisher's own house at St George's Road, Toorak, c1975 (in Stonnington and not listed on an HO) and A.R. Von Romaey's house at Waterloo Street, Camberwell, c1967 (non-contributory within HO159).<sup>15</sup> Goad concludes that in many respects these sophisticated houses represent the high point in modern architecture in Melbourne.<sup>16</sup> A 'mature modern' house, therefore, should be a sophisticated example of modern design wherein the stylistic and technical advancements developed in the preceding decades are perfected. Designers in this mode should be well-versed in the local modern idiom having developed the style, and they should have a solid understanding of rigorous international examples. It is noted that Alistair Knox is not known to have been a party to the development of local modern architecture towards its rigorous maturation.

[71] It is my opinion that 'mature modern' is not a generally recognised term for a sub-style within the context of post-war residential architecture. Rather, it is a description of modernism's stylistic and experimental apogee.

### 5.2.2 Is the subject site a good example of 'mature modern'?

[72] There is some disagreement within the past assessments as to what style best describes the subject site. The Heritage Assessment describes it as 'mature modern'; stating that the sub-style emerged in the 1960s in contrast to the so-called Melbourne Regional Style of the 1950s. On the other hand, Context's 2021 assessment concludes that the subject site is an example of the Melbourne Regional Style. In describing this style, Context references Robin Boyd's call for simple, light and unpretentious architecture.<sup>17</sup> Context conclude that the subject site includes typical design

<sup>14</sup> Philip James Goad, "The Modern House in Melbourne 1945-1975" (Ph.D, University of Melbourne, 1992), P6/56, <https://cat2.lib.unimelb.edu.au/record=b2274790>.

<sup>15</sup> Goad, "The Modern House in Melbourne," PP6/57-6/58.

<sup>16</sup> Goad, "The Modern House in Melbourne," P6/57.

<sup>17</sup> Context Pty Ltd, "Withers House" place citation May 2021, P13

features of Melbourne Regional Style per Apperly, Irving and Reynolds. They describe this style as follows: *The archetypal Melbourne Regional house was to be found in an outer suburb or in the bush. It was single-storeyed and had a narrow, linear plan. It gained an unassertive horizontality from its low-pitch gable roofs of corrugated asbestos cement with exposed rafters at the wide eaves and with slim bargeboards.*<sup>18</sup> They also identify that large window walls with rhythmically articulated mullions were common. The house at the subject site is suburban and unassuming, and it is single-storeyed on a linear plan. It does not, however, feature gable roofs or wide eaves with slim bargeboards, as stylistically required for houses to be considered to be in the Melbourne Regional Style.

[73] Putting these disagreements aside, it is necessary to assess whether the subject site exhibits the identified characteristics of 'mature modern', as discussed above, and how it compares against other examples of the style. Under the assessment against Criterion E, the Heritage Assessment has described the subject site as: *an excellent ... example of a house in the so-called 'mature modern' style, and as a particularly sophisticated expression of this idiom.*<sup>19</sup> The Heritage Assessment identifies several properties within Boroondara designed in the 'mature modern' idiom. These can be compared against the subject site to determine if it demonstrates the particular stylistic characteristics to an equal or greater degree than similar properties already listed on the HO.

### The subject site

[74] As outlined above, the identified characteristics of 'mature modern' are:

- Efficient structural means
- Reduced palette of materials
- Generous amounts of glass
- Elegantly simple details
- Carefully considered rectilinear planning
- Broad-eaved flat roofs
- Stark planar walls in face brick or concrete block
- Successful integration of garden and house

[75] The subject site does demonstrate some of these characteristics but is lacking in others. There is a reduced material palette dominated by concrete brick, steel and timber. The concrete brick walls are stark and planar, particularly at the front elevation with its layering of projecting and receding wall planes. The subject site does have a flat roof, but the eaves are not broad, nor used in a thoughtful way to encompass the garden or provide shelter at the front porch, for example.

[76] The subject site does not demonstrate other characteristics to a strong degree. There is a lack of efficient structural means, as the house has a standard brick-veneer wall construction set on a concrete slab. The projecting main floor slab that creates the undercroft elicits some interest, however it is not deftly handled. It would be more structurally accomplished were it a cantilever, rather than spanning across side walls with supporting columns at mid-span. There is no evidence of the experimentation that was often found in modern design of the 1960s, particularly in Boroondara. The subject site does not demonstrate considered rectilinear planning. Rather, it takes a conventional approach with rooms arranged off a central corridor. Apart from the undercroft the planning does not take advantage of the sloped site; the northern aspect is under-utilised; and there is limited innovation or elegance in the spatial arrangement. While the house is set within a garden, there is no evidence, physical or documentary, that the two are successfully integrated. This is also of particular interest given Knox was known for his integration of the built form into the landscape. He described his approach to landscaping as: *Developing an Australian landscape is more a matter of leaving what is there than of digging and planting new things. ... The prime requisite is observation of the surrounding natural countryside modified to accept the intrusion of the house.*<sup>20</sup>

<sup>18</sup> Richard Apperly, Robert Irving, and Peter Reynolds, *A Pictorial Guide to Identifying Australian Architecture: Styles and Terms from 1788 to Present* (Sydney: Harper Collins Publishers, 1994), P218.

<sup>19</sup> Built Heritage, *Heritage Assessment*, P18.

<sup>20</sup> Alistair Knox, *Living in the Environment* (Leura [NSW]: Back Row Press, 1985), P60.

This approach is not observed at the subject site where there is no integrated landscape design to speak of. The house sits aloft the landscape not within it, and has no strong connection to the front, rear and side gardens given the use of conventional windows and doors. It is a fairly standard suburban house and garden outcome. A more integrated landscape design would see the garden brought into the house through thoughtful planning, large expanses of glass, and a variety of spatial experiences.

- [77] The subject site does exhibit some of the expected characteristics such as a limited material palette, simple detailing, flat roof, and face brick planar walls. There is not, however, a particular expression of structural efficiency, generous amounts of glass, considered planning, elegant detailing or integration into the landscape. It is, therefore, not found to be an excellent or particularly sophisticated example of the style.

#### Comparative Examples Listed on the HO

- [78] The Heritage Assessment identifies the following examples of 'mature modern' homes already listed on the HO within Boroondara. These properties establish a benchmark and can be compared against the subject site.

- 18 Yarra Street, Kew, Guss House, McGlashan & Everist, 1963 (individually significant within HO530) (Figure 21)
- 16b Waterloo Street, Camberwell, AR van Romaey, 1966 (non-contributory within HO159) (Figure 22)



Figure 21: Guss House at 18 Yarra St, Kew.  
Source: realestate.com.au



Figure 22: Romaey House at 16b Waterloo St, Camberwell.  
Source: realestate.com.au

- [79] The Guss House at 18 Yarra Street is *significant* within *HO530 Yarra Boulevard Precinct*. The precinct Statement of Significance notes that the area has an unusually high concentration of post-war Modernist dwellings, many of them architect designed. The precinct demonstrates a move towards a simplified Modernist mode, in some cases experimental, and away from the more conservative designs found elsewhere in the municipality.<sup>21</sup> This description of the approach to modernist design is similar to Goad's description of 'mature modern', and therefore the Guss House is an appropriate example of the style. Compared with the subject site, the Guss House demonstrates a more efficient and distinctive structural expression. There is an elegant tectonic quality and a clarity of structural resolution that is not found at the subject site. The Guss House demonstrates a generous façade glazing system, whereas the subject site demonstrates large windows punctuating a solid wall. Overall, the subject site does not compare favourably against the Guss House and is not found to meet the benchmark of significance.
- [80] The Romaey House at 16b Waterloo Street is identified by Goad as a high point of the 'mature modern'.<sup>22</sup> The Romaey House is graded as *non-contributory* within *HO159 Prospect Hill Road Precinct*, which is an area of late Victorian and Federation houses. It is not afforded an individual

<sup>21</sup> Statement of Significance: HO530 Yarra Boulevard Precinct, Kew. *City of Kew Urban Conservation Study*, Pru Sanderson Design.

<sup>22</sup> Goad, "The Modern House in Melbourne," PP6/57-6/58.

heritage listing. The Romaey House reflects the stylistic characteristics of 'mature modern' identified in the Heritage Assessment better than the subject site, particularly in terms of the use of glass, deep eaves, elegant structure, and integration with landscape. The Romaey House demonstrates 'mature modern' characteristics of generous glazing, efficient structure, elegant details, minimal materials palette, and deep eaves. These characteristics also enhance the house's relationship with its garden. A variety of relationships with the landscape are developed by creating courtyards, extending the roof across parts of the garden, and using full-height window walls to emphasise the connection between inside and outside. This is a more sophisticated and integrated approach than the subject site which features a standard arrangement of a house within a surrounding garden visible from perimeter windows. The subject site does not demonstrate any particularly thoughtful integration of the house within its natural site, nor its landscaped setting. Similarly, it does not have the same generosity of glass, elegant detailing, or efficiency in the structure which consists of planar walls and a supported slab.

[81] While not identified as being of the 'mature modern' mode, there are several other modernist houses of the 1960s that were added to the HO after the Heritage Assessment was prepared. Some of these properties can also provide a comparison with the subject site, and include:

- 5 Fairway Drive, Kew East, Mardegan House, Tadeusz Karasinski, 1966 (*individually significant* HO830) (Figure 23)
- 6 Fairview Street, Hawthorn, Dickie House, landscape design by Mervyn Davis and Ellis Stones, 1961-64 (*individually significant* HO784) (Figure 24)



Figure 23: Mardegan House. Source: Place Citation, Hermes Orion.



Figure 24: Dickie House. Source: Place Citation, Hermes Orion.

[82] The Mardegan House demonstrates an elegant structural expression with a strong relationship between horizontal and vertical planes. There is a tectonic solidity and elegant floating planes, vertical members and large expanses of glass. The flat roof eaves extend out to form a deep verandah. Materials are limited to stone, concrete, steel and timber. The Mardegan House is an example of the pattern of architect-designed modern house in Boroondara that experimentally respond to a difficult site.<sup>23</sup> The structural expression relates to this response to the site, and is therefore a good example of integrating the house with the natural landscape. The Mardegan House is associated with an important émigré architect, Tadeusz Karasinski, who brought extensive experience in international modern architecture. Karasinski fits Goad's description of a mature modernist as having a solid understanding of rigorous international examples. The Mardegan House demonstrates characteristics of the 'mature modern' as the rigorous conclusion of modern design. The subject site does not compare favourably against the Mardegan House, as it doesn't have the required design qualities, and is a more typical example of suburban modern architecture.

[83] Similar to the Mardegan House, the Dickie House is an example of a modernist, architect-designed house in Boroondara that responds to a difficult site. The Dickie House is representative of the

<sup>23</sup> Place Citation, Mardegan House, from Boroondara Municipal-Wide Heritage Gap Study Vol 4: Kew (2018).



*post-war design ethos, optimism and architectural modernisation pioneered by Robin Boyd and others.* It is noted for its honesty of structure and material, clean lines, deep eaves, design innovation, and highly articulated Japanese-inspired detailing.<sup>24</sup> The Dickie House features those identified characteristics of the 'mature modern' to a greater degree than the subject site. It is also notable for its garden design, and is associated with important landscape architects Mervyn Davis and Ellis Stones. The garden, and the relationship to the natural site, are important characteristics of the Dickie House, and represent a better integration with landscape than the subject site. Overall, the subject site does not compare favourably against the Dickie House and is not found to meet the benchmark it has set.

### Not Listed on the HO

[84] The Heritage Assessment expands the comparative analysis to 'mature modern' properties that are not currently listed on the HO within Boroondara. These examples have not been assessed as having significance at the local level, and therefore do not provide a comparative benchmark. Nevertheless, the examples are as follows:

- 7a Millah Road, Balwyn, John Adam, 1967 (Figure 25)
- 2 Shrimpton Court, Balwyn, Pleasance House, John Adam, c1971 (Figure 26)
- 67 Hill Road, Balwyn North, Lipton House, Kevin O'Neill & Raymond Tung, 1964-66
- 47 Mountainview Road, Balwyn North, Plotkin House, Conarg Architects, 1966
- 41 Campbell Road, Balwyn, Heenan House, Neil Clerehan & Guilford Bell, 1962

[85] Architects Neil Clerehan, Guilford Bell and John Adam are identified by Goad as key practitioners of the 'mature modern' style, noted as having consistently produced elegant designs. Works by these architects (7a Millah Road, Plotkin House and Heenan House) stand out for their association with these important practitioners of the style.

[86] Note that the Lipton House, Plotkin House and Heenan House are discussed above.



Figure 25: 7a Millah Road, Balwyn. Source: Google street view.



Figure 26: Pleasance House, 2 Shrimpton Court, Balwyn. Source: realestate.com.au.

### Summary

[87] The subject site does not exhibit the particular characteristics of the 'mature modern' style to a degree that is equal to or greater than those properties already listed in the HO which set the significance benchmark. Overall, the four houses that are already listed on the HO are better examples of modern homes from the 1960s than the subject site. The subject site has not been found to meet the benchmark set by these properties. The subject site is neither *excellent* nor *particularly sophisticated* in comparison. With reference to Goad's description of 'mature modern' the subject site is not found to be a representative example. It is, rather, a standard mid-century suburban house that does not reflect the *particular aesthetic characteristics* identified by Goad and in the Heritage Assessment.

<sup>24</sup> Place Citation, Dickie House, from Boroondara Municipal-Wide Heritage Gap Study Vol 3: Hawthorn (2018).



- [88] It is my opinion that the subject site is not example of the 'mature modern' described by Goad as demonstrating the rigorous conclusion of modern architecture. It is, rather, a typical example of a standard, suburban home designed in the modern style.

### 5.2.3 Is 'mature modern' significant to Boroondara?

- [89] The Heritage Assessment identifies several 'mature modern' houses within Boroondara, as discussed above. Only the Guss House and Romaey House have been found to already be listed on the HO and can demonstrate this style within Boroondara. The 'mature modern' style is not identified in the Thematic Environmental History (TEH) as significant to shaping cultural development in the municipality, however this may be due to different stylistic terms being used. Modern architecture more generally is significant to Boroondara. Notable examples include: Robin Boyd House, 1946-47, at Riversdale Road Camberwell (VHR H0879 and HO116); Clemson House, 1959-60 at Milfay Avenue, Kew, (VHR H2006 and HO251); River House / McIntyre House, 1955, at Hodgson Street, Kew (HO72 and listed by the National Trust of Australia, Victoria). The Romaey House is identified by Goad as a high point in 'mature modern' design, and several architects who are noted in the TEH as important within Boroondara are also identified by Goad to be key practitioners of the style.
- [90] While 'mature modern' may not be a universally accepted term, it is my opinion that high-quality, experimental and rigorous modern architecture is significant to Boroondara. However, the subject site is not representative of this sub-style.

## 5.3 Houses by Alistair Knox

- [91] In reviewing the comparative analysis of the subject site against other properties by Knox, it is worth firstly understanding the general character of Knox's work. Then, reviewing how the subject site fits within Knox's body of work, and how Boroondara fits within Knox's career.
- [92] Alistair Knox is known for his work in Eltham, Warrandyte and the surrounding suburbs (Shire of Nillumbik). Indeed, he is one of the key practitioners of what became known as the Eltham Style. His work in the environmental design idiom is seen as a continuation of the characteristic local building tradition that emerged at Montsalvat<sup>25</sup> and was embraced by Eltham's artistic and creative residents. As well as designing many houses in the area, Knox lived in Eltham and served as a Councillor.<sup>26</sup>
- [93] Alistair Knox was a building designer and is best known for his environmental design approach incorporating natural materials and earth-construction. He is noted as one of the leading figures of this design style in Victoria.<sup>27</sup> Knox was instrumental in advocating the local Council to allow earth construction in the 1940s.<sup>28</sup> Some notable examples of his work, all located in Eltham, include:
- Busst House (1948), individually listed HO162 (Figure 27)
  - Periwinkle House (1948), individually listed HO11 (Figure 28)
  - Coller House (1974), individually listed HO136 (Figure 29)
  - Huggett House and barn (1975), individually listed HO138 (Figure 30)
  - Own house & studio (1962-1970), individually listed HO109
- [94] Knox's design principles aligned with landscape architects working with indigenous plants such as Ellis Stones and Peter Glass. Through his promotion of the environmental building approach, combined with sympathetic landscaping, Knox became one of the best-known practitioners of this style.<sup>29</sup> Conrad Hamann links Knox's work into a type of Melbourne regionalist architecture that commenced with American and European influences espoused by architects such as Boyd, Mewton, Grounds, Billson and Overend. Melbourne Regionalism was sustained in the post-war

<sup>25</sup> Goad, *Melbourne Architecture*, P155.

<sup>26</sup> Philip Goad, "Knox, Alistair," in *Encyclopedia of Australian Architecture*, eds. Phillip Goad and Julie Willis (Melbourne: Cambridge University Press, 2012), PP387-388.

<sup>27</sup> Goad, *Melbourne Architecture*, P163.

<sup>28</sup> Deborah Bartolomei, "Eltham," in *The Encyclopedia of Melbourne*, eds. Andrew Brown-May and Shurlee Swain (Melbourne: Cambridge University Press, 2005), P234.

<sup>29</sup> Goad, "Knox, Alistair," PP387-388.

period by Knox and others in Eltham and Warrandyte; Boy, Chancellor and Patrick's 'Port Phillip Idiom'; and Shaw, Duncan and Borland through the 1960s and 70s.<sup>30</sup> This work was seen to be a reaction against the post-war vernacular architecture that expanded rapidly in Melbourne's outer suburbs; often linked to speculative and volume builders.<sup>31</sup> This type of architecture is consistent with the post-war development of Balwyn and Balwyn North.



Figure 27: Busst House. Source: Shire of Eltham Heritage Study, 1992.



Figure 28: Periwinkle House. Source: Shire of Eltham Heritage Study, 1992.



Figure 29: Collier House. Source: Shire of Eltham Heritage Study, 1992.



Figure 30: Huggett House & Barn. Source: Shire of Eltham Heritage Study, 1992.

### 5.3.1 Alistair Knox & the subject site

- [95] Knox's ideas about building and design are typically evident in examples of his built work, as outlined in his published works, and through his archives kept by the Alistair Knox Foundation. The subject site should be reviewed in relation to Knox's career and other works in order to assess the nature of his association with the site.
- [96] The subject site was constructed during the middle-phase of Knox's career during the financial downturn of the 1960s. During this period Knox was under financial pressure and was obliged to abandon his design principles in favour of more typical suburban building materials and design styles.<sup>32</sup> In describing the beneficial properties of earth building in his book *Living in the Environment*, Knox states that: *No one who has lived in a well designed earth house is ever really comfortable in any other sort of building again.*<sup>33</sup> Knox preferred this way of building because it was environmentally conscious, economic, and produced durable houses of high amenity. His interest in this style began in the immediate post-war years during which demand for housing combined with shortages of material, labour and funds necessitated experimentation. Speaking of his experience in the 1940s, Knox states that: *had it not been for the shortages I may never have become so intimately involved in mud brick and other natural building media, nor in the search for an indigenous style.*<sup>34</sup> These statements indicate that Knox was first drawn to environmental building for pragmatic reasons but continued in the mode because of the various advantages it

<sup>30</sup> Conrad Hamann, "Architecture," in *The Encyclopedia of Melbourne*, eds. Andrew Brown-May and Shurlee Swain (Melbourne: Cambridge University Press, 2005), PP32-33.

<sup>31</sup> Hamann, *Architecture*, P32.

<sup>32</sup> Knox, *Living in the Environment*

<sup>33</sup> Knox, *Living in the Environment*, P2.

<sup>34</sup> Knox, *Living in the Environment*, P15.

afforded. Knox's built work from the 1940s through to the 1980s is evidence of his preference for environmental building methods. The only exception being a period in the 1960s, the middle-phase of Knox's career, during which the subject site was constructed.

[97] The economic recession in 1961 impacted Knox's ability to work. He states that he had always had financial difficulties, however the early 60s was: *a time when I wondered if it was all worthwhile* as the buildings he was designing were not enough to produce a living.<sup>35</sup> Knox does not elaborate in *Living in the Environment* about the conventional designs he produced during this period. He states that: *I had ... let go the primitive architectural character and produced over a hundred buildings using more standard materials, except for plaster.*<sup>36</sup> The financial pressures of this period obliged Knox to abandon his design principles in favour of more typical suburban building materials and design styles to remain solvent.<sup>37</sup> Designs prepared during this period include those at the Hillcrest Estate in Donvale (none of which are listed on the HO for the City of Manningham). Knox explains that: *During this period building took precedence over design.*<sup>38</sup> This phase in Knox's career is not discussed at length in his writings and does not appear to have been a fruitful or satisfying period. The subject site is not referenced, and no lessons or experiments from this period are discussed in Knox's writing. Indeed, Knox describes the return to his preferred design approach as a restoration of the post-war spirit of environmental design, and the *re-birth of the original organic concept of the immediate post-war beginnings.*<sup>39</sup>

[98] From this, the subject site is not found to have a special association with Knox's career, nor is it representative of his design principles. It is clear that during this middle phase of his career Knox was obliged to prioritise making money over pursuing and developing his design principles. The return to his organic, environmental style is celebrated, with the middle-period designs appearing to represent a compromised position. The subject site is an example of this period which Knox was pleased to be able to put behind him. It is acknowledged that the subject site stands out within Knox's work within Boroondara due to its early construction date and conventional design style. However, for this reason, the subject site does not demonstrate the aesthetic characteristics of Knox's oeuvre that are worthy of protecting.

### 5.3.2 Alistair Knox & the City of Boroondara

[99] Knox is known to have designed at least a dozen dwellings in Boroondara, many of which have been demolished. The Statement of Significance, prepared as part of the Heritage Assessment, notes that of those houses the subject site is the only one from the middle phase of Knox's career (c1955-1964) when he embraced conventional building materials and a mainstream modernist idiom.<sup>40</sup> The Heritage Assessment notes that the subject site is the earliest example of Knox's work in Boroondara and it occupies a significant place in the chronology of Knox's work across the entire municipality.<sup>41</sup> While also being in sharp stylistic contrast with those later examples, built in his organic, environmental style. Extant examples of Knox's work in Boroondara include:

- Yorston House, 1 Georgian Court, Balwyn (1966) – not in an HO
- Ray House, 84 Wattle Valley Road, Camberwell (1967) – not in an HO (Figure 31)
- Raynor House, 11 Kembla Street, Hawthorn (1969) – not in an HO (Figure 32)
- Coulter House, 12 Barbara Avenue, Camberwell (1971) – not in an HO (Figure 33)
- Golias House, 6 Stirling Street, Kew (1975) – *non-contributory* within HO150 (Figure 34)
- Bell House, 21 Yarrbat Avenue, Balwyn (1978) – not in an HO (Figure 35)
- Kennedy House, 4 Norbert Street, Balwyn (1983) – not in an HO (Figure 36)

<sup>35</sup> Knox, *Living in the Environment*, P50.

<sup>36</sup> Knox, *Living in the Environment*, P54.

<sup>37</sup> Knox, *Living in the Environment*.

<sup>38</sup> "Professional Building," Alistair Knox archive, accessed August 2022, <https://alistairknox.org/directories/18>

<sup>39</sup> Knox, *Living in the Environment*, P51.

<sup>40</sup> Built Heritage, *Heritage Assessment*, P18.

<sup>41</sup> Built Heritage, *Heritage Assessment*, P15.





Figure 31: Ray House, 84 Wattle Valley Rd.  
Source: realestate.com.au



Figure 32: Raynor House, 11 Kembla St. Source:  
Google street view.



Figure 33: Coulter House, 12 Barbara Avenue.  
Source: realestate.com.au



Figure 34: Golias House, 6 Stirling St. Source:  
realestate.com.au



Figure 35: Bell House, 21 Yarrbat Avenue.  
Source: Trethowan Architecture, 2022.



Figure 36: Kennedy House, 4 Norbert Street. Source:  
Google street view.

[100] None of the other houses Knox designed in Boroondara are stylistically comparable with the subject site as it is not designed in his typical idiom. The Heritage Assessment concludes that: *Ultimately, the subject building can only be pertinently compared to one other example of Knox's work in the City of Boroondara: a two-storey addition to the rear of an existing single-storey house at 4a Rubens Grove, Canterbury (not listed in an HO).*<sup>42</sup> However, even this example does not provide adequate comparison as it is an addition and is concealed from view. The subject site is not representative of Knox's work in Boroondara; it does not demonstrate the extent of his influence nor the nature of his association with the City's built fabric. The subject site, therefore, exhibits neither the approach nor those particular aesthetic characteristics that Knox is known for.

<sup>42</sup> Built Heritage, *Heritage Assessment*, p17.

- [101] The best example of Knox's work within Boroondara is probably the Cooke House (also known as 'Oakdene'), which has been demolished. This was a mudbrick house identified as having architectural and aesthetic significance to Boroondara and was recommended for inclusion on the HO.<sup>43</sup> It was noted for its distinctive planning, integration of materials, and connection to the landscape setting. Notwithstanding its demolition, it stands out as one of Knox's few mudbrick commissions in traditional 'suburbia' and had very few comparators within the municipality. Knox wrote about this project in *Living in the Environment*,<sup>44</sup> and it was clearly an important commission in his career. Oakdene, therefore, stands out as an important example of Knox's work in its own right, and as an example within Boroondara. Oakdene compares favourably against the subject site as a better example of Knox's skill in integrating landscape and dwelling, in his use of natural materials, and in spatial planning.
- [102] The Heritage Assessment goes on to review comparators outside Boroondara; noting: *While it is not necessary to consider Knox's work outside the City of Boroondara to establish a case for significance at a local level, it might be noted that a cursory overview of his contemporaneous houses suggests that the Withers House [subject site] was one of the designer's more distinguished residential projects of that period.*<sup>45</sup> I agree that it is not necessary to include comparative examples from outside the municipality in order to establish a threshold for significance. Nevertheless, the examples listed from the early 1960s are generally described as modest, single-storey houses on flat sites with rectangular plans, low gabled roofs and conventional windows. The Heritage Assessment states that: *The more expansive and elevated Withers House, built into a slope with a vast sub-floor garage, represents a far more sophisticated architectural composition.*<sup>46</sup> I disagree with the findings of the Assessment and do not think the subject site is a sophisticated architectural composition. It does not respond to the sloped site in a particularly interesting or accomplished way. The main floor slab is flat, and the building does not respond to the slope in its internal planning. The slope does allow the main floor slab to span across the front and create the undercroft but this space cannot be described as a vast sub-floor garage. It is at grade and only fits one modern car. There is no creative structural resolution of this element.
- [103] Boroondara is notable for having a high concentration of architect-designed buildings, and for its association with some of the most important architects in Melbourne's history. The TEH identifies this characteristic at section 9.3.2 'Designing fine buildings', stating that Boroondara is a *notable epicentre for fine architect-designed buildings*.<sup>47</sup> This theme is identified from the 1850s to the 1960s, with many of the eminent architects also living and designing their homes in the municipality. This trend is seen to have continued in the post-war period, with *the developing suburbs of Balwyn North and Studley Park emerged as epicentres for some of the most important architect-designed modernist housing to be seen in Australia*.<sup>48</sup> The TEH goes on to list some of the leading post-war architects and firms who worked in those two suburbs. Alistair Knox is not included in that list but is identified as one of many post-war architects who were active in the study area. Knox, therefore, is not identified to be a notable post-war architect, but did contribute to architecture within Boroondara.
- [104] Alistair Knox is better known for his work in Eltham, Warrandyte and the surrounding suburbs and is a key practitioner of the Eltham Style. His work in the environmental design idiom is seen as a continuation of the characteristic local building tradition that emerged at Montsalvat<sup>49</sup> and was embraced by Eltham's artistic and creative residents. His contribution to the history of Eltham (and the Shire of Nillumbik) is clearly identified. Knox's contribution to the history and development of Boroondara is, in contrast, minimal. While he produced work in the area, those places did not go on to define a local style and approach to building or influence the development of the municipality. Other architects have had more influence on Boroondara's history, as identified in the TEH. Knox's impact on the history and architectural development of Boroondara is negligible.
- [105] Reviewing Knox's own words about this phase of his career (as outlined above), it is described as a difficult period during which financial difficulties obliged him to take on conventional commissions.

<sup>43</sup> Identified in Built Heritage, *Balwyn & Balwyn North Heritage Study*, 2013-2014.

<sup>44</sup> Knox, 'Timber Building' in *Living in the Environment* via: <https://alistairknox.org/chapters/75>

<sup>45</sup> Built Heritage, *Heritage Assessment*, P17.

<sup>46</sup> Built Heritage, *Heritage Assessment*, P17.

<sup>47</sup> Built Heritage, *Thematic Environmental History*, P228.

<sup>48</sup> Built Heritage, *Thematic Environmental History*, P230.

<sup>49</sup> Goad, *Melbourne Architecture*, P155.



Once his financial situation improved, he resumed his environmental building approach with enthusiasm. His writing does not reveal any that useful experimentation or ideas emerged during this period. It is not clear that he *embraced* the conventional and mainstream approach. Rather, it seems that he was obliged to do this work to stay afloat. Knox's other designs within Boroondara would provide better representation of his work.

#### 5.4 Summary – Comparative Analysis

- [106] The comparative analysis undertaken in the Heritage Assessment has not demonstrated that the subject site is equal to or surpasses a benchmark set by comparable properties already listed on the HO. Even when the comparison is expanded to properties not included on the HO or located outside Boroondara, the subject site still does not compare favourably.
- [107] The Heritage Assessment found that other post-war properties do not aesthetically compare against the subject site. This demonstrates that the subject site has typical characteristics of its class and is unable to compare with the benchmark set by properties that have identified aesthetic significance.
- [108] The subject site is not found to be a comparable example of the 'mature modern' style as it does not reflect the stylistic maturation of modern design within the Boroondara context. The subject site is a standard example of a suburban house in the modern style, and does not compare favourably against identified examples of the 'mature modern' style.
- [109] The subject site is not found to be a good example of the work of Alistair Knox within Boroondara. Nor is it found to be good example within the context of Knox's broader career.

## 6 Assessment of Significance

- [110] It is my opinion that Council has not demonstrated that the subject site warrants inclusion on the *Schedule to the Heritage Overlay* as an *individually significant* heritage place. Council is relying on the findings of the Heritage Assessment which concluded that the subject site is significant for two reasons: it exhibits particular aesthetic characteristics of a modernist house (Criterion E), and for its special association with designer Alistair Knox as a person important in Boroondara's history (Criterion H).
- [111] The methodology and approach outlined in the Heritage Assessment is appropriate and thorough. However, I do not agree with the findings of the assessment.
- [112] Assessment of local significance is generally guided by PPN1. However, PPN1 does not provide clear guidance on how to apply the assessment criteria. Therefore, it is generally accepted practice to refer to *The Victorian Heritage Register Criteria and Threshold Guidelines* (Heritage Council of Victoria, updated 3 December 2020). However, discretion should be used in referring to these guidelines as they relate to a State-level test of significance. The use of the VHR Guidelines to determine local significance is affirmed in recent Planning Panel decisions, for example Amendment C142nill.<sup>50</sup>
- [113] The following section reviews the findings of the Heritage Assessment with regard to PPN1 and a cautious use of the VHR Guidelines, and provides an opinion on the subject site's significance against the established criteria.

### 6.1 Criterion E

- [114] The Heritage Assessment provides the following reasoning for the subject site's significance under Criterion E:

***Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance)***

*The Withers House is an excellent and virtually unaltered example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. With its stark walls of beige-coloured modular concrete brickwork, exposed timber beams and asymmetrical facade hovering above a capacious sub-floor triple carport, it is a particularly sophisticated expression of this idiom.*

- [115] The assessment identifies the subject site as an *excellent* and *particularly sophisticated* example of its type. Meaning that the built fabric exhibits the particular aesthetic characteristics of 'mature modern' style. The VHR Guidelines define 'aesthetic characteristics' as: *the visual qualities of a place or object that invite judgement against the ideals of beauty, picturesqueness, evocativeness, expressiveness, grotesqueness, sublimeness and other descriptors of aesthetic judgement. The visual qualities of a place or object lie in the form, scale, setting, unity, contrast, colour, texture and material of the fabric of a place or object.*<sup>51</sup> While this definition requires some subjective judgement, to meet this criterion a place should not only demonstrate the general traits of the style, but it should do so in an aesthetically accomplished way that lifts it above the standard type.
- [116] The VHR Guidelines explain that a place should be excluded from consideration under Criterion E if it *lacks distinctiveness* or has *no clearly definable aesthetic characteristics*. This means that it may have typical aesthetic qualities, but they do not exceed those of the general 'class'. The VHR Guidelines explain that 'class' refers to a *sub-category of a broad place type that is defined by a specific purpose or use, era, design characteristic, construction technique, materials used or some other recognisable quality*. Finally, a 'class' should be legible as a sub-category and *not narrowed by multiple qualifiers*.<sup>52</sup> In this case, the relevant 'class' of place is modern domestic architecture in Boroondara.

<sup>50</sup> Panels Victoria, *Nillumbik Planning Scheme Amendment C142nill: Heritage Overlay for part of 50 Oatland Road, Plenty*. Panel Report, 27 July 2022. PP18-19.

<sup>51</sup> Heritage Council of Victoria, *The Victorian Heritage Register Criteria and Threshold Guidelines*, April 2019. P14.

<sup>52</sup> Heritage Council of Victoria, *Threshold Guidelines*, P5.

[117] It is my opinion that the subject site fails to meet the threshold for aesthetic significance. The Heritage Assessment does not demonstrate through comparative analysis that the subject site exhibits aesthetic characteristics equal to or better than those comparable properties already covered by a HO within Boroondara. The subject site is neither an excellent example, nor a particularly sophisticated expression of modern domestic architecture within Boroondara. The findings of the comparative analysis, above, demonstrate that the subject site:

- Does not meet the benchmark set by comparable post-war properties
- Does not compare favourably against other examples of 'mature modern' domestic architecture in Boroondara

[118] The subject site is found to lack distinctiveness with regard to 'mature modern' dwellings, and in the broader terms of post-war modernist architecture in Boroondara. The subject site demonstrates the general characteristics of the class of place, and does not have distinctive or unusual aesthetic qualities that warrant inclusion into a site-specific HO under Criterion E.

[119] The subject site is not found to meet Criterion E as it does not exhibit particular aesthetic characteristics of the 'mature modern' and lacks distinctiveness.

## 6.2 Criterion H

[120] The Heritage Assessment concluded that the subject site meets the threshold for Criterion H, and provides the following reasoning:

**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 Withers House has special associations with celebrated designer Alistair Knox, representing the first of many residential commissions that he undertook in what is now the City of Boroondara, and the only one associated with a phase in his career (from c.1955 to c.1964) in which he embraced conventional building materials and a mainstream modernist idiom to produce modular dwellings of simple but elegant design.*

[121] The VHR Guidelines explain what is meant by an 'association', as follows:<sup>53</sup>

- *Directly relates to ACHIEVEMENTS of the person(s) at or relating to the place/object; or*
- *Relates to an ENDURING or CLOSE INTERACTION with the person(s) and the place/object*

[122] In the case of the subject site, it is not found to be related to any notable achievements by Knox. It does not demonstrate any advancements of his style or understanding of structure, material and siting etc. While the subject site is associated with the middle phase of his career, this is not a period of notable achievement, but rather a *low ebb*.<sup>54</sup> The subject site does not demonstrate the achievements in mud brick, recycled materials and environmental building that Knox is celebrated for. Nor does the subject site demonstrate an enduring or close interaction with Knox. The subject site is not mentioned in Knox's major written work and does not appear to have had an ongoing influence on his work. Indeed, once his financial situation improved, Knox turned away from this suburban design style with enthusiasm.

[123] It is my opinion that the subject site fails to meet the threshold for associative significance. My reasoning for this is twofold. Firstly, for this criterion to be met, the subject site should have a *special association with the life or work* of Alistair Knox which, in my view, it does not. The association with Knox is proven and clear, however, this is insufficient on its own without a *special association* with his life or work. Secondly, Knox should be a *person of importance in the City of Boroondara's history* which, in my view, he is not. These benchmarks should be met for a place to be considered under Criterion H.

<sup>53</sup> Heritage Council of Victoria, *Threshold Guidelines*, P20.

<sup>54</sup> "A Middle Class Man: An Autobiography Chapter 40: Hard Times," Alistair Knox archive, accessed August 2022, <https://alistairknox.org/directories/chapters/111>.

- [124] Alistair Knox is not, in my view, a person of importance in Boroondara's history. Compared with other architects working in the municipality, Knox's contribution is minimal and is of note only insofar as it is outside his usual style and location. His contribution to the Shire of Nillumbik is a better example of associative significance – in terms of the number of designs, influence of his work, and his personal involvement in the area. Knox is not identified in the TEH as one of the key designers working in Boroondara and influencing its architectural development. It is acknowledged that there are a large number of eminent architects who have worked in the municipality and, as such, the threshold for influence is set quite high. Nevertheless, given that Knox designed only a handful of buildings in Boroondara, many of which have been demolished, and that his known environmental approach was not generally adopted in the area, his influence is not of import in Boroondara's history.
- [125] It is my opinion that the subject site has not satisfied Criterion H as it does not have a special association with Knox, nor is Knox a person of importance to Boroondara. Furthermore, the Heritage Assessment has not, through comparative analysis, demonstrated that the subject site compares favourably against other examples of Knox's work within and outside of Boroondara.



## 7 Conclusion & Declaration

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- [126] Upon review of the exhibited material relating to Boroondara Planning Scheme Amendment C368 it is my opinion that the subject site does not meet the threshold for inclusion on the HO as an *individual heritage* place and does not warrant a *significant* grading.
- [127] The Heritage Assessment has not convincingly demonstrated that the subject site meets the threshold for significance under Criteria E or H. Nor has it demonstrated that the subject site has heritage significance to an equal or greater degree than comparable properties already included on the HO in Boroondara.
- [128] The subject site is not an outstanding example of the type and does not meet the threshold for inclusion in the HO as an *individually significant* place. On this basis, the inclusion of the subject site as a site-specific HO is not justified. The proposed inclusion of the subject site to the HO should be dismissed.

### Declaration

- [129] All avenues of assessment and considerations relevant to the proposal have been identified and accommodated in this report. No questions were raised that fall outside my expertise and I conclude my report is complete and accurate to the best of my abilities.
- [130] I have made all the inquiries that I believe are desirable and appropriate and that no matters of significance, which I regard as relevant, have to my knowledge been withheld from the Panel.



Claire Miller

09 September 2022



## **Appendix A      Statement of Qualifications & Experience**

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## Senior Heritage Consultant

### Claire Miller

#### EDUCATION

Doctor of Philosophy (urban studies), University of Melbourne, 2021  
Master of Architecture, University of Melbourne, 2011  
Bachelor of Architectural Studies, University of Melbourne, 2008

#### MEMBERSHIP

Member, ICOMOS  
Member, National Trust of Australia (Victoria)  
Member, Docomomo Australian Chapter

#### POSITION

Senior Heritage Consultant	Trethowan Architecture, 2021 – Current
Heritage Consultant	Trethowan Architecture, 2015 – 2021
Tutor	<i>University of Melbourne:</i> 21 <sup>st</sup> Century Architecture, 2013 – 2016 Foundations of Architecture, 2013 – 2015 Urban History, 2012 – 2015
Tutor	<i>Deakin University:</i> Architectural Design, 2012
Student Architect	Harmer Architecture, 2009 – 2011

#### EXPERIENCE

Claire joined Trethowan in 2015 as a graduate architect within the heritage team while also beginning PhD research. Claire quickly developed skills and experience within heritage consultancy and is capable of providing services for a wide range of project types.

Claire has demonstrated a variety of skills at Trethowan, with particular proficiency in research, analysis and writing. Claire's roles have included preparation of place citations, Heritage Impact Statements and Letters of Support to Council and Heritage Victoria, managing and coordinating permit submissions with statutory bodies, and assistance with numerous Expert Witness Statements to VCAT and the Planning Panel. Claire has advised on a wide range of projects at a variety of scales and complexities for both Councils and private clients. As Senior Heritage Consultant, Claire has demonstrated her ability to work independently and manage all stages of projects; working with clients, architects and authorities to achieve the best heritage outcome.

Claire brings to Trethowan the benefits of her extensive academic background in both teaching and higher degree research with a focus on history and theory of architecture and urban space. Claire draws on her experience in archival and other historical research, analysis, assessment, and written communication; as well as a thorough understanding of good heritage practice and the application of the Burra Charter. With this broad base of skills and experience, Claire is able to make assessments of a place's heritage values and significance, and advise on appropriate approaches to conservation and development.

#### SELECTION OF WORKS

##### *Strategic Work*

- *City of Port Phillip – Stage 1 Heritage Review of South Melbourne*
- *Shire of Nillumbik Heritage Review Stage B*
- *City of Greater Bendigo – Victorian Miners Housing Serial Listings Stage 2 Study*
- *City of Boroondara – Municipal Wide Heritage Gap Study*

##### *Heritage Advising*

- *City of Casey – Panel of Heritage Consultants – various works*

#### *Assistance with Expert Evidence for Planning Panel & VCAT*

- *Planning Panel Amendment C387melb as it relates to:*
  - *461 Bourke Street, Melbourne*
  - *516-520 Collins Street*
  - *260 King Street*
  - *457 Little Collins Street*
- *Planning Panel Amendment C186port as it related to 157-163 Montague Street, South Melbourne*
- *VCAT report for 99 George Street, East Melbourne*
- *VCAT report for 25-45 Best Street and 102-114 Scotchmer Street, Fitzroy*
- *VCAT report for 42-44 Galvin Street, Bendigo*
- *VCAT report for 8-16 Seddon Street, Ivanhoe*
- *VCAT report for 59-77 Victoria Parade and 5-7 Brunswick Street, Fitzroy*
- *VCAT report for Former Kew Cottages, Princes Street, Kew*

#### *Design & Permit Assistance, including Satisfaction of Conditions*

- *Queen Victoria Market – Various new works, alterations, conservation & repair*
- *East Melbourne Synagogue – New works, alterations & conservation*
- *Barwon Heads Golf Club – New works & alterations*
- *Armada House – New works*
- *Princes Gardens, Prahran – Landscaping works*
- *Catherineville, Kyneton – New work & alterations*

#### *Restoration Advice*

- *Fitzroy Gasworks Valve House*
- *East Melbourne Synagogue*
- *Queen Victoria Market*
- *2-4 Southampton Crescent, Abbotsford*
- *Wattle Park, Burwood*

#### *Grant Assistance & Management*

- *St Peters Eastern Hill Precinct – Living Heritage Grant for Hall roof repair works*

#### *Masterplanning Advice*

- *St Kevin's College masterplan – Waterford and Heyington campuses*
- *Swinburne University of Technology – campus heart*
- *Marnong Estate*

#### *Research Papers:*

- *Consumption as Control: historical relationships between regulated and unsanctioned practices of consumption in public squares. Published in Historic Environment, "Sites of Consumption on the Fringes of Urban Heritage" Vol 30 No 2, 2018.*
- *Understanding Melbourne's Federation Square as a multidimensional field of security interventions: spatial observations of control. Proceedings of State of Australian Cities conference, 2017.*
- *Pillaging the Past, Projecting the Future: Architectural History and Urban Culture in 21<sup>st</sup> Century Warfare. Proceedings of Society of Architectural Historians Australia & New Zealand conference, 2016.*



## **Appendix B      Previous Opinion Documents**

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## Memorandum

Project	Proposed HO listing		
Subject	32 Corby Street, Balwyn North	Date	15/10/2021

To whom it may concern,

We have been engaged by Sanjiv and Jane Vij, owners of 32 Corby Street, Balwyn North (the subject property), to provide our opinion on heritage matters related to their property. Our opinion has been provided to assist the client in preparing for Council's Urban Planning Delegate Committee meeting scheduled for 18<sup>th</sup> October 2021.

The subject property has been recommended for inclusion in the Schedule to the Heritage Overlay in the Boroondara Planning Scheme as an *individual heritage place*. The officer recommendation is to adopt the citation as provided by the report *City of Boroondara: [former] Withers House 32 Corby Street, Balwyn North: Heritage Assessment*, prepared by Built Heritage and dated 14 July 2021 (the heritage assessment).

It is our opinion that the subject property has not been shown to warrant inclusion on the Schedule to the Heritage Overlay as recommended by the heritage assessment. Our grounds for this opinion are that the heritage assessment does not demonstrate that the subject property meets the required threshold needed for a property to be significant within a Heritage Overlay through criteria E and H. Our reasoning for this opinion is based on a review of the assessment against Criteria provided at section 2.5.1 of the heritage assessment.

***Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance)***

*The Withers House is an excellent and virtually unaltered example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. With its stark walls of beige-coloured modular concrete brickwork, exposed timber beams and asymmetrical facade hovering above a capacious sub-floor triple carport, it is a particularly sophisticated expression of this idiom.*

It is our opinion that Criterion E has not been satisfied. The comparative analysis refers to post-WWII houses in Balwyn & Balwyn North, houses in the 'mature modern' mode, and houses by Alistair Knox. It is our opinion that the heritage assessment does not demonstrate that the subject property exhibits an equal to or better than aesthetic characteristics to those comparable properties already within a Heritage Overlay within Boroondara.

With regard to the themes identified in the comparative analysis, it is our opinion that:

- While the subject property demonstrates general characteristics of a post-WWII dwelling, it does not have those distinctive or unusual aesthetic qualities that warrant inclusion into a site-specific Heritage Overlay
- The subject property similarly demonstrates general characteristics of the mature modern sub-style, it does not have particular qualities that exceed the general class
- The subject property does not exhibit those particular aesthetic characteristics that Alistair Knox is well known for. All other Knox designed houses identified in Boroondara (so far) demonstrate the environmental approach he is most known for. This house is a more conventional design and does not compare with other examples of Knox's work in the municipality

The subject property lacks distinctiveness in regard to post-war residential architecture, and in terms of architect-designed dwellings within Boroondara. It is acknowledged that the dwelling stands out within Knox's work within Boroondara due to its early construction date and conventional design style. However, for this reason, the subject property does not demonstrate the particular aesthetic characteristics of Knox's oeuvre that are worthy of protecting.

**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 Withers House has special associations with celebrated designer Alistair Knox, representing the first of many residential commissions that he undertook in what is now the City of Boroondara, and the only one associated with a phase in his career (from c.1955 to c.1964) in which he embraced conventional building materials and a mainstream modernist idiom to produce modular dwellings of simple but elegant design.*

It is our opinion that the heritage assessment has not demonstrated that the subject property has special associations with a person of importance in the City of Boroondara's history. While Knox designed roughly a dozen dwellings in Boroondara, neither he nor these properties are of specific importance in Boroondara's history. The municipality has a very high concentration of architect-designed dwellings, by some of the most notable names Melbourne's architectural history. We believe that Alistair Knox's contribution is not as noteworthy as portrayed, nor was it influential, within Boroondara. Knox designed over 1,000 houses but only a handful in Boroondara - it is our view that he does not have a special association with the municipality.

In summary - it is our opinion that the heritage assessment has not demonstrated that the subject property meets the threshold of significance through its identified particular aesthetic characteristics. Rather, it exhibits general characteristics of mid-century residential architecture.

Further, it is our opinion that the heritage assessment has not demonstrated that the subject property has special association with a person of importance in Boroondara's history.

As such, we believe that the subject property has not been shown to satisfy the threshold criteria and should not be included in the schedule to the HO on that basis.

Regards



Claire Miller  
**Trethowan Architecture**







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# Heritage Report

Proposed Heritage Overlay Listing for  
32 Corby Street, Balwyn North

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Revision	Description	Date	Issued To
1	Initial Draft for Review	06-12-2021	Internal
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# 1 Introduction

## 1.1 Background

Trethowan Architecture has been engaged by Sanjiv and Jane Vij, the owners of 32 Corby Street, Balwyn North (the subject site), to provide an assessment of the proposed application of a Heritage Overlay (HO) to their property. The subject site has been recommended for inclusion in the Schedule to the Heritage Overlay in the Boroondara Planning Scheme as an *individual heritage place*. The officer recommendation is to adopt the citation as provided by the report *City of Boroondara: [former] Withers House 32 Corby Street, Balwyn North: Heritage Assessment*, prepared by Built Heritage and dated 14 July 2021 (the heritage assessment).

The heritage assessment determined that the subject site met the threshold for local heritage significance under Criterion E (aesthetic significance) and Criterion H (associative significance).

An earlier assessment, prepared by Context, was prepared following receipt of an application for demolition which triggered a referral to Strategic Planning under Section 29A processes. This assessment concluded that the subject site met the threshold for local heritage significance under Criterion D (representativeness) and Criterion E (aesthetic significance).

Following the Urban Planning Delegated Committee meeting on 18 October 2021, the committee resolved to write to the Minister for Planning to request authorisation to prepare an amendment to the Planning Scheme to include the subject site in the HO.

## 1.2 Site Details

The subject site is located at the south side of Corby Street, just west of Balwyn Road and north of Doncaster Road (Figure 1). The site is occupied by a detached, single-family dwelling. The house is single-storey, however due to the slope of the site there is an undercroft at the front used for carparking and storage (Figure 2). The house is of brick veneer construction, with modular concrete blocks. The flat roof is clad in sheet metal, slender steel columns support the front of the building over the undercroft, and a delicate steel balustrade delineates the front steps and entrance.

The house was constructed in 1962 for Percy and Gwen Withers, to a design by Alistair Knox. The garden designer (if any) is unknown. Minor alterations were made to the house in the 1960s, with no major alterations or additions since that time. The house has recently been painted grey (Figure 2).



Figure 1: Aerial view of the subject site (indicated in red) within its surrounding context. Source: Nearmap, accessed November 2021.



Figure 2: Recent view of the subject site from Corby Street. Note the undercroft and slope of the site.  
Source: Courtesy of owners.

## 2 Proposed HO Listing

### 2.1 Statement of Significance

The heritage assessment by Built Heritage provides the following Statement of Significance for the subject site:

***What is significant?***

*The former Withers House at 32 Corby Street, Balwyn North, is an elevated single-storey modernist house of beige-coloured modular concrete brick, with a flat roof, broad eaves with exposed beams and an asymmetrical triple-fronted street façade that incorporates a concrete slab balcony with full-height windows and metal balustrade, and a large sub-floor parking area with space for three vehicles. Commissioned in 1962 by transport company proprietor Percy Withers and his wife Gwen, the house was designed and built by Alistair Knox Pty Ltd (who was retained to undertake two minor phases of follow-up work in 1963-64).*

*The significant fabric is defined at the exterior of the entire house, including the matching concrete brick retaining walls and planter boxes, metal balcony stairs, the concrete steps to the driveway, the low stone retaining wall running north-south to the street, and the matching brick letterbox.*

***How is it significant?***

*The former Withers House is of aesthetic and associative significance to the City of Boroondara.*

***Why is it significant?***

*Aesthetically, the house is significant as an excellent example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. With its stark walls of beige-coloured modular concrete brickwork (at the time, a fairly new material), exposed timber beams and asymmetrical facade hovering over an atypically large sub-floor triple garage, it is a particularly sophisticated expression of this idiom. Virtually unaltered since the designer undertook further works in 1963-64, this uncommonly intact house remains potently evocative of its era, enhanced by the retention of some contemporaneous hard landscaping elements such as steps, retaining walls, and a matching letterbox (Criterion E)*

*The house is significant for associations with the eminent and prolific designer Alistair Knox, for whom it represented his first individual residential commission in what is now the City of Boroondara. While Knox went on to design more than a dozen other houses in the municipality over the next two decades (most of which were also located in Balwyn and Balwyn North), the former Withers House stands out as the only one associated with the middle phase of his career, from c.1955 to c.1964, when he embraced conventional building materials and a mainstream modernist idiom to produce modular dwellings of simple but elegant design. (Criterion H)*

### 2.2 Grading and Controls

The heritage assessment recommended that the subject site be included in the Schedule to the Heritage Overlay as an *individually significant* place.

Clause 22.03-5 of the Boroondara Planning Scheme defines *significant* heritage places as follows:

*'Significant' heritage places are places of State, municipal or local cultural heritage significance that are individually important in their own right. When in a precinct, they may also contribute to the cultural heritage significance of the precinct. 'Significant' graded places within a precinct are of the same cultural heritage value as places listed individually in the Schedule to the Heritage Overlay.*

No additional controls were recommended.

## 3 Assessment

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It is our opinion that the subject property has not been shown to warrant inclusion on the Schedule to the Heritage Overlay as an *individually significant* place as recommended by the heritage assessment. The subject property has not been shown to meet the required threshold needed for inclusion in the Heritage Overlay through criteria E and H. Our reasoning for this opinion is based on a review of the comparative analysis and assessment against criteria in the heritage assessment (at sections 2.4 and 2.5.1 respectively). And an understanding of the application of threshold criteria to include, or exclude, a place from an HO.

### 3.1 Comparative Analysis

In reviewing if the threshold criteria are met, the subject site should be compared with other, relevant properties within Boroondara which have already been shown to meet that threshold. This approach aligns with *Planning Practice Note 1: Applying the Heritage Overlay*, which notes:

*To apply a threshold, some comparative analysis will be required to substantiate the significance of each place. The comparative analysis should draw on other similar places within the study area, including those previously included in a heritage register or overlay.*

Comparative analysis should, therefore, demonstrate that the subject site exhibits the relevant characteristics equal to, or greater than, comparable places within Boroondara. The heritage assessment identifies that comparable properties include post-WWII houses in Balwyn & Balwyn North, houses in the 'mature modern' mode, and houses by Alistair Knox.

#### 3.1.1 Post-WWII Houses in Balwyn & Balwyn North

For post-WWII houses, the heritage assessment identifies five properties in Balwyn and Balwyn North that are currently included in the Schedule to the HO, as follows:

- 6 Bulleen Road (HO170)
- 3 Kalonga Road (HO176)
- 43 Kireep Road (HO177)
- 1/2 Taurus Street (HO189)
- 300 Balwyn Road (HO616)

The heritage assessment concludes that: *Both chronologically and aesthetically, none of these houses is directly comparable to the subject building.* As such, the report has failed to demonstrate that the subject site meets the threshold set by post-WWII places already covered by an HO in Balwyn and Balwyn North. The heritage assessment expands the analysis to properties recommended for inclusion on the HO schedule:

- 67 Hill Road, Balwyn North
- 47 Mountain View Road, Balwyn North
- 2 Salford Avenue, Balwyn
- 69 Sylvander Street, Balwyn North

The heritage assessment concluded that two of these houses *have very little commonality with the subject building*. The other two are noted to have broad characteristics in common such as: broad-eaved flat roofs, plain brick walls, horizontal strip windows and stepped volumetric massing. However, these features are common across properties from many periods and are not particular characteristics of post-WWII houses as a class of place. As such, the heritage assessment has not adequately demonstrated that the subject site has particular aesthetic qualities that compare favourably against similar properties.



### 3.1.2 'Mature Modern' Houses

Several properties are identified as 'mature modern' within Boroondara, some of which have been demolished. Only three are then determined to be pertinent comparators to the subject site:

- 67 Hill Road, Balwyn North
- 47 Mountain View Road, Balwyn North
- 41 Campbell Road, Balwyn North

Each of these houses have been flagged for potential significance, but are not yet within an HO. The comparative analysis does not detail in what way each of these houses demonstrates the particular aesthetic characteristics of the 'mature-modern' sub-style. Concluding that *it is not a question of which one is superior to any of the others*. No direct comparison is made between the subject site and the identified comparators, nor with other examples identified within Boroondara. The heritage assessment has not demonstrated that the subject site has particular aesthetic characteristics related to 'mature modern' houses.

### 3.1.3 Houses by Alistair Knox

The heritage assessment identifies that Alistair Knox was commissioned to design eleven new dwellings, and eight residential renovations within Boroondara between 1962 and 1983. The subject site is the earliest known commission in Boroondara, and the only designed in a more mainstream modernist style. Knox is best known for his environmental style using natural and recycled materials such as mud brick, and that integrate the house with the garden. As the earliest example of Knox's work in Boroondara, the subject site is an example of the more conventional style designs he was producing between 1955 and c1964. His subsequent designs in Boroondara were all in the environmental approach for which he is most known.<sup>1</sup> The heritage assessment states that: *clearly, none of the other houses that Knox designed in the City of Boroondara are directly comparable to the subject building.*<sup>2</sup> The subject site stands out as an anomaly within Knox's oeuvre, and therefore cannot be said to *exhibit particular aesthetic characteristics* of Knox's work within Boroondara.

The heritage assessment identifies a number of examples of Knox's work outside Boroondara to provide a comparison of his contemporaneous work. Reviewing examples outside the study area is common practice where few examples are found locally. This approach allows for a greater understanding of Knox's work generally and how the subject site fits within his overall output. However, it does not support the case for significance within the municipality.

### 3.1.4 Summary

With regard to the themes identified in the comparative analysis, it is our opinion that:

- While the subject site demonstrates general characteristics of a post-WWII dwelling, it does not have those distinctive or unusual aesthetic qualities that warrant inclusion into a site-specific HO
- The subject site similarly demonstrates general characteristics of the mature modern sub-style, but it does not have particular qualities that exceed the general class
- The subject site does not exhibit those particular aesthetic characteristics that Alistair Knox is well known for. Other Knox designed houses identified in Boroondara demonstrate the environmental approach he is most known for. The subject site is a conventional design and does not compare with other examples of Knox's work in the municipality. It is acknowledged that the dwelling stands out as an unusual example of Knox's work within Boroondara due to its early construction date and conventional design style. However, for this reason, the subject site does not demonstrate the particular aesthetic characteristics of Knox's oeuvre that are worthy of protecting.

<sup>1</sup> Built Heritage, *City of Boroondara (former) Withers House, 32 Corby Street, Balwyn North Heritage Assessment* 14 July 2021, p15

<sup>2</sup> Loc cit.

### 3.2 Criterion E

The heritage assessment concluded that the subject site meets the threshold for Criterion E, providing the following assessment:

***Criterion E: Importance in exhibiting particular aesthetic characteristics (aesthetic significance)***

*The Withers House is an excellent and virtually unaltered example of a house in the so-called 'mature modern' style that emerged in Melbourne in the early 1960s, characterised by simple but elegant articulation of planar masonry walls, broad-eaved flat roofs and full-height and/or horizontal strip windows. With its stark walls of beige-coloured modular concrete brickwork, exposed timber beams and asymmetrical facade hovering above a capacious sub-floor triple carport, it is a particularly sophisticated expression of this idiom.*

It is our opinion that Criterion E has not been satisfied. The comparative analysis refer (section 3.1, above) reviews post-WWII houses in Balwyn & Balwyn North, houses in the 'mature modern' mode, and houses by Alistair Knox. The heritage assessment does not demonstrate that the subject site exhibits equal or better than aesthetic characteristics to those comparable properties already within an HO in Boroondara.

The subject site demonstrates general characteristics only, across the three areas selected for comparative analysis.

#### 3.2.1 Exclusion Guidelines

The VHR Criteria & Threshold Guidelines (April 2019) are regularly referred to for local level listings and are an appropriate reference in this case. Per the Guidelines, Criterion E is likely to be satisfied if: *the physical fabric of the place/object exhibits particular aesthetic characteristics*. The Guidelines explain that a place should be excluded if certain conditions apply, including:

***Lacks distinctiveness:*** *The place/object has aesthetic qualities but they do not exceed those of the general class to which the place/object belongs.*

***Poor, indirect or unproven recognition:*** *The aesthetic qualities of the place/object have only received limited public or disciplinary recognition.*

The subject site **lacks distinctiveness** in its aesthetic characteristics, being a general example of 1960s suburban architecture that does not exceed those of the general class of place (in any of the three classes identified by Built Heritage). The status of the house as having general rather than particular or exceptional qualities is affirmed by its **lack of public or disciplinary recognition**.

#### 3.2.2 Summary

The subject site does not satisfy Criterion E as it has not been shown, through comparative analysis, to meet the threshold set by comparable sites within HOs in Boroondara. It does, however, meet two exclusion guidelines. For these reasons, the subject site should not be considered for individual heritage protection on the basis of Criterion E.

### 3.3 Criterion H

The heritage assessment concluded that the subject site meets the threshold for Criterion H, providing the following assessment:

***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 Withers House has special associations with celebrated designer Alistair Knox, representing the first of many residential commissions that he undertook in what is now the City of Boroondara, and the only one associated with a phase in his career (from c.1955 to c.1964) in which he embraced conventional building materials and a mainstream modernist idiom to produce modular dwellings of simple but elegant design.*

For this criterion to be met, the subject property should show special association with the life and/or work of Alistair Knox. And, Knox should be a person of importance to the history of the City of Boroondara. Neither of these benchmarks has been achieved within the heritage assessment.

Knox is most known for his 'Eltham style', that demonstrates a meaningful relationship between house and nature. Utilising natural and recycled materials in an environmental approach to house design. As a 'conventional' modern house the subject site is not readily legible as a work by Knox – even to a trained eye. It is an anomalous house and garden that stand out as uncharacteristic of Knox's work. The subject site has not been demonstrated to have a special association with the life or works of Alistair Knox.

The heritage assessment has not demonstrated that Knox is a person of importance in the City of Boroondara's history. While Knox designed roughly a dozen dwellings in Boroondara, neither he, nor those properties, are of specific importance in Boroondara's history. The municipality has a very high concentration of architect-designed dwellings, by some of the most notable names Melbourne's architectural history. This is an important characteristic of Boroondara. The *City of Boroondara Thematic Environmental History*, prepared by Built Heritage in May 2012 (the TEH), notes that Boroondara is *notable epicentre for fine architect-designed buildings*.<sup>3</sup> This trend continued into the post-war periods, with Balwyn North and Studley Park emerging as epicentres of modernist architecture. The TEH goes on to list the notable architects working in the area during the post-war period – Knox is not included in that list. He is, however, identified as a noted post-war architect active in the study area generally. Knox's contribution and importance does not equal those other architects identified in the TEH, many of which produced work of State significance. Knox's contribution is not as noteworthy as portrayed in the heritage assessment, nor was it influential within Boroondara. Knox designed over 1,000 houses but only a handful in Boroondara – it is our view that he does not have a special association with the municipality.

Knox does have a special association with the City of Nillumbik, where the majority of his commissions are located – giving rise to the term 'Eltham style'. Knox's influence in Eltham and surrounding areas of Nillumbik is well documented and beyond dispute. The same cannot be said within Boroondara, where he designed a small number of houses outside his preferred style, many of which are demolished. Knox has not had an ongoing influence on the architectural character of Boroondara in the same way he has in Nillumbik. He is not an important person in the history of the municipality.

### 3.4 Grading

Clause 22.03-5 of the Boroondara Planning Scheme defines *significant* heritage places as follows:

*'Significant' heritage places are places of State, municipal or local cultural heritage significance that are individually important in their own right. When in a precinct, they may also contribute to the cultural heritage significance of the precinct. 'Significant' graded places within a precinct are of the same cultural heritage value as places listed individually in the Schedule to the Heritage Overlay.*

The heritage assessment has not demonstrated that the subject site is important in its own right and warrants the highest grading and level of protection at the local level. It is our opinion that the application of a *significant* grading is overly generous and inappropriate. The subject site does not compare favourably against other properties already within the HO. If the proposed grading is applied, the subject site will dilute the quality of significant properties in Boroondara and weaken the threshold.

<sup>3</sup> Built Heritage, *City of Boroondara Thematic Environmental History*, May 2012. P228.

## 4 Conclusion

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It is our opinion that the heritage assessment by Built Heritage has not demonstrated that the subject site warrants inclusion in the HO. The subject site has not been shown to have met threshold criteria E or H, and its value as a *significant* graded property has not been justified.

The subject site demonstrates general aesthetic characteristics of houses designed in the post-WWII period, and those in the 'mature modern' sub-style. Nor does it demonstrate the particular aesthetic characteristics of houses designed by Alistair Knox. The subject site fails to meet the threshold set by comparable houses already in the HO in Boroondara. The heritage assessment has not demonstrated through comparative analysis that the subject site meets the threshold for Criterion E.

The subject site has not been shown to have a special association with the life or work of Alistair Knox, nor that Knox was a person of importance in Boroondara's history. The subject site provides little to no tangible, physical evidence of Knox's involvement. It is notable insofar as it does not align with Knox's oeuvre. Further, Knox had no particular importance to the development of Boroondara. His work in the municipality is limited and was not influential. The heritage assessment has not demonstrated that Criterion H has been satisfied.

As such, we believe that the subject property has not been shown to satisfy the threshold criteria and should not be included in the schedule to the HO on that basis.