

Expert Witness Statement to Panel
Amendment C426melb
Melbourne Planning Scheme

233 Domain Road, South Yarra

Prepared under instruction from Planning and Property Partners
October 2023

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1.0 Introduction

1. This statement of evidence was prepared under instruction from Planning and Property Partners on behalf of the Italian Consulate, the owner of the subject site at 233 Domain Road, South Yarra. I have been asked to comment on the heritage considerations associated with Amendment C426melb in relation to the subject site.
2. By way of background on behalf of the City of Melbourne, GML Heritage completed the *South Yarra Heritage Review* (August 2022). Volume 4 of the Review reassessed the whole of the South Yarra Precinct (HO6), which is a large, irregularly shaped precinct covering an area between the Yarra River and Fawkner Park and broadly bound by Alexandra Avenue and Punt Road to the east and St Kilda Road to the west. To provide a more nuanced description and re-assessment of the South Yarra Precinct, GML divided the precinct into five areas, based on early subdivisional patterns. The subject site is located within sub area 4, broadly bound by Domain Road in the north, Punt Road to the east, Toorak Road to the south and Walsh Street to the west.
3. Prior to the current Amendment, the subject site was identified as a contributory building within the South Yarra Precinct. Amendment C426melb proposes to list the subject site as a significant place in the South Yarra Precinct, within a significant streetscape.
4. My instructions are to prepare an expert witness statement considering the appropriateness of the proposal for the subject site to become a significant place in HO6, having regard to relevant heritage considerations.
5. I note that there is no private or business relationship between myself and the party(s) for whom this report is prepared other than that associated with the preparation of this statement and associated advice on heritage issues.

2.0 Authorship

6. This statement was prepared with assistance from Sally Beaton of Bryce Raworth Pty Ltd. The views expressed are my own.

3.0 Sources of Information

7. The analysis below draws upon an external inspection of the site and a review of the Amendment C426melb documentation, which included a proposed citation for the South Yarra Heritage Precinct, Area 4, and the *South Yarra Heritage Review Thematic Environmental History* by GJM Heritage. Other documents referred to include:

- Melbourne Planning Scheme – Clause 43.01 (Heritage Overlay)
- Report to the Future Melbourne Committee, South Yarra Heritage Review – Planning Scheme Amendment C426, 19 September 2023.

- Applying the Heritage Overlay, Planning Practice Note 1 (August 2018).
- *Melbourne Planning Scheme Incorporated Document: Heritage Precincts Statements of Significance February 2020* (Amended April 2022)
- Panel Report Melbourne Planning Scheme Amendment C258 Heritage Policies Review (21 May 2021).
- *City of Melbourne Heritage Review: Local Heritage Policies and Precinct Statements of Significance Methodology* (Lovell Chen, September 2015, updated May 2016).
- *Methodology Report City of Melbourne Heritage Gradings Review* (Lovell Chen, October 2015).
- *Thematic History: A History of the City of Melbourne's Urban Environment* (Context Pty Ltd, for the City of Melbourne, 2012).
- *A Heritage Handbook* (eds. Graeme Davison & Chris McConville, 1991).
- *South Yarra Conservation Study* (Meredith Gould, 1985).
- Sands and McDougal Directories.
- State Library of Victoria picture collection (online)
- Historical newspapers (accessed via the Trove website).

4.0 Author Qualifications

8. I have Bachelor of Architecture from the University of Western Australia and have worked as a heritage consultant for the past 23 years. I commenced my career in 2000 at Palassis Architects, a Perth based architectural and building conservation firm. My role at Palassis Architects included the preparation of conservation management plans and heritage assessments for the East Perth Redevelopment Authority.
9. From 2002 to 2004 I was employed at Allom Lovell & Associates (now Lovell Chen) where I assisted in the preparation of conservation management plans and heritage studies for the municipalities of Greater Shepparton and Bass Coast Shire.
10. I have been employed at Bryce Raworth Pty Ltd since 2004, and I am currently an associate director of that firm. Over the past two decades I have gained considerable experience across a broad range of heritage and conservation projects, including assessing the significance of individual sites and precincts, assisting in the preparation of expert witness statements, and providing advice on technical issues relating to the conservation of building fabric. I have authored numerous heritage impact statements in support of permit applications for sites of local, state and national significance and contributed to masterplans for RMIT, Geelong Grammar School, Methodist Ladies College, and Trinity Grammar School. My experience extends to the documentation of conservation works for heritage buildings such as Melbourne Grammar School, Loreto Mandeville Toorak and the Australian Catholic University (Fitzroy campus).
11. Commencing in 2008, I was part of the project team for the *City of Stonnington Heritage Overlay Gap Study*, a municipal wide survey carried out with the objective of identifying precincts of potential heritage significance. I was involved in all stages of the gap study from the initial identification of potential heritage places through to the preparation of citations.

12. The success of the gap study lead to my further involvement with heritage studies for the City of Stonnington relating to shops, dairies, stables, transport infrastructure and interwar houses. I have had further experience with municipal heritage studies acting as lead heritage consultant for the *Frankston Central Activities District Heritage Review* (2010) and *Frankston City Post War Modernist Heritage Study – Stage 1* (2012).
13. In 2013 I attended the Conservation of Traditional Buildings summer school, held at the Australian National University, Canberra.
14. I was the project heritage consultant for the Clendon Centre at Loreto Mandeville Hall, Toorak by Architectus [winner of the AIA (Victorian Chapter) Henry Bastow Award for Educational Architecture, 2022] and the Melbourne Grammar School Myer Music Centre by Peter Elliot Architects [winner 2022 AIA Heritage Architecture Award (Creative Adaptation) and Educational Architecture Award].
15. Since October 2021 I have held the position of heritage advisor to the City of Stonnington and have also acted as heritage advisor to the City of Frankston.
16. I am a member of the Society of Architectural Historians of Australia and New Zealand (SAHANZ) and the Victorian Planning and Environmental Law Association (VPELA).

5.0 Declaration

17. I declare that 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.



Martin Turnor

6.0 History and Description

18. The subject site at 233 Domain Road, South Yarra, is located on the south east corner of Domain Road and Walsh Street. An unnamed laneway runs to the south. The dwelling on the site, also known as Elm Tree House, is understood to have originally been constructed c.1858 for William Macredie, who lived there until his death in 1891.¹ Macredie's widow inherited the house following his death, and it was eventually passed to their daughter Alice. By the 1920s the dwelling was purchased by Harry Emmerton. At that time there was an old Elm tree to the rear of the house, which Emmerton instructed in his will was never to be cut down.



Figure 1 Extract from an 1876 photograph of South Yarra taken from the tower of Government House. The double-storey gable roofed dwelling is presumed to be the subject building at 233 Domain Road. Source: State Library of Victoria

19. An 1896 MMBW detail plan (Figure 2) shows the form of the house and its setting at that time. The surrounding area had been largely developed with a mix of terrace rows and large standalone houses and mansions. The footprint of the dwelling indicated a house of modest size (accepting it was double storey), with its facade and main entrance addressing Walsh Street. The dwelling was set back from both Domain Road and Walsh Street, with a square single-storey wing to its north side. On the block were two buildings, with the main house to the north and another building, which presumably served as a kitchen/laundry, to its south. A verandah ran along the east of the buildings connecting the main envelope with the rear building. A shed, water closet and bath were located to the south of the house.

¹ South Yarra Conservation Study 1984, Via i-heritage Database

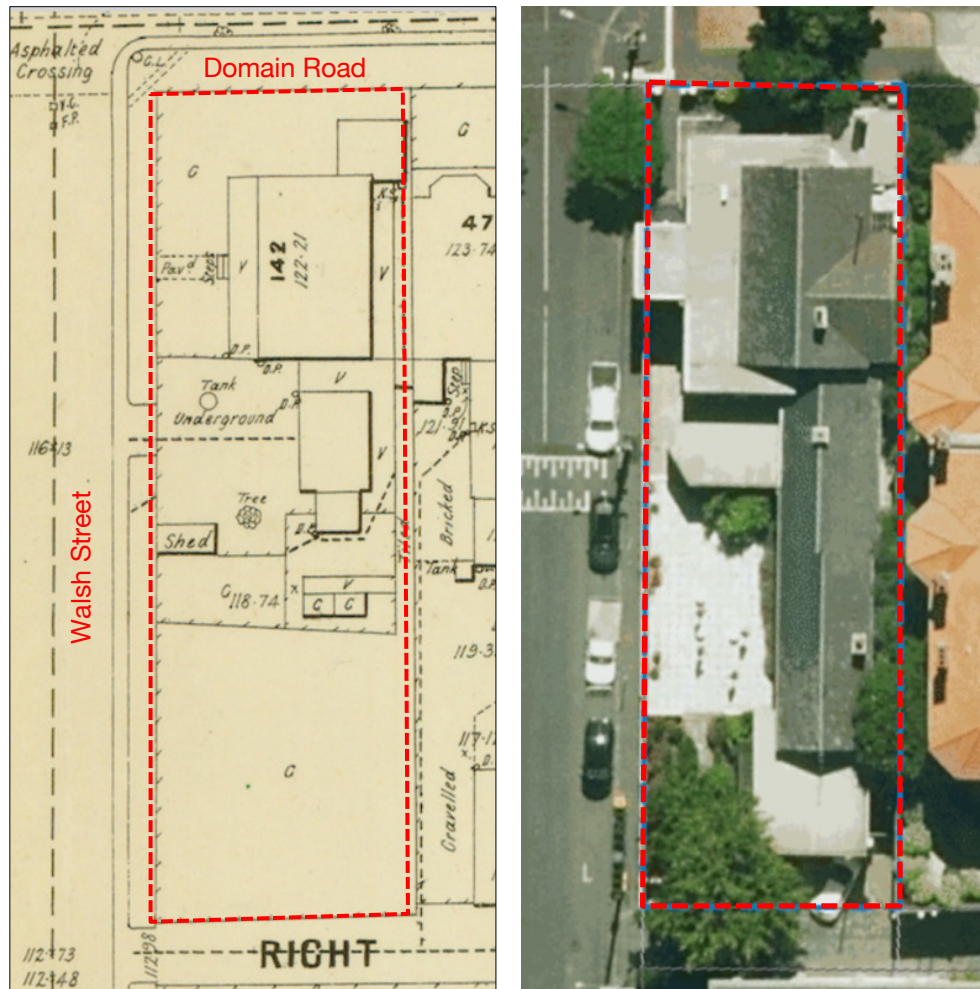


Figure 2 (left) 1896 MMBW Plan extract showing the subject site (dashed red). Source: State Library of Victoria

Figure 3 (right) Recent aerial photograph of the subject site.

20. In 1940, Harry Emmerton's daughter Mabel, and her husband Norman Brookes, took up residence at Elm Tree House, having provided their South Yarra mansion 'Kurneh' to the Red Cross for use as a convalescent home for officers returning from the war.² Whilst residing at Elm Tree House Mabel Brookes entertained Australian and American military officers, including the future president of the United States Lyndon B Johnson.³ Mabel was Melbourne's leading society hostesses for many years and was made a Dame in 1955 for her services to hospitals and charities. Norman was a tennis champion and the first non-Britain to win at Wimbledon (in 1907), later serving as president of the Lawn Tennis Association of Australia.⁴

² GML Heritage, *South Yarra Heritage Review Volume 3: Thematic Environmental History*, p.108.

³ <https://adb.anu.edu.au/biography/brookes-dame-mabel-balcombe-9591>

⁴ <https://adb.anu.edu.au/biography/brookes-sir-norman-everard-5373>



Figure 4 Extract of an oblique aerial view of South Yarra, looking east toward the subject site, c.1937. The Elm Tree from which the house takes its name is visible to the right of the house. Source: State Library of Victoria.

21. Property service plans, from the 1940s, indicate that the dwelling underwent alterations and additions between 1938 and 1941, with plans suggesting well known Melbourne architect, Robert B Hamilton assisted with design. The changes appear to have involved the removal of the original verandah and the addition of a gable roofed bay to the centre of the west elevation with a flat roofed wing to either side.
22. The Brookes' had returned to Kurnah by 1950 and Elm Tree House was subsequently leased to the Italian Consulate.⁵ Kurnah was sold in 1961 and the Brookes' moved back to Elm Tree House.⁶ City of Melbourne Permit records show the subject site underwent further significant additions c1960, costing £12,000, while in the ownership of Sir Norman and Lady Brookes. A new fence was also constructed c.1961.
23. Sir Norman Brookes passed away in 1968 and in December 1970 Elm Tree House was put up for auction. It was passed in at \$102,000 and sold privately afterwards to couturier Lilian Wightman, founder of the Collins Street fashion salon 'Le Louvre'.⁷ Dame Brookes moved to the adjacent Amesbury House flats. Wightman sold Elm Tree House in 1976 to the Italian Consulate and it has been occupied by the Italian Cultural Institute since that time.⁸

⁵ *Sands and McDougall Directories*.

⁶ *Age*, 8 March 1961, p.3.

⁷ *Age*, 10 October 1973, 17.

⁸ *Age*, 8 March 1976, p.24.

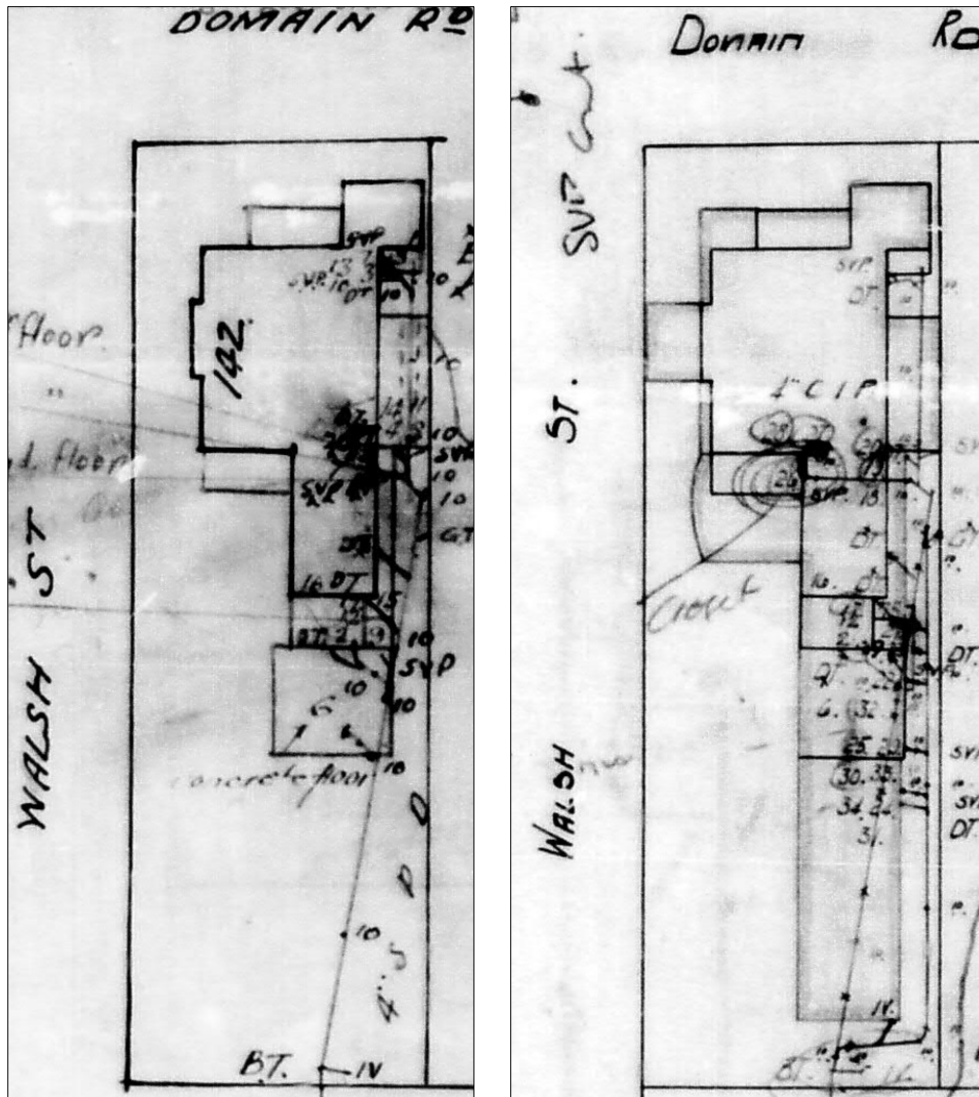


Figure 5 (left) Property Service plan dating to 1941. Source: South East Water.

Figure 6 (right) Property Service plan dating to 1961, highlighting further changes to the rear. Source: South East Water.

24. While the place was first constructed in the mid-nineteenth century, its Victorian character has largely been removed. At present, the dwelling comprises two storeys and is characterised by cream colour rendered walls. It is bound by a breeze block wall to Domain Road and a tall stepped down rendered fence to the Walsh Street and laneway boundaries. The early Victorian form of the place (as shown in the 1876 photograph above) and its interwar updated fabric, has been substantially subsumed by the 1960s additions and alterations and the building no longer reads as a Victorian dwelling, and rather reads as an interwar dwelling that has been heavily altered.



Figure 7 *Elm Tree House, as seen from Domain Road c.1948. Source: The Australian Women's Weekly.*

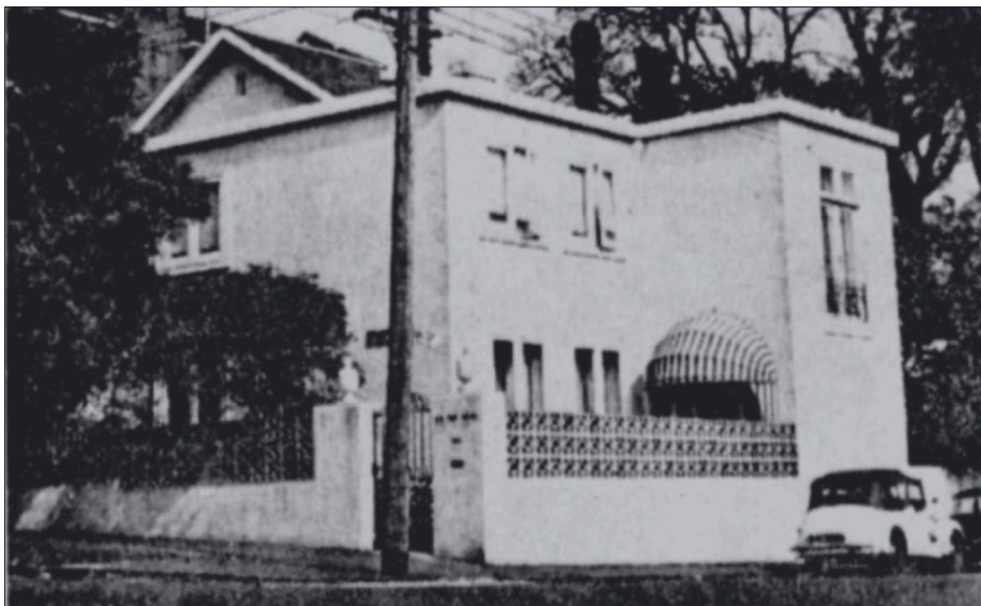


Figure 8 *The house at the time of President Lyndon B Johnson's visit in 1966. Note the substantial change from the 1948 image above. Source: Sydney Morning Herald*

25. With respect for the broader streetscape, adjacent to the east, 237-239 Domain Road is occupied by Amesbury House, a three storey apartment building constructed in the early 1920s to a design by architects Walter and Richard Butler.⁹ Further east, 241-247 Domain Road is understood to be an early 20th century house, with 249-251 Domain Road, a double storey Hawthorn brick Victorian dwelling. Opposite the subject site on the north side of Domain Road, 234-236 Domain Road comprises an interwar block of face brick flats, 238-242 Domain Road comprises a c.1960/70s block of face brick flats and 248-250 Domain Road is occupied by an early 20th century double storey dwelling. To the west, on the opposite side of Walsh Street, 229-231 Domain Road is a double storey dwelling of no heritage interest. Similarly the built form to the south of the site 126 Walsh Street, comprises a three storey apartment building constructed c.2014. Thus, the immediate surrounding streetscapes are comprised of built form dating from the late nineteenth century through to modern built form.



Figure 9 The Domain Road elevation.

⁹ *Construction and Local Government Journal*, Wednesday 14 March 1923, Page 12.



Figure 10 The northern half of the Walsh Street elevation, .



Figure 11 The rear wing viewed from Walsh Street.

7.0 Heritage Status

26. The subject site is not included on the Victorian Heritage Register. It is also not listed on the Register of the National Trust of Australia (Victoria).
27. The place was previously graded C in the *South Yarra Conservation Study* and subsequently graded 'C2' in the Incorporated Document *Heritage Places Inventory* (June 2016). The definitions for these gradings were as follows:

Level 2 Streetscape

These streetscapes are of significance either because they still retain the predominant character and scale of a similar period or style, or because they contain individually significant buildings.

'C' Graded Buildings

These buildings demonstrate the historical or social development of the local area and/ or make an important aesthetic or scientific contribution. These buildings comprise a variety of styles and buildings types. Architecturally they are substantially intact, but where altered, it is reversible. In some instances, buildings of high individual historic, scientific or social significance may have a greater degree of alteration.

28. The 1984 Building Identification Form (BIF) for the property made the comment that '*The 1857 two storey house for William Macredie is concealed by many later alterations and additions however it is probably a part of the rear wing which faces Walsh Street*'. In addition, the BIF noted that the building's integrity in 1984 was '*poor*', an observation that seems appropriate both then and today in light of the assessment above.
29. Amendment C258, gazetted in 2020, introduced a new grading system to the City of Melbourne and the subject site became a contributory place in a non-significant streetscape. The *Heritage Places Inventory March 2022* (Amended February 2023), provides the following definitions of a contributory place:

*A **contributory** heritage place is important for its contribution to a heritage precinct. It is of historic, aesthetic, scientific, social or spiritual significance to the heritage precinct. A contributory heritage place may be valued by the community; a representative example of a place type, period or style; and/or combines with other visually or stylistically related places to demonstrate the historic development of a heritage precinct. Contributory places are typically externally intact, but may have visible changes which do not detract from the contribution to the heritage precinct.*

30. As mentioned earlier, GML Heritage have recently completed the *South Yarra Heritage Review* (August 2022) on behalf of the City of Melbourne. The purpose of Amendment C426melb, *inter alia*, is to revise levels of significance and correct errors and omissions. The study recommends the subject site be amended from a contributory building to significant, in a significant streetscape.
31. This is to say, both the building's level of significance and the associated streetscape are subject to an 'uplift' because of this study.

32. The levels of significance proposed for the subject site are defined thus:

*A **significant** heritage place is individually important at state or local level, and a heritage place in its own right. It is of historic, aesthetic, scientific, social or spiritual significance to the municipality. A significant heritage place may be highly valued by the community; is typically externally intact; and/or has notable features associated with the place type, use, period, method of construction, siting or setting. When located in a heritage precinct a significant heritage place can make an important contribution to the precinct.*

***Significant streetscapes** are collections of buildings outstanding either because they are a particularly well preserved group from a similar period or style, or because they are a collection of buildings significant in their own right.*

33. The brief rationale provided for the revised heritage status states that the subject site has been identified as:

- *High historical merit*
- *Of social value*
- *[Streetscape] Part of a collection of buildings significant in their own right*
- *Shows some signs of alterations*¹⁰

34. The *South Yarra Heritage Review Thematic Environmental History* includes the subject site in a list of Victorian era residences in the South Yarra and provides a construction date of 1857-1858 and the following brief historical background:

*Built as a residence for William Macredie; later used as an Italian consulate and cultural centre ... Dame Mabel Brooks [sic] hosted US President Lyndon Johnston [sic] here in the 1960s.*¹¹

35. On this basis it can reasonably be assumed that the subject site was identified as being of 'high historical merit' on account of the house's early construction date and associations with Dame Mabel Brookes and President Johnston. Social value was presumably attributed to the subject site because of its use as the Italian Consulate since the mid 1970s.

36. While the South Yarra Precinct (HO6) has existed for a number of years, and the subject site included within that precinct, a formal statement of significance was only gazetted as a result of Amendment C258 (July 2020). The documents exhibited by the Melbourne City Council in support of the current Amendment C426 included a citation prepared by GJM Heritage. The citation provides an updated statement of significance for the South Yarra Precinct and included detailed information relating to each sub-area. The statement of significance for the South Yarra Precinct, Area 4 (gazetted as part of the interim control) is reproduced below:

What is significant?

The South Yarra Precinct, South Yarra, incorporating an area in the Parish of Melbourne South developed from the 1840s, is significant.

Elements that contribute to the significance of the precinct include (but are not limited to):

- *Area 4, including:*

¹⁰ GML Heritage, *South Yarra Heritage Review Volume 1: Methodology Report*, p.134.

¹¹ GML Heritage, *South Yarra Heritage Review Volume 3: Thematic Environmental History*, p.55.

- *early pattern of subdivision of the land comprising two 9 1/2-acre allotments (Crown Allotments 20 and 21), sold in 1849. Formed in the 1850s, spacious villa allotments fronting Walsh Street, Mona Place and Tivoli Place were among the earliest residential subdivisions in South Yarra*
- *mixed-era residential buildings representing the phase of active flat development following demolition and subdivision of nineteenth century estates*
- *a number of early houses (such as those at 98–110 Walsh Street and 107–111 and 113–117 Walsh Street and 249 Domain Road and 255 Domain Road) which reinforce the traces of the earliest layer of residential development in this area*
- *the low-scale external form of buildings developed pre-World War I (typically one to three storeys); featuring original hipped and gabled roof forms (sometimes with parapets); early chimneys; timber and masonry construction and finishes (some painted and rendered); the pattern and size of original fenestration; stylistic detailing; and early iron palisade fences on stone plinths or retaining walls*
- *the low-scale external form of buildings from 1918–45 (typically one to four storeys) featuring masonry construction and finishes (some painted and rendered), original hipped, gabled and flat roof forms (sometimes with parapets); intact early chimneys; the pattern and size of original fenestration; stylistic detailing; and early low masonry fences (some with integrated letter boxes and garden beds)*
- *the typical external form of post-1945 buildings (with varying heights); which have masonry and concrete construction and finishes; original hipped, gabled and flat roof forms (sometimes with parapets); early chimneys; the pattern and size of original fenestration; stylistic detailing; and early fences and landscaping (including masonry or stone fences, garden edging, garden beds or retaining walls)*
- *early subdivision patterns as evidenced in the hierarchy of principal and secondary streets and lanes (including the layout and width of streets), allotment sizes, and setbacks from property boundaries*
- *public space elements including:*
 - *the Golden Wych Elm (Ulmus glabra ‘Lutescens’) at 2 Clowes Street*
 - *street trees, especially mature London Plane trees (Platanus x acerifolia) planted along Arnold Street and Adams Street and in a verge along Bromby Street*
 - *a group of mature trees planted on the stretch of reserve along the Yarra River (opposite 1–45 Alexandra Avenue), including two Canary Island Date Palms (Phoenix canariensis), Washingtonia (Washingtonia robusta), Schinus Peppercorn Tree (Schinus areira) and Eucalyptus Bangalay (Eucalyptus botryoides)*
 - *two mature Moreton Bay Figs (Ficus macrophylla) at the triangular traffic island at the corner of Toorak Road and St Kilda Road*
 - *extant street lamp (55 Bromby Street) and street lamp bases (outside 1–9 and 19 Park Street, at the corner Park Street and Mason Street, at the corner Toorak Road and Park Street, and outside 1 Walsh Street)*
 - *asphalted footpaths, bluestone kerbs and gutters, and the lanes with bluestone pitchers and central drains*
- *views into and out of the adjoining parks and gardens.*

Early fences and landscaping contribute to the significance of the precinct.

More recent (post-1980s) alterations and additions to significant and contributory buildings are not significant.

How is it significant?

South Yarra Precinct, South Yarra, is of local historical and aesthetic significance to the City of Melbourne.

Why is it significant?

South Yarra Precinct is historically significant for its demonstration of a predominantly residential development pattern that spans from the 1840s through to the postwar period. The concentration of high-quality building stock in the precinct demonstrates the significant influence of wealth and privilege in this part of Melbourne. This is reflected in the prestigious location and desirability of the area associated with its elevated position, proximity to the river and pleasant parkland setting. Area 2 retains most housing stock from the Victorian period. Substantial terraces and detached villas developed by prominent property owners are interspersed with smaller working-class houses built for their servants and those who worked in trades. Several boarding houses, guesthouses and private hotels were established in Park Street. Occupying elevated land and in close proximity to the city centre, merchants, professionals and wealthy speculators were drawn to the area. Owing to the social cachet of the area, graziers established town houses here from the mid nineteenth century or later retired to the area. Subsequent suburban subdivisions and nineteenth-century building stock are well represented across the South Yarra Precinct, especially with consistent Victorian streetscapes in Domain Street, Hope Street, Mason Street, Leopold Street (Area 2) and Airlie Street (Area 5). (Criterion A)

Throughout the twentieth century, remaining vacant lots were taken up for further residential development. From the interwar period, South Yarra became a focus for flat development in Melbourne where low-rise blocks of flats became a lucrative form of investment in the aftermath of the stock market crash of 1929 and subsequent Depression. This is particularly evidenced by the interwar streetscapes in Marne Street (on the site of the Maritimo estate, in Area 3), developed over a short period 1928–40. The popularity of flat development continued into the postwar period. Area 3 is distinguished for its collection of a high number of architecturally designed, mostly interwar, luxury blocks of flats and houses. Fairlie Court and St Leonards Court (the former Fairlie and St Leonards estates, in Area 5) represent similar concentration of interwar development at smaller scale. Area 1 is predominantly characterised by interwar and postwar flats interspersed with Victorian-era building stock. Area 4 also had a similar phase of active flat development following demolition and subdivision of Victorian era properties such as Salisbury (42–66 Walsh Street), Riahnva (at the corner of Toorak Road and Punt Road) and Fairholm (55–77 Walsh Street). The South Yarra Precinct is distinguished for its array of mixed-era development. This resulted in the area having a rich combined architectural and streetscape character. (Criterion A)

The South Yarra Precinct is also significant for its retention of nineteenth and early twentieth century commercial and industrial buildings in St Kilda Road (Area 1), Millswyn Street and the intersection of Domain Road and Park Street (Area 2). The latter was the location of one of the earliest commercial developments in the suburb, and was substantially renewed around the time of the electrification of tram lines in 1927.

The emergence of automobile-related businesses in the 1910s and 1920s in St Kilda Road (Area 1) and St Martins Lane (Area 2) is evidence of relatively early car ownership in the area. (Criterion A)

The South Yarra Precinct is of aesthetic significance primarily as a prestigious residential area of mixed character that has developed and evolved from the 1840s through to the present day. This layering of development has resulted in the area having a rich combined architectural and streetscape character. This mixed character is unified by a general consistency in building quality, height, setback, form, and a pattern of fenestration and materiality that harmonises buildings of different historical eras and architectural styles within a cohesive urban setting. The precinct's character is enriched by its public realm elements, which include a mix of wide and finer grade streets that have mature and semi-mature deciduous and evergreen trees, bluestone kerbs and guttering, asphalt footpaths and a network of bluestone lanes (the latter are a particular feature of Areas 2 and 5). Throughout the precinct oblique views are possible due to the generous side setbacks of many buildings. This allows buildings to be viewed three-dimensionally, including roofscapes of hip and gable roof forms clad with slate or terracotta combined with chimneys and parapets. The aesthetic quality of the precinct is further enhanced by its proximity to parklands; it is bound by Fawkner Park to its south, and the Royal Botanic Gardens, and Yarra River to its north. (Criterion E)

Within the precinct there are streets that have a particularly high uniformity that demonstrate subsequent subdivision patterns. These include the intact Victorian streetscapes along Hope Street, Mason Street, Park Street and much of Leopold Street (Area 2) and Airlie Street (Area 5) which retain a large proportion of Italianate style houses. It includes interwar streetscapes of Marne Street (Area 3), St Leonards Court (Area 5) and (to a lesser degree) Fairlie Court (Area 5). These are characterised by an eclectic range of interwar styles and influences, including Arts and Crafts, Georgian Revival, Old English, Moderne, Mediterranean and Spanish Mission. Of note is the large number of interwar Georgian Revival residences, particularly in St Leonards Court and Fairlie Court (Area 5). Area 2 retains a group of intact interwar shops at the corner of Domain Road and Park Street. Early commercial development can also be observed along Millswyn Street (although all buildings are now used for residential purposes). (Criterion E)

The precinct is distinguished by its high concentration of refined architect-designed buildings. This is particularly evident along Park Street, Domain Road and Toorak Road (Area 2) and Marne Street (Area 3) for Victorian and interwar architecture respectively, however such places are not confined to any one section of the precinct nor to any one development period. This, coupled with the general high quality of architectural design and materiality, provides an unusually rich aesthetic quality to the streetscapes across the entire area. (Criterion E)

The precinct contains a large number of blocks of residential flats from the interwar and postwar periods. While those from the interwar period tend to be large luxury flats, the later postwar flats reflect the changing urban landscape seen in much of inner city Melbourne. Through its high concentration of refined architect-designed building stock the precinct demonstrates the influence of the many middle and upper-middle class arbiters of taste who chose to live in the area. The postwar buildings themselves sit comfortably side by side with earlier development due to their scale, form and materiality. (Criterion E)

8.0 Discussion

37. I have been asked to comment on the proposal under Amendment C426melb to change the subject site's heritage status from contributory in a non-contributory streetscape to significant within a significant streetscape.

38. Having regard for the documents produced by GML Heritage, the rationale provided for the dramatic elevation of the subject site's heritage status appears to be based primarily on its social and historical value. In my view, the *South Yarra Heritage Review* provides insufficient detail to justify the change in heritage status.
39. By definition, significant heritage place '*... is typically externally intact; and/or has notable features associated with the place type, use, period, method of construction, siting or setting*'. The subject building is not intact externally and has no notable features. It is an ad-hoc composite, which appears to retain some elements from double storey Victorian building shown on the MMBW plan (principally the gable roof form) but otherwise has been extensively altered. It now reads as a later interwar dwelling that has itself been subsumed within 1960s additions to the degree that its integrity is, as noted in Council's 1984 document, 'poor'. It is possible that the Amendment C426melb documentation was prepared without a detailed understanding of the extent of change to which the building has been subject.
40. The revised statement of significance for the South Yarra Precinct, HO6, as reproduced above, states that '*post-1980s alterations and additions [are] not significant*'. This should not be taken to mean that the 1960s changes to the subject site are contributory to the precinct. The 1960s works have in this instance detracted, very substantially, from the early character of this building.
41. The proposed statement of significance for HO1419, Pasley Street and Park Place Precinct, another precinct identified within the *South Yarra Heritage Review*, states that '*Post-1961 developments and other extensively altered properties are not significant*' and this approach to 1960s and later changes should reasonably apply to many older heritage buildings in South Yarra, including the subject property.
42. The above being said with respect to the extent of architectural change, the justification behind the proposal to make the subject site a significant place in HO6 appears to be based on the places 'high historical merit' and it being 'of social value'. As discussed in section 7.0 of this statement, the 'high historical merit' is presumed to have been ascribed to the place on account of its early construction date and association with its previous owners, in particular Dame Mabel Brookes and Sir Norman Brookes, and the historical figures entertained at Elm Tree House, notably President Lyndon B Johnson. The social value presumably relates to the use of the site by the Italian Cultural Institute.
43. Dame Brookes was born in South Yarra in 1890 and spent much of her life in the suburb and is described in the *Australian Dictionary of Biography* as a '*society and charity leader*'.¹² When Mabel died in 1975, Sir Robert Menzies reportedly paid tribute, describing her as '*one of the most remarkable women of our time*'.¹³

¹² <https://adb.anu.edu.au/biography/brookes-dame-mabel-balcombe-9591>

¹³ <https://adb.anu.edu.au/biography/brookes-dame-mabel-balcombe-9591>

44. Mabel was known to entertain an extraordinary range of visitors to Melbourne, often at the request of State or Federal governments, and hosted sitting President Lyndon Johnson to Elm Tree House during his 1966 visit to Australia.¹⁴
45. While the subject site's association with its former owner, and a visit to the house from a sitting President of the United States is of historical interest, there is no enduring association of the place with its previous owners and their social engagements. As Graeme Davison states in *A Heritage Handbook* a building's connection to an historical figure '*becomes more than sentimental only if historic personage and the building somehow help to interpret each other*'.¹⁵ The subject site does not help to interpret Dame Mabel Brookes role as a leading society hostess and charity worker, nor does it speak of the troubled legacy of Johnson's Vietnam War era presidency.
46. Elm Tree House was not the Brookes' principal place of residence – they moved there in 1940 as a wartime contingency, returning to their mansion Kurneh c1950, before another spell at Elm Tree commenced in 1961. Sir Norman Brookes passed away in 1968 and Dame Mabel Brookes moved to the adjacent block of flats c1971. The Brookes' were not residing at Elm Tree House when they came to prominence. In the case of Sir Norman Brookes, his successes at Wimbledon began in 1905 and ended in 1924, and he was knighted in 1939 – ie before he first moved to Elm Tree House.¹⁶ Mabel Brookes was appointed C.B.E. [Commander of the Order of the British Empire] in 1933 and made a Dame in 1955 for services to hospitals and charity. There is no link between the basis of the Brookes' importance and the physical characteristics of the building.
47. In respect to social value, the Italian Cultural Institute took occupancy of the subject site in 1976, at the tail end of the South Yarra Precinct's 'major construction phases' of 1840s-1970s (as identified by GML). Built form on the subject site does not inform an understanding of the activities of the Institute.
48. Further to the above, the proposed statement of significance for the South Yarra Precinct only relies on Criterion A and E – ie historical and aesthetic importance. The criteria applicable to social significance (Criterion G) and associational significance (Criterion H) are not referenced.
49. There is ultimately not a sufficient and meaningful connection to warrant the place being made significant with respect to associations or social value. Further as to matters of historical significance, evidence of the place's early Victorian character has been all but erased, meaning that the building does not illustrate the area's nineteenth century pattern of development. While the building retains the original gable roof form, this is not evidence enough of its mid-Victorian origins, being that gable roofs are not unique to the mid-Victorian period. A case in point, the 1960s additions to Elm Tree House have a gable slate roof. The architectural interest that might have been attributed to interwar façade remodelling has been overridden by the unprepossessing 1960 additions. These additions are of no architectural merit.

¹⁴ <https://adb.anu.edu.au/biography/brookes-dame-mabel-balcombe-9591>

¹⁵ Graeme Davison, *A Heritage Handbook*, p.71.

¹⁶ <https://adb.anu.edu.au/biography/brookes-sir-norman-everard-5373>

50. The subject building does not demonstrate the significant attributes of the South Yarra precinct and is not significant, in and of itself. To that end, it should be identified a non-contributory place.

51. As noted in the *South Yarra Heritage Review Methodology Report*, the South Yarra Precinct was assessed by GML using the criteria for the assessment of heritage places set out in *Practice Note 1: Applying the Heritage Overlay* (August 2018).

52. At present, to be identified as a place of local significance sufficient to warrant application of the Heritage Overlay, a place should meet one or more of the criteria to a degree that meets a threshold level of local significance. The South Yarra Precinct has been identified as meeting criterion A and criterion E. The subject site would need to meet one or both of these Criteria to become a significant place. I do not believe that the subject site meets criterion A or E, or for that matter any of the other criteria to a degree that meets the threshold level of local significance. My assessment against the criteria is as follows:

Criterion A: Importance to the course or pattern of our cultural or natural history (historical significance).

53. As discussed, the subject building does not demonstrate the early development of the precinct in the mid nineteenth century on account of being so heavily altered as to be no longer recognisable as dating to that period.

Criterion B: Possession of uncommon rare or endangered aspects of our cultural or natural history (rarity).

54. Regardless of whether 1850s dwellings are rare in the South Yarra Precinct, the subject building is, as discussed in relation to criterion A, no longer demonstrative of the early Victorian period.

Criterion C: Potential to yield information that will contribute to an understanding of our cultural or natural history (research potential).

55. I am not aware of any aspects of the subject building that would yield information such as to meaningfully contribute to the significance of the South Yarra Precinct.

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

56. The subject building does not demonstrate the characteristics of an early Victorian dwelling or a dwelling remodelled in the interwar period. It is representative of a dwelling that has suffered from changes in the 1960s of no architectural merit. This is not a building typology that is important to the South Yarra Precinct.

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

57. The subject building has little aesthetic characteristics of note.

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

58. The alterations and additions made in the 1960s, and from which the building derives its architectural character, are not demonstrative of any creative achievement. To the best of my knowledge, the building does not demonstrate any technical achievement.

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

59. The subject site could be said to have an association with the Italian community through its use as the Italian Cultural centre, but this is not an historically longstanding use. It generally post-dates the periods of significance identified in the GML citation for the South Yarra Precinct. Nor is the association with the Italian community demonstrated in any meaningful way in the built form, being that the exterior is largely unchanged from its 1960s state.

Criterion H: Special association with the life or works of a person, or group of persons, of importance in our -history (associative significance).

60. As discussed above, the place's associations with past owners, and with historical figures who were entertained there, are only of local historical *interest*, as opposed to being of local *significance*. That is to say, the associations do not meet the threshold of significant to warrant the applicant of criterion H.
61. With respect to the proposal to list the site as part of a significant streetscape, as outlined in a previous section, significant streetscapes are defined as '*collections of buildings outstanding either because they are a particularly well preserved group from a similar period or style, or because they are a collection of buildings significant in their own right*'.
62. Accepting that the subject building is a heavily altered mid-Victorian dwelling, it does not form part of a '*particularly well preserved group from a similar period*', given the section of Domain Road between Walsh Street and Punt Road (the portion proposed to be identified as a significant streetscape) vary in construction period from the late-nineteenth century through to the second part of the 20th century.
63. The streetscape to Domain Road east of the subject site could generally be said to form a collection of buildings that are significant in their own right, being that this streetscape includes Amesbury House (an impressive 1920s neo-Georgian block of flats by architects Walter & Richard Butler), the Harold Desbrowe-Annear designed house at 241-247 Domain Road, and the Poolman House at 253-257 Domain Road (a mansion constructed in stages from the 1850s to the interwar period with a notably eclectic architectural character drawing on Italianate, Georgian and Gothic sources). The subject site has no place in this group – it presents as a somewhat unfortunate, minor appendage to the streetscape. On that basis, identifying the subject site within a significant streetscape is inappropriate, regardless of whether it is recognised as being non-contributory or if it were to remain a contributory place within the South Yarra Precinct.

9.0 Conclusion

64. Having regard for all of the above, I do not believe that the subject site has sufficient historical, aesthetic/architectural or social value to warrant the change in its heritage status from contributory to significant, as proposed by Amendment C426melb. Nor do I support the proposal for the place to be identified within a significant streetscape.
65. While it is accepted that the subject site will still form part of the South Yarra Precinct (HO6), it should be a non-contributory place.

