

Submission by National Trust of Australia (Vic)

C142 City of Boroondara Planning Panel

21 November 2012

The National Trust is delighted with Council's commitment to on-going examination of places and precincts in Boroondara, a municipality rich in heritage places, and strategic work undertaken to identify those places worthy of protection. We commend Council for progressing with the findings of the Lovell Chen study Assessment of Heritage Precincts in Kew, June 2011 by moving to implement permanent heritage controls.

The National Trust is especially pleased to see the Yarra Boulevard Precinct proceeding to the heritage overlay. This precinct encompasses probably the best concentration of immediate post-war and modernist housing in Victoria. The preservation of such places has long been a vexed issue in Victoria with many losses over the last 20 years, and to have an entire precinct that includes work by most of the leading architects of the day is a great leap forward in the recognition and preservation of our modernist heritage.

It is also our submission that the study has been undertaken with an appropriate level of rigour and with strategic justification and we support the implementation of the proposed controls and policy into the scheme. The level of detailed information, details of construction dates and architects is well beyond what is normally available in a heritage study. We congratulate the City on working through the submissions and dealing with the remaining objections.

The National Trust strongly supports the Amendment C142. Issues raised in our original submission have largely been adopted by Council. Therefore our position very close to that of Council albeit there a number of minor matters which we seek clarification and/or changes at this Panel.

Interim controls

On 18 October 2010 the Council resolved to exhibit the Hawthorn Heritage Precincts study as part of Amendment C99. The Council also resolved to ask the Minister for Planning to apply interim heritage controls over affected properties, and these were applied on 3 March 2011. In contrast, authorisation to exhibit C142 was given by the Minister in December 2011, but interim controls for the precincts were not granted.

Clause 22.05-6

The Trust agrees with the proposal to remove individual Heritage Overlay for properties that are to be included within new precincts, and to grade them as 'significant' within a precinct. We note 25 properties are graded 'significant' in the Yarra Boulevard precinct. Nonetheless the distinction between 'significant' and 'contributory' is unclear.

The City of Boroondara C99 Panel report (February 2012) takes up the matter:

Clause 22.05-6 sets out 'Definitions and Gradings.' Within this clause a description of gradings and grading definitions is offered which seeks to reconcile the sometimes conflicting approaches taken to this topic in various historical studies referenced in the Scheme. Notably the clause provides:

As a general rule, the following grading conversions have been applied in order to standardise the grading system:

'Significant' heritage places – A and B graded in the Kew Urban Conservation Study 1987 (the Kew Study) and the Camberwell Conservation Study 1991 (the Camberwell Study) and A, B and C graded places in the Hawthorn Heritage Study 1993 (the Hawthorn*

Study).

'Significant' heritage places are individually important places of State, municipal or local cultural heritage significance. They can be listed individually in the Schedule to the Heritage Overlay. They can also be places that, when combined within a precinct, form an important part of the cultural heritage significance of the precinct. They may be both individually significant and significant in the context of the heritage precinct.

'Contributory' heritage places – C, D and E graded places in the Camberwell Study and the Hawthorn Study and C graded places in the Kew Study. 'Contributory' heritage places are places that contribute to the cultural heritage significance of a precinct. They are not considered to be individually important places of State, municipal or local cultural heritage significance, however when combined with other 'significant' and/or 'contributory' heritage places, they play an integral role in demonstrating the cultural heritage significance of a precinct.

Non-contributory places – ungraded places within heritage precincts. 'Non-contributory' places are places within a heritage precinct that have no identifiable cultural heritage significance. They are included within a Heritage Overlay because any development of the place may impact on the cultural heritage significance of the precinct or adjacent 'significant' or 'contributory' heritage places. Non-contributory places are not identified in the Schedule of Gradings in Heritage Precincts (2006).

The same description of the gradings is provided in the 'Schedule of Gradings in Heritage Precincts' (2006), which is a reference document to the policy.

We comment here that clearer definitions of 'contributory' and 'significant' at Clause 22.05-5 would assist the understanding of the scheme and its policies. While we recommend no change to this Amendment as a result of consideration of this general issue, it is a matter which warrants further attention by the Council. (p.21)

Local policy at 22.05-3 makes no discernible difference in treatment of 'significant' and 'contributory' other than one line on p.3 regarding additions.

It is noted that the Practice Note *Applying the Heritage Overlay* (September 2012) provides no guidance on gradings in precincts.

Statements of Significance

These are somewhat long, and the 'What is Significant' section is to be incorporated into the planning scheme, where they appear much longer than most other similar statements. While it is important the Statements mention every element that should be included and the reasons, it is also good practice for them to be as succinct as possible.

Clutha Estate

This includes a fine array of 1940s and 1950s houses flats and duplexes, also represents a unique addition to the range of places protected in Victoria. This precinct of larger, late 1940s/early 1950s houses, duplexes and flats is particularly notable. There is a strong similarity in scale and style, from restrained Art Deco to post-war Moderne style, the majority in face brick, mostly cream, and mostly two storey. While there are many areas throughout Melbourne that feature similarly styled post war cream brick veneer houses, these are invariably single storey villas, making this precinct quite unique. The part of the precinct facing Studley Park road has long been a landmark, consisting of a continuous row of larger houses (though one is in fact a duplex) of matching scale and setback, and all easily identified as 1940s/1950s.

Barry Street Precinct addition

These five Victorian residences in Fernhurst Grove, which interestingly are all polychrome brick, are certainly worthy of protection through a heritage overlay. Their addition to the Barry Street precinct is supported.

Denmark Street

This precinct is a good collection of Victorian but mainly Edwardian villas and duplexes. While there is a variety of styles as noted in the Statement of Significance, perhaps the more outstanding feature is the relative uniformity in scale, setback, period, and most particularly, expressed red-tile roofs, since the majority of the places are Edwardian. The row of duplexes and villas on the east side of Denmark Street are particularly notable in this regard.

High Street South

While there are many examples of the range of houses found here throughout the municipality, this is a relatively intact precinct with houses from the Victorian era to the 1920s, mainly smaller villas. As such they represent the development of the Kew / Hawthorn area as a middle class suburb. The houses on the east side of High Street in both parts of the precinct are mainly Edwardian, and are of note for their near uniformity, made more visible by their diagonal placement relative to road.

Howard Street Precinct

This is most remarkable precinct, or rather row of houses, as 7 of the 8 are in variations of the Old English or Tudor style as practiced in the 1930s. Also remarkable is that they were all built in a five year period; it would be fascinating to know whether this was pure accident, or whether the first one set a trend consciously foiled by the others.

Queen Street Precinct

While precincts are usually chosen on the basis of some visual uniformity on one way or another, by period or scale, this precinct is of interest for including a wide variety of styles over a long period in a concentrated area. The juxtaposition of the mainly single storey Victorian and Edwardian villas of Queen Street and Gellibrand Street is interestingly contrasted with the modest interwar houses of Fenton Street, and the scattering of two storey properties, including a large interwar house, and Edwardian house and a pair of 1880s terraces.

Yarra Boulevard Precinct

The National Trust strongly supports the inclusion of this precinct. It is characterised by a remarkable concentration of post-war and modernist houses, many architect-designed. It is probably the only, and certainly the most extensive, such precinct in Victoria. The urgency of the controls is demonstrated by demolition of at least three properties in this precinct during preparation of the amendment. Council has received full or partial demolition requests for eight places and consequently had to seek interim controls – spot listings – for five of these properties in the Yarra Boulevard precinct. Nonetheless, as per Ms Brady's evidence, these demolitions have not fatally compromised the integrity of the precinct.

28 Holyroyd Street

An objection has been to inclusion of this property as contributory to the precinct. The City of Boroondara C64 Panel Report 2008 dealt with this property in some detail:

7.11.1 Description

The house at 28 Holyroyd Street is a single storey triple fronted brick house in the interwar Streamline Moderne style that is located on a prominent corner site.

7.11.2 Statement of Significance

28 Holroyd Street, Kew is of local historical significance as a representative and externally intact example of the brick parapeted and conspicuously Moderne houses appearing in Boroondara after c. 1937. The house is distinguished by a handsome facade which incorporates richly detailed brickwork and is characterised by a strong horizontality and which is of interest in contrasting modern steel framed windows with more traditionalising elements such as the Doric columns. The house is complimented by a matching original low brick fence along both frontages which retains wrought iron pedestrian gates.

Recommended grading: B (unchanged). The house was assessed against Criteria 'D' namely of representative nature, as part of a class or type of place; and Criteria 'E': a place exhibiting good design characteristics or aesthetics, richness, diversity or unusual integration of features.

7.11.3 RBA Assessment

This assessment describes the dwelling as a single storey, triple fronted building designed in the Streamlined Modern Style, featuring polychromatic brickwork. The building is noted as 'remarkably' intact, with no significant changes apparent. It is distinctive and the uncommon use of the polychromatic brickwork makes it a rare example of domestic construction in the later years of WW2. Additions to the building data sheet are proposed and should include:

- More detail of the exterior noted from the inspection such as the use of salmon-coloured bricks in addition to the manganese and creambricks
- Change the description of the columns to fluted Ionic.

The consultants agree that the site be included in the HO of the planning scheme.

7.11.4 Submission (No 19)

The submission states that:

- the building and property are not unique examples of Moderne architecture;
- there are better examples of this period of architecture elsewhere in Boroondara; and
- the building is not within an intact precinct of like styled buildings.

Mr Bergin of Parsons Brinkerhoff, represented Mr David Jacobson, the owner of this site.

While Mr Bergin sought the Panel's endorsement of the Council resolution of 2 June, removing this and 9 other sites from the HO, he also submitted that there were additional grounds to exclude the site from the Amendment which the Panel should consider. Firstly, it was submitted that there have been numerous alterations to the building and Mr Bergin presented the Panel with an array of photos that chronicled the alterations to the building.

Mr Bergin suggested that the City of Boroondara should clearly define the threshold, not only for inclusion in the overlay but also exclusion from consideration. He referred to the fact sheet 'Frequently Asked Questions' that the Council has circulated with the exhibited Amendment, where it states 'heritage places are a vital part of the City of Boroondara' and suggests that the Council has failed to identify how this site is a vital part of the heritage of the municipality. Finally Mr Bergin referred to the comparative analysis, where he submitted that almost all the buildings referred to are located within a heritage precinct, not individually listed and where they are located within a heritage context.

7.11.5 Council's Response

Both of Council's expert witnesses agreed that the site was an intact, distinctive and somewhat rare example of the Streamlined Moderne Style. The dwelling is considered to be significant, intact, representative of the style and unique, qualifying the building for inclusion as an individual site within the HO. However, in their further consideration of this site, Lovell Chen noted that this site is included in a wider area that is to be part of an additional review

for a possible precinct based heritage control. Their recommendation is that should this heritage precinct control be introduced that will include 28 Holroyd Street, the site specific HO could then be removed. RBA architects endorsed this approach. In her submission to the Panel, Ms Lane submitted that the Council's approach is to remove this site from the current Amendment (as per the 2 June resolution) and reconsider any proposed heritage controls at the completion of the proposed precinct based review.

7.11.6 Panel's Response

From the photos and the site inspection of August and November, the Panel found that the majority of alterations to the building are to the rear, are of a relatively minor nature and are generally not visible

from the public domain. The inspections also revealed the proximity of other post war dwellings and endorse the Council's proposed review of the area for a possible precinct based control. The Panel recommends that:

- **28 Holroyd Street, Kew be included in the Heritage Overlay.**
- **If upon the review of potential heritage precincts, a heritage overlay precinct was created and included this property, the individual heritage overlay could be removed.**

24 Milfay Avenue (Robin Boyd, 1959-60) is located adjacent to the edge of the precinct rather than included within it. This may be because it has an individual HO, which it is due to it being on the Victorian Heritage Register (H2006). However, this is no reason to exclude one of the houses that most typifies what the precinct is all about. While Council would not be responsible for issuing heritage permits, there is no doubt that it is contributory to the precinct, and should be included within it. The rationale for this can be drawn from the treatment of other houses that may be later added to the VHR. Given the clear contribution of the Robin Boyd designed Clemson House to the precinct, it should have the underlying precinct control added.

24 Milfay Avenue is noted in the Built Heritage (submission by Simon Reeves 19 November 2010 prepared for Studley Park Modern group), along with a few further places around the edges of the precinct that are separated by only one or two properties from the proposed precinct. Three of these already have individual HOs, namely the Robin Boyd designed Haughton James House at 82 Molesworth Street, the Graeme Gunn townhouses at 76 Molesworth Street and the Robin Boyd designed Lawrence House and Flats at 13 Studley Avenue. Whilst the Gunn designed houses are outside the dates that contribute to the significance of the precinct (1940s-1960s) all of these would greatly contribute to the significance of the precinct.

20 Yarra Street (Biancardi House) by Gerd & Renate Block, 1958, is graded non-contributory. Reeves records the house is one of the best known architect designed houses in the precinct, featuring prominently in Neil Clerehan's *Best Australian House* (1960) and published in various magazines and journals (Reeves p.11). Lovell Chen's conclusion must have been that the additions in front of the house detract from the significance such that no grading is warranted. However Peter Lovell referred to the house in 2009 in "Albeit enclosed, the plan and programme of the original concept have been maintained." ('Heritage and the Modern House', AICOMOS *Unloved Modern* symposium Melbourne 2009 pp5-6).

9 Carnsworth Avenue is subject to a submission querying why they are rated as non-contributory in the study. The Lovell Chen Panel submission states that 9 & 12 Carnsworth Avenue are non-contributory because "they are generally typical buildings of the period", and "they are not of sufficient architectural merit". Reeves (p.11) considers 9 Carnsworth Avenue (architect unknown, c1953) to be similar in style to 15 Studley Avenue and 28 Stawell Street, both of which are however graded contributory. In addition, 5 White Lodge Court (originally constructed 1951) was *initially* graded contributory despite being non-modern with a simple gable form, much like 9 Carnsworth Avenue. However, 5 White Lodge Court is now recommended (and we agree) to be non-contributory because a second floor was in fact added in the 1990s.

4 Cameron Court, a late 19th or early 20th century 'mansion' originally included within the Yarra Boulevard precinct (and to be removed from the existing Barry Street Precinct HO143) will now be retained in HO143.

Non-Modernist houses graded contributory

There are some very plain houses that are would otherwise be 'not architecturally significant' but perhaps squeak in as 'modernist' because they are by 'known' architects or hint at modernism, e.g. 4 Yarra Street apartments (1961, Arthur Dumbrell). 4 Yarra Street is a three

storey apartment block described as “an intact example of a post-war apartment building” (Lovell Chen Statement of Evidence p57). This does not tally to the statement of significance for the precinct. 3 Yarravale Road, a very plain red brick 1946 house with gable roof and big steel windows, no known architect, is barely 'modern'; the house at 45 Studley Avenue, almost opposite, also looks to have been rendered. 32 Stawell Street (objection withdrawn) is an intact but very plain cream brick and hipped roof affair. All are graded 'contributory'.

The Yarra Boulevard Statement of significance

Therefore we recommend that the statement of significance be tightened to include reference to the non-strictly modernist houses from the period 1940s-1960s.

Paul Roser
Senior manager, Advocacy & Conservation
21 November 2012