



# Heritage Significance Assessment

'Bayview' 28 Carlton Crescent, Kogarah Bay

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EHC2023/0158

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## 1.0 EXECUTIVE SUMMARY

### 1.1 Context of the Report

This Heritage Significance Assessment has been prepared at the request of Georges River Council to analyse, assess and establish the heritage values and cultural significance of 'Bayview' and to provide recommendations on the future management of the place.

### 1.2 Background

Situated within the Georges River Council local government area and in the locality of Kogarah Bay, which is 16 kilometres south of Sydney city, the site comprises Lots 21 and 22 in Deposited Plan 1963, respectively known as 28 and 28a Carlton Crescent, Kogarah Bay.

'Bayview' is a single storey, detached-style dwelling house which displays characteristics attributed to the early 20<sup>th</sup> century Inter-War period and of the Californian Bungalow architectural style. 'Bayview' retains a high degree of design integrity, making it a good and representative example of its style and class, which is directly enhanced by the established garden setting that extends across two adjoining allotments (Lot 21 and 22). 'Bayview' is situated on Lot 21, together with a small boatshed at the southernmost rear corner of the site. A garage structure and summerhouse are situated on Lot 22, together with numerous established landscape plantings, including a notable group of Canary Island Palms. The four buildings are effectively positioned at all four corners of the collective site and are interconnected by circulation paths. Cumulatively, 'Bayview' evokes strong evidence of an early 20<sup>th</sup> century 'way of life' and has high aesthetic values.

'Bayview' is presently identified as an item of local heritage significance and is listed on Schedule 5 Environmental Heritage of the *Georges River Local Environmental Plan (LEP) 2021*.

The inscription on Schedule 5 of the *Georges River LEP 2021* describes the item as 'House and front garden, "Bayview"' and identifies the site as Lot 21 at 28A Carlton Crescent, Kogarah Bay. This is supported by the mapping in the *Georges River LEP 2021*, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.

A Development Application was submitted to Georges River Council in early 2023 (DA2023/0025), which proposes the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22 of Section 15, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.

In consequence of the lodgement of the Development Application, on 24 May 2023, Georges River Council made an Interim Heritage Order ('IHO') relating to Lot 22 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023, providing temporary statutory protection to Lot 22 while the significance of the site is further investigated.

The IHO obligates Georges River Council to undertake an assessment of significance of the site to determine whether it reaches the threshold for heritage listing and to decide within six (6) months of the gazettal of the IHO, whether to proceed with listing the site as an item of heritage significance on Schedule 5 of the *Georges River Local Environmental Plan 2021*.

This Heritage Significance Assessment has reviewed the existing heritage listing and undertaken further analysis of the site and the built and landscape features thereon, additional historical research and an assessment of cultural significance, applying the NSW Heritage Assessment Criteria as established by the Heritage Council of NSW and the NSW Department of Planning and Environment.

Lot 21 and Lot 22 are both considered of equal cultural significance and neither one lot is mutually exclusive – they both rely on each other to complete the historical narrative of the site, retain the original design intent, and protect the curtilage, setting, significant fabric and landscaped features as well as physical and visual relationships.

In light of the reassessed heritage significance, a revised and updated Statement of Significance has been produced for 'Bayview', which considers the site to be of historical, associative, aesthetic, social, technical, rarity and representative significance at the local level.

### 1.3 Recommendations on future management

The existing heritage listing of the site (Lot 21) under Schedule 5 of the *Georges River Local Environmental Plan 2021* is warranted and it is appropriate that the site continue to be managed and recognised as an item of local heritage significance.

However, the existing heritage listing is incomplete and should be expanded to include Lot 22 so that the entire site is afforded statutory heritage protection and thus ensuring all built and landscape elements of identified cultural significance and value are afforded appropriate statutory protection.

On the basis of this Heritage Significance Assessment, the following key recommendations are made on the future management of 'Bayview' at 28 Carlton Crescent, Kogarah Bay:

1. 'Bayview' should continue to be identified as an item of local heritage significance and remain listed on Schedule 5 of the *Georges River LEP 2021*.
2. Council should prepare a Planning Proposal to amend the listing of Heritage Item No.1208 on Schedule 5 of the *Georges River LEP 2021* by making the following changes:
  - i) Revise the item name from 'House and front garden, "Bayview"' to '"Bayview" house and garden, boatshed, garage and summerhouse'.
  - ii) Revise the address from '28A Carlton Crescent, Kogarah Bay' to '28 and 28A Carlton Crescent, Kogarah Bay'.
  - iii) Revise the property description to include both Lots 21 and 22 in Section 15 of Deposited Plan 1963.
  - iv) Update the Heritage Map in the *Georges River LEP 2021* to correspond with the above changes.
3. The citation for the heritage item on the NSW State Heritage Inventory Database should be revised and updated to reflect the attached revised and updated Inventory Sheet (see **Appendix D**).

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## 2.0 INTRODUCTION

### 2.1 Acknowledgement of Country

Edwards Heritage Consultants Pty Ltd (herein referred to as 'EHC') acknowledges the traditional custodians of the land on which we work and we recognise their continuing connection to land, waters and culture.

We pay our respects to Aboriginal Elders past, present and emerging, for they hold the memories, the traditions, the culture and hopes of Aboriginal peoples across the State.

EHC recognises that a better understanding and respect for Aboriginal cultures develops an enriched appreciation of Australia's cultural heritage and is essential to the maturity of Australia as a nation and fundamental to the development of our collective Australian identity.

### 2.2 Context of the report

'Bayview' is presently identified as an item of local heritage significance and is listed on Schedule 5 Environmental Heritage of the *Georges River Local Environmental Plan 2021*.

The inscription on Schedule 5 of the *Georges River LEP 2021* describes the item as 'House and front garden, "Bayview"' and identifies the site as Lot 21 at 28A Carlton Crescent, Kogarah Bay. This is supported by the mapping in the *Georges River LEP 2021*, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.

A Development Application was submitted to Georges River Council in early 2023 (DA2023/0025), which proposes the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.

In consequence of the lodgement of the Development Application, on 24 May 2023, Georges River Council made an Interim Heritage Order ('IHO') relating to Lot 22 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023, providing temporary statutory protection to Lot 22 while the significance of the property is further investigated.

This Heritage Significance Assessment has been prepared at the request of Georges River Council to establish the cultural heritage significance of 'Bayview' and its setting at 28 Carlton Crescent, Kogarah Bay and to provide recommendations on the future management of the place.

This report considers:

1. An analysis of the physical attributes and characteristics of the property.
2. An analysis of the historical context of the property.
3. A comparative analysis with other items or places displaying similar characteristics and attributes.
4. An assessment of the property to establish its cultural heritage significance, using the NSW Heritage Significance Assessment Criteria, with the formulation of a Statement of Significance.
5. Recommendations on future management of the item or place, including recommendations on future heritage listing.
6. Completion of an updated Heritage NSW – State Heritage Inventory (SHI) listing sheet.



## 2.3 Methodology

This report has been prepared in accordance with '*Assessing Heritage Significance – Guidelines for assessing places and objects against the Heritage Council of NSW criteria*' (NSW Department of Planning and Environment, 2023).

The assessment is based on a visual examination of the subject site and analysis of the site in its context. The historical analysis is based on material sourced from the State Heritage Inventory (SHI), Georges River Council files and Local Studies Library, NSW Land and Property Information and other various archival resources and information repositories.

The analysis of the site in its context and historical analysis is then proceeded by a significance based desktop assessment of the cultural significance of the subject site.

The overarching philosophy and approach to this report is guided by the conservation principles and guidelines of the Australia ICOMOS *Charter for the Conservation of Places of Cultural Significance (Burra Charter)* 2013.

The objective of this report is to analyse, assess and establish the heritage values and cultural significance of the subject site and its heritage curtilage, followed by providing preliminary guidelines and recommendations to ensure that any identified heritage values are retained, protected and appropriately managed.

## 2.4 Authorship

This report has been prepared by Michael Edwards B.Env.Plan M.Herit.Cons, M.ICOMOS, JP, Director & Principal Heritage Consultant / Advisor, Bethany Robinson BA, M.Mus&Herit, Senior Heritage Consultant and Lucy Cooper BA, M.Mus&Herit, Graduate Heritage Consultant for EHC Pty Ltd. The report has been reviewed and endorsed by Michael Edwards.

Mr Edwards has over 17 years extensive experience in both the town planning and heritage conservation disciplines and has held previous positions in Local and State Government. Mr Edwards has previously worked with the former Heritage Division of the NSW Office of Environment and Heritage and is currently Heritage Advisor to Cessnock City Council and Georges River Council.

Unless otherwise noted, all contemporary photography in this report is by EHC.

## 2.5 Limitations

This Heritage Significance Assessment:

- Considers the site, external structures and internal rooms and spaces that were visually and physically accessible by EHC on the day of the inspection.
- Is limited to the investigation of the non-Aboriginal cultural heritage of the site. Therefore, it does not include any identification or assessment of Aboriginal significance of the place.
- Is limited to a due-diligence archaeological assessment only and does not present a detailed archaeological assessment of the site.
- Does not provide a structural assessment or advice. Subsequently, this report should be complemented by advice from a Structural Engineer with demonstrated heritage experience.
- Is not intended to establish a comprehensive conservation management framework to guide the ongoing use, management and protection of the place.

## 2.6 Terminology

The terminology used throughout this report is consistent with the NSW Heritage Manual and the *Burra Charter*.

A glossary of common terms used is listed in Appendix A.

## 2.7 Physical evidence

A visual examination of the site and the surrounding area was undertaken on 30 April 2023. All contemporary photography used in Section 2 of this report was captured at this time.

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### 3.0 SITE ASSESSMENT

#### 3.1 Location and Context

The subject site is situated within the Georges River Council local government area and in the locality of Kogarah Bay, which is 16 kilometres south of Sydney city. The site comprises Lots 21 & 22 of Section 15 in Deposited Plan 1963, commonly and collectively known as 28 and 28a Carlton Crescent, Kogarah Bay.



**Figure 1:** Aerial view of the site, subject site denoted in red.  
[Source: NSW Land and Property Information, 2023, with EHC overlay]



**Figure 2:** Aerial view of the locality. The subject site is denoted by red outline.  
[Source: NSW Land and Property Information, 2023 with EHC overlay]



### 3.2 Description of the site

The subject site is located on the southeastern side of Carlton Crescent and is situated within an established urban streetscape, which is largely characterised by detached-style residential housing.

Carlton Crescent has a varied housing typology and architectural style, with many of the surrounding allotments containing large scaled contemporary two-storey dwellings (particularly on the lower side of Carlton Crescent), evidencing renewal of older housing stock, with some surviving examples of original single-storey Inter-War bungalows from the 1920s and 1930s period. Many of the allotments on the lower side of Carlton Crescent have been further subdivided, creating battle-axe allotments, doubling the housing density on this side of the street.

The site itself comprises two separate but adjoining allotments (Lots 21 and 22). Individually and cumulatively, they have a mostly rectangular shape, with direct frontage to Carlton Crescent and an irregularly formed rear boundary that adjoins Kogarah Bay and defined by the mean high water mark.

The site falls from the street front boundary towards Kogarah Bay at the rear and has an undulating surface, with a near-level platform at the front of the site.



Figure 3: View of the site from Carlton Crescent.

### 3.3 The buildings – exterior

Situated on the site are a number of built structures which are described below.

#### *The dwelling*

The most prominent and largest of the buildings on the site, is the dwelling house. Known as 'Bayview', the dwelling is situated entirely on Lot 21 and within close proximity to the front boundary, where the dwelling takes advantage of the higher elevation in topography.

The dwelling is described as single storey and detached style. It is of brick construction typically of stretcher bond, sitting atop of a solid brick wall skirt that conceals the foundations. Owing to the fall in

topography, the brick wall skirt is expressed at the front as only a few string courses in height, increasing in height to a near full storey equivalent at the rear. The entirety of the brick wall skirt has been finished in stucco, with a rendered horizontal band that provides definition between the transition to the residual walls which are of dark 'liver' facebrick.

All elevations of the dwelling are asymmetrically composed, yet the primary front elevation features a striking large single gable that spans the full width of the dwelling. The gabled face features a symmetrical design, with vertical timber battens applied over the panelling and detailed timber lattice battening to the upper apex of the gable framed by a series of small timber brackets arranged in pairs. A rotated square panel containing a cherub in bas-relief plaster, is centrally positioned just below the apex.

The front elevation below the wide gable, contains a verandah that wraps around to the eastern side elevation and finished in decorative tessellated tiles. The verandah is framed by a low-height brick wall with a scalloped string course of bullnosed bricks, supporting trapezoidal shaped brick verandah posts that have been finished in stucco to match the skirt wall. The stuccoed verandah posts continue to the underside of the ceiling, to frame the verandah in a series of openings. A three-sided bay window projects off the western side of the front entry. The main front entry door is of timber joinery and features sidelight and transom windows – all in elaborately detailed leadlight glass. Windows throughout the dwelling are timber framed casements with a consistent leadlight glass pattern.

The eastern side elevation carries the front verandah through before returning to a full height masonry wall that bookends the verandah and contains a three-sided bay window matching the one in the front elevation. The most striking feature of the eastern elevation is the large eight-sided bay window sitting atop of the matching curved facebrick wall in a stacked header bond and awning roof. The stuccoed skirt wall below the centre line of the bay window, features a rotated square panel containing a cherub in bas-relief plaster, matching that to the front gable.

The rear elevation features a large singular gable (matching the detailing to the front elevation) and below the gable is the largest of the bay windows in the house, with a twelve-sided bay window projecting directly off the rear elevation, the detailing of which matches that of the eastern side elevation complete with the cherub bas-relief panel. A large open balcony projects off the rear elevation, framed by a semi-circular wall with castellated string course to form the top of the brick balustrade and with tessellated tile flooring. Separating the semi-circular elevated balcony and semi-circular bay window, is a curved set of external stairs which lead to the back garden.

The western side elevation is the most simplistically formed and detailed of the entire dwelling, sitting in close proximity and parallel to the side property boundary.

A large gabled roof form spans the near entirety of footprint of the dwelling with a smaller gable projecting partly over the rear semi-circular balcony. There are no chimneys, save for a small contemporary steel flue punctuating the eastern roof plane. The roof is clad in unglazed terracotta tiles and features a scrolled finial at the apex of the front and rear gables. Bargeboards are planar and the soffits are all lined with painted tongue-and-groove timber lining boards.

The definitive framework for identifying architectural styles within Australia is that developed by Apperly, Irving and Reynolds in *'Identifying Australian Architecture: Style and Terms from 1788 to the Present'*. The authors provide a perceptive account of what constitutes and defines a style. Mostly concerned with 'high' or 'contrived' architectural styles, rather than the 'popular' styles or the vernacular, it is accepted that the boundaries between identified styles are not always clear-cut.

Subsequently, the terminology for a style and the framework to be applied in defining the style, comprises two parts, firstly identifying the period in which the building belongs and secondly describing the major characteristics.

In this manner, the dwelling displays characteristics that are attributed to the Inter-War period of the early 20<sup>th</sup> century and of the Californian Bungalow architectural style.





**Figure 4:** View of the dwelling from the front entry gate.



**Figure 5:** View of the dwelling from the front garden area.



**Figure 6:** View of the eastern side elevation bay window.



**Figure 7:** View of the bay window detailing to the eastern side elevation.



**Figure 8:** View of the cherub bas-relief panel applied beneath the bay window on the eastern side elevation.

### *The Boatshed*

At the southernmost corner of the site (on Lot 21) is a small freestanding boatshed. This structure has a simple utilitarian form and language, with a rectangular footprint and gabled roof form. The gables present to the northern and southern (waterfront) elevations and feature panelling with vertically applied timber battens matching the language of the gables to the main dwelling.

The boathouse is of brick construction and appears to be in stretcher bond, though has been painted externally and in part, rendered to mimic the stuccoed finish of the dwelling.

Both gabled elevations feature large rectangular openings, which hint at the original use and function of the structure (together with its waterfront placement). These openings have both been later enclosed and contain windows and doors. The gabled roof is clad in unglazed terracotta tiles with scrolled finials to the apex of both gabled ends.

Though utilitarian in form and function, the boatshed displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20<sup>th</sup> century and of the Californian Bungalow architectural style.



**Figure 9:** View of the boatshed from the Kogarah Bay shoreline.



**Figure 10:** View of the boatshed.

### *The Garage*

Situated towards the northernmost corner of the site (on Lot 22) and within proximity to the front boundary, is a freestanding double car garage structure.

The garage sits forward of the alignment of the dwelling, though owing to the spatial separation afforded between the two structures, the garage does not dominate the dwelling.

The garage is of brick construction in stretcher bond, with dark 'liver' bricks used to the front elevation and quoins to windows and doors, while the remainder of the structure uses 'common' bricks of a lighter colour.

Consistent with the main dwelling, the garage has a large rectangular footprint and gabled elevations presenting to the front and rear. The gables both feature panelling with vertically applied timber battens. The gabled roof is clad in unglazed terracotta tiles and feature scrolled finials to the apex of both gabled ends. Fascia boards feature a simple quirk.

A large panelled garage door presents to the front elevation, while the rear and western side elevations contain casement windows and four-panelled timber doors. Window and door openings have a painted concrete lintel inserted.



Though utilitarian in form and function, the garage displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20<sup>th</sup> century and of the Californian Bungalow architectural style.



Figure 11: View of the garage from the front boundary.

### *The Summerhouse*

Towards the easternmost corner of Lot 22 at the water's edge is a freestanding summerhouse / self-contained cottage.

This structure has an elongated rectangular footprint with a simple gabled form, with the gabled elevations oriented to the front and rear in the same manner as the dwelling, the boatshed and the garage.

The summerhouse is of brick construction, rendered with a stucco finish to the external walls. The gables feature panelling with vertically applied timber battens and planar bargeboards. The gabled roof is clad in unglazed terracotta tiles and, consistent with the roofs of other structures on the site, features a scrolled finial to both apex ends of the roof.

The northern elevation is devoid of any windows or doors, while the two side elevations feature timber framed windows. The rear (waterfront) elevation features large aluminium framed sliding doors – presumably having originally been an open verandah to take advantage of the prevailing breeze.

The summerhouse displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20<sup>th</sup> century and of the Californian Bungalow architectural style.





**Figure 12:** View of the summerhouse from the rear of the site.



**Figure 13:** View of the northern elevation of the summerhouse facing towards Kogarah Bay.



**Figure 14:** View of the side passageway of the Summerhouse towards Kogarah Bay.



**Figure 15:** View of the southern (waterfront) elevation of the summerhouse, facing west.

### 3.4 The buildings – interior

The interior of the buildings were not inspected. Consequently, an analysis is undertaken on the availability of photography of the interior in relation to a recent real estate marketing campaign, available online.

#### *The dwelling*

The interior of the dwelling is centred off the main hallway, with a series of rooms accessed from both sides of the hall. The short hallway leads to the large formal lounge room, separated by a hallway door complete with sidelight and transom windows matching the primary front entry door with ornate leadlight glazing.

Flooring appears to be timber tongue-and-groove boards throughout, arranged in a parquetry pattern in the hallway and a radiating geometric shape to the formal lounge room, which is considered the most striking room of the dwelling, given its uncharacteristically large open floor plan that is uninterrupted by vertical support columns or partition walls. A brick chimneybreast sits flush with the splayed wall in the formal lounge room.

The ceilings are ornately finished, likely with fibrous plaster panels and timber battening arranged in a geometric pattern. The same turned square panel featuring a cherub in bas-relief plaster is applied to the walls of bedrooms and in a repeat pattern around the splayed ceiling framing the formal lounge room.

The bay windows feature built-in window seat joinery.

The kitchen and bathroom appear to have been contemporaneously refit with modern joinery and fixtures.



**Figure 16:** View of the formal lounge room.  
[Source: Realestate.com.au, c2010]



**Figure 17:** View of the kitchen.



**Figure 18:** View of the bathroom.



**Figure 19:** View of the hallway facing towards the lounge room.





**Figure 20:** View of the front bedroom  
[Source: Realestate.com.au, c2010]



**Figure 21:** View of the master bedroom at the rear of the dwelling, facing onto the rear semi-circular balcony.  
[Source: Realestate.com.au, c2010]



**Figure 22:** View of the eastern side bay window off the formal lounge room.  
[Source: Realestate.com.au, c2010]



**Figure 23:** View of the rear elevated balcony.  
[Source: Realestate.com.au, c2010]

#### *The Boatshed*

Not inspected.

#### *The Garage*

Not inspected.

#### *The Summerhouse*

The Summerhouse contains a simple three-roomed configuration, with a combined lounge room and kitchen comprising the southern portion of the interior, leading to a small entry lobby off the eastern side elevation at the centre, from which a small bathroom and bedroom are accessed.

The Summerhouse has timber tongue-and-groove floorboards throughout, which appear Cyprus Pine. Walls are plastered and feature decorative timber plate-rails. The southern end of the current lounge room space has a corbelled bulkhead projecting from the ceiling level, suggesting the presence of windows and a centrally positioned door which have been removed to make the present singular opening.



Figure 24: View of the interior of the summerhouse.

### 3.5 Landscape

'Bayview' is set within an established landscaped garden setting, comprised over two individual lots. The site benefits from direct water access to the Georges River at the rear.

The four structures (dwelling, boatshed, garage and summerhouse) are positioned in each of the four corners of the site, interconnected by established landscaped gardens comprising numerous mature Canary Island Palms (*Phoenix canariensis*), lawn areas and circulation paths.

Cumulatively, they form a pleasant and deliberately arranged relationship that evokes a strong early 20<sup>th</sup> century Inter-War period character. The positioning of the dwelling, echoed through the arrangement of large bay windows and the verandahs, evidence a deliberate design that takes advantage of the double-lot, with outward facing views to the northeast over the sprawling garden setting and to the southeast towards the Georges River.

The front boundary of the site is delineated by a low-height brick fence that has a central soldier course with spacing to provide the appearance of an open-style fence. Immediately behind the brick fence is an established hedge of Lilly Pilly. A concrete driveway leads from the street to the front of the garage, with a concrete apron wrapping around the western side of the garage to create a partly elevated hardstand area immediately to the rear of the garage. The driveway is delineated by aluminium gates.

The Canary Island Palms are planted in a structured manner, with the majority planted in a straight line running parallel to the eastern side elevation of the dwelling. Two Canary Island Palms were originally planted immediately at the front of the dwelling, though only one remains.

Circulation paths that connect the various buildings are comprised of terracotta tiles arranged in a two-toned geometric pattern, with continuous-formed concrete edging that has been painted. Towards the rear of the site is a contemporary timber gazebo structure.





**Figure 25:** View of the front gardens.



**Figure 26:** View of the front gardens.



**Figure 27:** View of the front gardens from the driveway.



**Figure 28:** View of the gardens along the eastern side of the dwelling. The existing boundary between Lot 21 and Lot 22 is approximated by red outline.



**Figure 29:** View of the concrete apron behind the garage.



**Figure 30:** View from the concrete apron behind the garage facing west towards the dwelling.



**Figure 31:** View of the mature-sized Canary Island Palms.





**Figure 32:** View of the gardens along the eastern side of the dwelling.



**Figure 33:** View of the outlook towards Kogarah Bay from the central path.



**Figure 34:** View of elevated garden bed of a removed Canary Island Palm, facing north.



**Figure 35:** View of the dwelling from the central path approaching from the Summerhouse.



**Figure 36:** View of the rear of the dwelling facing towards Carlton Crescent as viewed from the gazebo and Summerhouse.



**Figure 37:** View of the concrete seawall facing northeast.

### 3.6 Streetscape contribution

Built c1928, 'Bayview' is situated within an established residential streetscape. As identified earlier in this report, the site is situated on the southern and lower side of Carlton Crescent, where many of the allotments have been further subdivided to create battle-axe allotments. Many of the earlier housing stock have been redeveloped and replaced with large two-storeyed dwellings, yet are themselves constrained by their respective allotment configuration and dimensions.

The site presents as an anomaly within the street as it comprises two adjoining allotments, with the various built and landscape features spreading across both Lot 21 and Lot 22, creating a generously proportion landscaped garden setting and has an uncharacteristically wide frontage to Carlton Crescent.

Despite the single storey scale of the dwelling, the dwelling and its garden setting are considered visually distinctive, with the elaborately detailed gable of the dwelling being expressly visible to the street and the site readily distinguished by the numerous mature Canary Island Palms, which were often planted in the early 20<sup>th</sup> century for demarcation given their height at maturity.

### 3.7 Integrity and condition

The integrity of a site, in terms of its heritage significance, can exist on a number of levels. For instance, a site may be an intact example of a particular architectural style or period and thus have a high degree of significance for its ability to illustrate that style or period. Equally, heritage significance may arise from a lack of architectural integrity where the significance lies in an ability to illustrate an important evolution to the building or change in use.

While a detailed structural assessment is beyond the scope of this report, a non-invasive visual inspection of the exterior of the various structures has been undertaken.

Each of the buildings display some evidence of previous cosmetic and structural changes, though the original silhouette and form of the structures remain remarkably intact. Original detailing and features also appear remarkably intact.

Similarly, the landscaped gardens evidence some changes by comparison with contemporary examination and historical documentary evidence. Overall however, the garden setting remains substantially intact and unaltered.

Notable changes to the dwelling include:

- Contemporary cabinetry fitouts to the bathroom and kitchen in the dwelling.
- Construction of a temporary ramp structure at the front entry to the dwelling.
- Likely removal of the original chimney from the western side roof plane.
- Removal of the sub-floor access door on the eastern elevation of the skirt wall.

Notable changes to the boatshed include:

- Changes to the openings on both gabled ends of the building, including the enclosure of the large rectangular opening fronting Kogarah Bay and replacement with windows.

Notable changes to the garage include:

- Replacement of the doors to the front elevation with a contemporary panelled door.

Notable changes to the summerhouse include:

- Contemporary cabinetry fitouts to the bathroom and kitchen in the dwelling.
- Likely removal of an original door and windows on the waterfront elevation to create a large opening and subsequent enclosure of the likely original balcony fronting Kogarah Bay.

Notable changes to the landscaped setting include:

- Removal of the original pathway leading from the front entry to the front boundary and making good the opening to the brick fence along the front boundary, including removal of the two large gateposts (evident in the c1993 photographs).
- Increase in height of brick soldier posts to the driveway opening to support new driveway gates.
- Additional landscape plantings introduced, chiefly the hedge immediately behind the front boundary fence.
- New concrete driveway and apron extending to an elevated hardstand area at the rear of the garage.
- Renewal of the original garden paths with new tiled paths and continuous-formed concrete edging (though the paths appear to retain the original location save for the reconfiguration of the front path from the front entry).
- Removal of at least two established Canary Island Palms, with one removed from immediately out the front of the dwelling in the front garden and one removed from the row along the eastern side elevation.
- Construction of a concrete seawall spanning the rear of the site.

Overall, the changes that have occurred to the buildings and landscaped setting have had little impact on the overall character and appearance when viewed in the context of the streetscape, nor have the changes significantly diminished the integrity of the buildings or the landscaped garden setting.

The boatshed, garage and summerhouse generally appear in sound repair and condition, while the dwelling 'Bayview' appears in a remarkable condition.



## 4.0 HISTORICAL OVERVIEW

### 4.1 Introduction

This section attempts to place 'Bayview' into the context of the broader history of the region as well as outlining the sequence of development, occupation and use of the site.

Analysing and understanding the historical context of the site is an important consideration in the assessment of cultural significance (see Section 9), informing the assessment of historical significance and historical associations of significance.

The history of the site is presented in a narrative form and is mainly derived from the published sources referenced throughout. The historical analysis also builds on existing extensive publication and research and assumes a prior knowledge of the Aboriginal history of the area.

### 4.2 First land grant

When Captain James Cook looked over Botany Bay in 1770, he saw what he regarded as a highly suitable site for European Settlement. He is said to have rowed up Georges River as far as Tom Uglys Point, as well as exploring inland in the Sutherland Shire. Prior to 1800, the district of St George was largely untouched. It was mostly inaccessible, except by water, and much of the land was heavily timbered.

When the First Fleet arrived 18 years later, Captain Arthur Phillip had other ideas, dismissing Cook's choice of settlement site after failing to find fresh water. Additionally, he claimed that Botany Bay did not offer the shelter he required, and that it would be too much work to clear the heavily timbered terrain.<sup>1</sup> Many convicts were forced into building the Cooks River Dam. Timber-getting had become a major attraction for the area; however the land was still considered unsuitable for farming due to the tree growth.

Over the next 36 years, some three million acres were granted, though little of it was put to good use.<sup>2</sup> Apart from the land granted by the Governors, the British Government sometimes bestowed land upon residents, often without consulting Sydney. One such grant occurred in 1808, when 1950 acres was given to John Townson.

John Townson was an army officer and settler, born in 1759 in Yorkshire, England. After serving several years as a lieutenant in the 18<sup>th</sup> Regiment, he transferred to the New South Wales Corps in October 1789 and arrived in the colony in 1790.<sup>3</sup> Most of Townson's military service was spent at Norfolk Island, where he was stationed for about six years. In 1799, he also acted as lieutenant-governor of Norfolk Island while Lieutenant-Governor Philip Gidley King was absent.

After returning to England and retiring, Townson came back to the colony in 1806 with a letter stating the intention of the Secretary of State to direct to Governor William Bligh to grant him 2000 acres. Governor Bligh declined to do so until he received specific instructions from official authority. Townson was ready to return to England, until 1807 when his brother Robert arrived, and the Secretary of State directed that the grant be made – however, the order had not reached Sydney when the rebellion occurred in January 1808.<sup>4</sup>

In July, major George Johnson granted Townson 1950 acres in the Bexley district, and the following year he received a further 250 acres from Lieutenant-Governor William Paterson. All of his land was then re-granted by Governor Lachlan Macquarie in 1810. The subject site was part of 50 acres, Portion 119 of the Parish of St George, that was granted to Townson in April of 1810.<sup>5</sup>

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<sup>1</sup> Davis. P. 'The Hurstville Story', 1986.

<sup>2</sup> Ibid

<sup>3</sup> Austin, M. 'Townson, John (1759-1835), 1967.

<sup>4</sup> Ibid

<sup>5</sup> NSW Land and Property Information, 2023. PA6535.



**Figure 38:** Extract of Parish of St George Map, John Townson's Portion 119 outlined in red c.1880s.  
[Source: NSW Land and Property Information, 2023]

Governor Macquarie made a serious attempt to stop land speculation, and his main task was to restore order in the Colony following the rocky reign of his predecessor, Governor Bligh. Macquarie imposed restrictions on land grants and required those who were granted land to occupy and improve them.

In 1811, Townson sold his land to Simeon Lord. Lord was 20 years old in 1790, when he was sentenced to seven years transportation for theft. Soon after arriving in Sydney, he was assigned to Captain Thomas Rowley, a prominent officer-trader. As soon as Lord received emancipation, Rowley set him up as a baker, and by 1798 he was living in Macquarie Place and on the way to becoming a wealthy businessman.<sup>6</sup>

Lord was quick to realise that land acquisition was a growing industry, and an industry that would continue to grow as the colony itself grew. The purchase of Townson's land was his first major purchase, followed by purchasing King's Grove Farm in 1829. Lord paid 800 pounds for Townson's land, some of the best timber in the St George area. The location then became known as Lord's Bush.

<sup>6</sup> Davis. P. 'The Hurstville Story', 1986.



**Figure 39:** Plan of the Carlton Park subdivision.

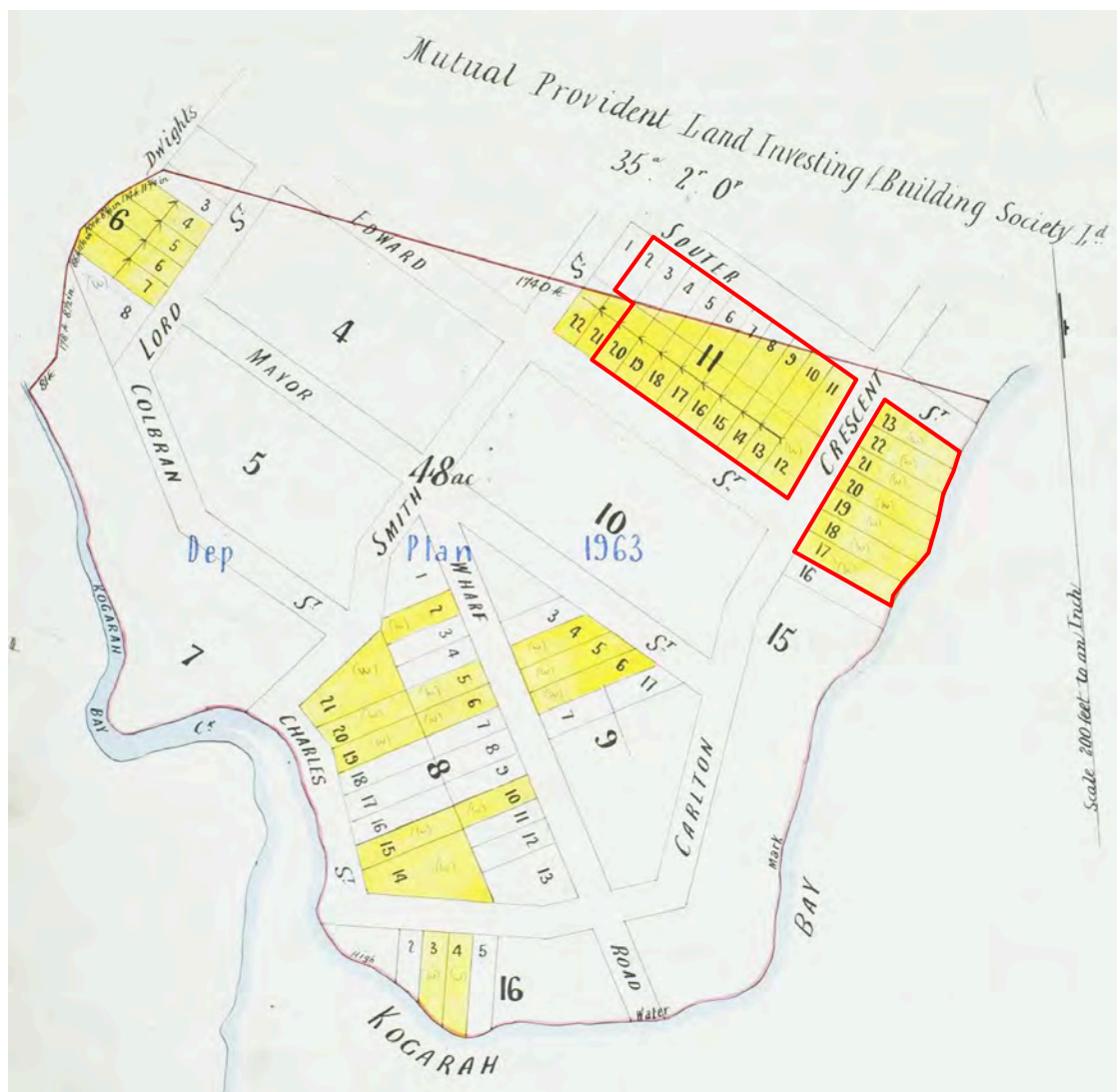
[Source: NSW Land and Property Information, 2023. Deposited Plan 1963]



### 4.3 Subdivision of the Estate

In the late 1870s, the land was sold, transferring through several of Lord's trustees. By 1885, the land had been reduced to 48 acres, having been purchased by The Mutual Provident Land Investing and Building Society Limited. Primarily handled by the company's manager Mr Richard William Foxall,<sup>7</sup> The Mutual Provident Land Investing and Building Society Limited set about surveying the land and prepared a plan of subdivision that carved the estate into multiple residential sized allotments, interconnected by new roads.

Known as 'Carlton Park', the first sale of the newly created allotments occurred in mid-December 1885 at an auction on the ground. In 1892, Lucy Jane Macmillan, wife of James Laker Macmillan, purchased Lots 2-20 (inclusive) of Section 11 of Deposited Plan 1963 (equating to 2 acres, three roods, 1 perch) as well as Lots 17-23 (inclusive) of Section 15 of Deposited Plan 1963 (1 acre 2 roods 2 perches). It was Lots 21 and 22 of Section 15 in Deposited Plan 1963 that were to become the subject site.



**Figure 40:** Plan showing the lots purchased by Lucy Macmillan in 1885.

[Source: NSW Land and Property Information 2023. Certificate of Title Vol.1110 Fol.87, with EHC overlay]

<sup>7</sup> NSW Land and Property Information, 2023. CT Vol. 833 Fol. 100 & CT Vol. 928 Fol. 21.

#### 4.4 Subdivision of the Kogarah Bay Estate

In 1911, Macmillan's land was sold, having been purchased by the New South Wales Realty Co Limited.

Within that same year, the Company had prepared a plan of subdivision, marketing the sale of allotments as the 'Kogarah Bay Estate', though there were no notable changes from the 1885 subdivision.

At an auction on the ground held on 6<sup>th</sup> May 1911, they began selling the allotments<sup>8</sup>, however not all the allotments would sell at that time.

Lots 21 & 22 of Section 15 (the subject site) were finally purchased in 1916 by Bert Pooley, a Plumber from Annandale.<sup>9</sup> Each of the allotments within the Kogarah Bay Estate were subject to a building covenant (evident on the 1911 sales poster) which stated that buyers "need not build or improve their lots" however if they were to erect a building thereon, it must "be of a value of not less than £200", also requiring the land to be fenced.<sup>10</sup> This could be the reason why, despite having the land for a number of years, Mr Pooley did not develop it.



Figure 41: Sales poster for the Kogarah Bay Estate, 1911.  
[Source: State Library of NSW]

In 1920, Pooley sold the land to Elizabeth Maria Rowe, wife of Kogarah builder Frederick Ernest Rowe<sup>11</sup> Frederick Rowe had earlier purchased Lot 19 from the Kogarah Bay Estate, at the time of the initial sale of the estate in 1911.<sup>12</sup>

Throughout the 1920s and 1930s, Frederick Rowe was a prominent figure in the building industry as he was advertised as having conducted numerous building works throughout the Kogarah area. In 1924 under the "Works in Progress" section in *The Daily Telegraph* Rowe is credited to building a 'brick cottage' in Carlton Crescent, Kogarah Bay and in 1927, he was building brick additions to (presumably houses) in Payten and Myee Streets in Kogarah Bay.<sup>13</sup>

<sup>8</sup> NSW Land and Property Information, 2023. CT Vol. 1053 Fol. 31 Transfer No. 602162.

<sup>9</sup> NSW Land and Property Information, 2023. CT Vol. 2709 Fol. 243

<sup>10</sup> State Library of NSW, Blakehurst Subdivision Plans Kogarah Bay Estate, accessed 5 July 2023, <https://collection.sl.nsw.gov.au/record/74VvmK2gpNoy>

<sup>11</sup> NSW Land and Property Information, 2023. CT Vol. 2709 Fol.243 Transfer No. A68464

<sup>12</sup> NSW Land and Property Information, 2023. CT Vol. 2210 Fol. 188

<sup>13</sup> BUILDING & CONSTRUCTION (1924, April 16). *The Daily Telegraph* (Sydney, NSW : 1883 - 1930), p. 3. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article245709915>

For the majority of the 1920s, the Rowe's residence was listed as 9 Carlton Crescent on the corner of Carlton Crescent and Payten Street.<sup>14</sup>

This dwelling may have been a prototype for what Rowe would shortly build at 28 Carlton Crescent, as it appears substantially the same in form, detail and language, with the large single gable presenting to the street and rear elevations and with the timber panelling and lattice detailing to the gabled facades. Rowe's cottage at 9 Carlton Crescent would also be a mirror in composition to 28 Carlton Crescent, though as 9 Carlton Crescent was only situated on a single allotment, it would not have the defining bay windows which would be a signature to 28 Carlton Crescent.

In 1928, Frederick Rowe became a joint tenant of the subject site with his wife<sup>15</sup> and the Rowes are listed as residing at 30 Carlton Crescent in the 1931 Sands Directory as well as the electoral rolls of 1931 and 1937. However, at the similar time, Eleanora Eager is listed as living at 32 Carlton Crescent in 1935 then 30 Carlton Crescent in 1938. It is possible that the street numbers shifted during this time and it took time for residents to adjust. Mr Rowe, as a builder, may also have used multiple addresses for his businesses. More likely, Rowe's two adjoining lots probably added confusion – was it No.28 or No.30?



**Figure 42:** View of the dwelling built by Frederick Rowe at 9 Carlton Crescent in c2011. The dwelling was demolished sometime after 2015. The similarities to 28 Carlton Crescent are remarkable, with this dwelling largely presenting as a mirrored composition, yet lacking the defining bay windows.

[Source: Realestate.com.au, 2011]

#### 4.5 A dwelling is built

In any case, reference to the address '28 Carlton Crescent' first appears in newspapers, the Sands Directory and NSW electoral rolls in 1928, suggesting that Rowe had built a house on the land by this time, coinciding with the transfer of title that same year to Mr and Mrs Rowe as joint tenants.

<sup>14</sup> Wise's New South Wales Post Office Directory 1926. Accessed June 30, 2023, <http://nla.gov.au/nla.obj-601156679>

<sup>15</sup> NSW Land and Property Information, 2023. CT Vol. 2709 Fol. 243 Transfer No. B657480



Designed in what is contemporaneously referred to as the 'Inter-War Californian Bungalow' architectural style, the dwelling was designed as a single storey structure, fashionable for the period and architectural style, yet would occupy an uncharacteristically large footprint by comparison to the other early dwellings that had been erected on their respective lots within the emerging streetscape.

The purchase of Lots 21 and 22 together appears to have largely influenced the design, placement and construction of the dwelling. Despite being constructed entirely upon Lot 21, the dwelling displays a judicious design that exploits the outlook eastwards over the adjoining Lot 22 and Kogarah Bay to the south, with the considered placement of large bay windows.

In 1937, the St George County Council commissioned a run of aerial photography from Adastra Airways, producing the earliest aerial photography for the area.

**KOGARAH, New Modern Dark Brick Bungalow, 2 large bedrooms, lounge, dining, breakfast rooms, tiled kitchen, tiled bathroom, shower recess, separate laundry, beautiful leadlight windows, Morris Green fittings throughout, beautiful water views, plenty of cupboards, cement paths, a beautifully-finished job inside and out. Price £850, terms arranged. Rowe, Builder, 28 Carlton Crescent, Kogarah Bay.**

**Figure 43:** Rowe's 1936 advertisement from 'The Propeller' advertising one of his recently completed houses for sale.

[Source: Trove]



**Figure 44:** Aerial photo of the site from 1937 by Adastra Airways.

[Source: Georges River Council Local Studies Collection, AER37-041LHP1079]

The 1937 aerial photograph evidences the considerably larger footprint of the dwelling by comparison with the other extant dwellings within Carlton Crescent at that time. It also evidences that a number of ancillary structures had been erected on both Lots 21 and 22, including a small boatshed at the southernmost corner of Lot 21, a detached garage structure in the northernmost corner of Lot 22 and a summerhouse / self-contained cottage in the easternmost corner of Lot 22. The various structures were all evidently interconnected by formed pathways, set within what appears as an established landscaped garden setting, with numerous plantings of Canary Island Palms and other shrubbery. A definitive shadow line also evidences the existence of a low-height fence along the street-front boundary. Similarly, a defined rectilinear line at the rear of the site indicates that a seawall had also been constructed to protect the property from the fluctuating tides.

Throughout the 1930s, Frederick Rowe continued to advertise his building services as well as sales of properties with his contact address being listed as 28 Carlton Crescent.<sup>16</sup> With private motor vehicle ownership still relatively uncommon and remaining so until the Post-War period, it is probable that Rowe used what is now the garage as a workshop and shed for the storage of his tools and equipment. The fact that Rowe specifically referenced his address in the newspaper advertisements rather than a telephone number, suggests either Rowe hadn't subscribed to a telephone service, or he deliberately wanted prospective clients to view an example of one of his completed projects, somewhat of a 'display home'.

During this time, Rowe was letting the small summerhouse as a self-contained 3-roomed cottage for 30 shillings a week.<sup>17</sup>

It was here that the Rowe's continued to reside until 1949, when Frederick died at the age of 70 at St George Hospital in May.<sup>18</sup> By November 1949, an advertisement appeared in the local newspaper *The Propeller*, advertising inspections of a 'Luxurious Waterfront Home' describing the subject site as 'face brick and double fronted in new condition'.<sup>19</sup> The site was said to have land of 100ft. and a frontage of 200 ft. with the additional 3-roomed self-sustained cottage.

The sales advertisement also particularly noted that the house contained a ballroom with a polished Jarrah timber floor, large verandahs, with a double garage, large workshop, boat shed and tiled and cement paths that led to the waterfront from the front entrance and that the property was 'well-laid out with palms and gardens'.

Following Frederick's death, the property transferred into the sole ownership of his wife, who in turn was looking to sell it for immediate possession for £6,500.<sup>20</sup>



**Figure 45:** Aerial view of the site in 1943.

[Source: NSW Land and Property Information, 2023 with EHC overlay]



**Figure 46:** Aerial view of the site in 1951.

[Source: NSW Land and Property Information, 2023 with EHC overlay]

<sup>16</sup> Advertising (1936, May 7). *The Propeller* (Hurstville, NSW : 1911 - 1954), p. 5. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article235632575>

<sup>17</sup> Advertising (1938, July 21). *The Propeller* (Hurstville, NSW : 1911 - 1954), p. 5. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article235631962>

<sup>18</sup> Family Notices (1949, May 9). *The Sydney Morning Herald* (NSW : 1842 - 1954), p. 14. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article27579312>

<sup>19</sup> Advertising (1949, November 10). *The Propeller* (Hurstville, NSW : 1911 - 1954), p. 4. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article235267216>

<sup>20</sup> Advertising (1949, November 10).



#### 4.6 The 'Bay-Vista'

Interestingly, the sales advertisement from 1949 noted that a possible function for the "beautiful home" would be to convert it into a private hospital.<sup>21</sup>

Instead, it was purchased in 1950 by Mervyn Augustus Vollmer of Kogarah and his registered trade was a 'taxi proprietor', who was known for often using his black cabs as wedding cars.<sup>22</sup> That same year, Vollmer mortgaged the property to the Commercial Bank of Australia and within three years, advertisements started to appear in newspapers advertising "Bay-Vista" for wedding receptions and other parties.

Vollmer began using the property commercially for wedding receptions in November 1952 and from then till 1969, approximately two functions were hosted there each week.<sup>23</sup> The events would usually take place inside, and no outside wedding ceremonies were conducted on site.

These advertisements boasted the property's ballroom and noted that they had an orchestra for hire and a bride's room. This is the first documented use of the name 'Bay-Vista' for the property that over time, transformed into 'Bayview' as the property remains known to the present-day.

Mervyn Vollmer, a former member of the RAAF, was also listed as living at the property with his wife Patricia Vollmer – possibly residing in the small summerhouse / cottage on Lot 22.

A few years previously, Mr Vollmer had been in the news in a very public divorce case involving his previous wife Rona Vollmer, who discovered his affair with Mrs Patricia Harrison and took him to court. The Vollmers are listed as living at 28 Carlton Crescent for the decade of the 1950s, however by 1963, Mervyn Vollmer was listed as living in Windsor as a farmer whilst Patricia's address remains at Carlton Crescent until 1968.

In 1968, 'Bay-Vista' was sold, transferring in ownership to Elise Linda Burcher, a widow of Hurstville. Burcher did not live at the property, but did live close-by at 22a Carlton Crescent in the late 1970s and early 1980s. 'Bay-Vista' was leased to Gavin George Robert Morton and his wife Joan Mary Morton in 1968, with both the Mortons professions being recorded as 'caterers'. It is evident through newspaper



Figure 48: Advertisement for the "Bay-Vista" 1954.  
[Source: *The St George Call* (Kogarah, NSW: 1904-1957)]



Figure 47: Advertisement for the "Bay-Vista" 1981.  
[Source: *The St George District Amateur Athletic Club*]

<sup>21</sup> Ibid.

<sup>22</sup> NSW Land and Property Information, 2023. CT Vol. 2709 Fol. 243 Transfer F188751

<sup>23</sup> Kyriacos Kyriacou, Mary Kyriacou and Bonhomie Pty Limited v Kogarah Municipal Council and Sophie Antoniadis No. 13869/92 [1995] NSWSC 32 (8 September 1995). Early 1990s Statutory Declaration made by Mrs Patricia Vollmer.

articles regarding weddings and advertisements that the subject site continued to be used as the Bay-Vista function centre.<sup>24</sup> When Elise Burcher died in 1988, the property was sold, transferring in equal shares to her children Leslie Ronald Burcher and Norma Winifred Treloar.<sup>25</sup>

'Bay Vista' or 'Bayview' as it had also become known, was subsequently advertised for sale by auction in 1989, advertised as a '*prestige waterfront subdividable land*' with '*existing use rights for Wedding receptions*.'

It was purchased by Kyriacos and Mary Kyriacou who had just recently sold their wedding car hire business that same year. Several years of legal challenges ensued, with the Kyriacou's trying to continue and expand the function centre use of the site, with such a land use being otherwise prohibited in the residential zoning under the Council's planning regime. In 1991, the NSW Land and Environment Court granted injunctions, restraining the Kyriacou's from using the property for any other purpose other than as a private dwelling house.<sup>26</sup>

This likely prompted the sale of the property in 1992, when it was purchased by Demetre Dimitropoulos and in 1995, new legal proceedings were commenced against the (then) Kogarah Municipal Council and their Solicitor Sophie Antoniadis for negligence. The case of *Kyriacou v Kogarah MC (1995)* dealt with the issue of existing use rights and whether or not the Council and Council's Solicitor were negligent in misinforming the Kyriacou's about their lawful ability to use the property as a wedding reception centre. The Kyriacous were awarded costs of \$1,353, 426<sup>27</sup> and the case has since been regularly cited, having influenced reforms to conveyancing laws.

#### 4.7 Heritage listing

Towards the latter half of the 20<sup>th</sup> Century, there was increasing interest and awareness in the conservation and protection of significant buildings and places. This led to the introduction of the *Heritage Act* in 1977 and the establishment of very early heritage studies across NSW.

In the early 1990s, a heritage study was undertaken across the Kogarah Municipal Council local government area as part of the NSW National Estate Grants Program 1990/91 and 1992/93. Undertaken by Tropman and Tropman Architects in conjunction with Kogarah Municipal Council, '*Kogarah Heritage Study Stages I and II*' ('the study') sought to '*identify and analyse the environmental heritage and significance of the Kogarah municipality and allow practical recommendations to be established for its conservation and management*'.<sup>28</sup>

The study identified numerous individual places and sites of potential heritage significance across the Kogarah Municipal Council local government area. The study area was divided into smaller precincts, with Kogarah Bay falling within 'Area 1'.

Within Area 1, a total of 66 potential items of heritage significance were identified by the study, which represented '*...examples of the development that grew along the main transport routes (Kogarah Road, now Princes Highway and Rocky Point Road) from c1850s; the later developments c1890s that emerged with the establishment of the Illawarra Railway; and the overlays of the large Federation estates c1900s-1920s as the areas close to the bay were opened up...*'<sup>29</sup>

The study identified 'Bayview' at 28 Carlton Crescent, Kogarah Bay as an item of potential heritage significance, with the significance of the property being recorded as 'house & garden'.

<sup>24</sup> St George District Amateur Athletic Club, *60<sup>th</sup> Annual Report and Statement of Accounts 1981*, accessed 4 July 2023, [https://sgdac.runchive.com/files/documents/annual\\_report/60th\\_Annual\\_Report.pdf](https://sgdac.runchive.com/files/documents/annual_report/60th_Annual_Report.pdf).

<sup>25</sup> NSW Land and Property Information, 2023. CT Vol. 14785 Fol. 164 & Fol.165

<sup>26</sup> Kyriacos Kyriacou, Mary Kyriacou and Bonhomie Pty Limited v Kogarah Municipal Council and Sophie Antoniadis No. 13869/92 [1995] NSWSC 32 (8 September 1995)

<sup>27</sup> Ibid.

<sup>28</sup> Tropman and Tropman Architects, October 1994. '*Kogarah Heritage Study Stages I and II*'.

<sup>29</sup> Ibid.

TROPMAN & TROPMAN ARCHITECTS			60
KOGARAH HERITAGE STUDY			OCTOBER 1994
			REFERENCE
GROUP 1			
INVENTORY FOR KOGARAH HERITAGE STUDY			
AREA 1	2217: KOGARAH, BEVERLEY PARK, KOGARAH BAY		As at October 1994
26	1.68	ENGLISH STREET HOUSE GROUP 52 English Street (house & garden) See English Street House Group GROUP 2	RN 8762/NN 05
27	1.85	186 Princes Highway, McWilliam House (house & garden)	RN 3058/NN 09/10
28	1.89	28 Carlton Crescent 'Bayview', (house & garden)	RN 2053/NN 19 RN 1698/NN 25
29	1.90	6 - 8 Victor Street, 'Lindhurst Gallery'	RN 8370/NN 17

Figure 49: Extract of the Kogarah Heritage Study showing the identification of the site as a potential item of heritage significance.  
[Source: EHC technical library]



Figure 50: 'Bayview' as viewed from Kogarah Bay, c1993. This image was included in the inventory sheet for the site per the Kogarah Heritage Study 1994.  
[Source: Georges River Library Local Studies Collection]

'Bayview' was subsequently identified as an item of local heritage significance on *Schedule 3 Heritage Items* of the *Kogarah Local Environmental Plan 1998*. The heritage item was identified by name, address, description of the item and classification (level of listed significance).

The heritage listing of 'Bayview' was identified as Lot 21, 28 Carlton Crescent, Kogarah Bay and described as 'house and front garden'.<sup>30</sup>

<sup>30</sup> NSW Legislation website. *Kogarah Local Environmental Plan 1998 – Schedule 3 Part 1 Heritage Items*.





**Figure 51:** 'Bayview' as viewed from Carlton Crescent c1993. This image was included in the inventory sheet for the site per the *Kogarah Heritage Study 1994*.

[Source: Georges River Library Local Studies Collection]

#### 4.8 Late 20<sup>th</sup> century to the present-day

'Bayview' was sold in 1998 and then again in 2001, before being sold in 2010 to the present owners.

In early 2023, a Development Application was submitted to Georges River Council involving the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.

On 24 May 2023, Georges River Council made an Interim Heritage Order No.2 relating to Lot 22 of Section 15 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023.

## 5.0 HERITAGE LISTING STATUS

### 5.1 Introduction

Identification of the existing statutory and non-statutory heritage listings applicable to the subject site is as follows:

### 5.2 Statutory heritage listings

Statutory registers and lists provide legal protection for heritage items. Within New South Wales, legal protection generally comes from the *Heritage Act 1977* and the *Environmental Planning and Assessment Act 1979* (EP&A 1979).

Places on the National Heritage List are protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999).

The following identifies the statutory heritage listings applicable to 'Bayview', 28 Carlton Crescent, Kogarah Bay.

a) *UNESCO – World Heritage Register*

The site is not listed on the World Heritage Register.

b) *Australian Heritage Council – Australian Heritage Database*

The site is not listed on the Australian Heritage Database.

c) *Heritage Council of NSW – State Heritage Register*

The site is not listed on the State Heritage Register (SHR).

d) *Georges River Local Environmental Plan 2021*

The site **is** listed as an item of local heritage significance (Item No.I208) on Schedule 5 Environmental Heritage of the Georges River Local Environmental Plan 2021.

However, the listing of Item I208 (described as 'House and front garden, "Bayview"') relates only to Lot 21 in Section 15 of Deposited Plan 1963, with the listing referring to the property as 28A Carlton Crescent.

The site **is not** located within a Heritage Conservation Area (under Schedule 5 of the Georges River Local Environmental Plan 2021).



**Figure 52:** Map showing the heritage status of the subject site and surrounding allotments. The subject site is denoted by red outline. [Source: Georges River LEP 2021, Heritage Map HER\_011, with EHC overlay]

e) *Heritage Act 1977 – Interim Heritage Order*

The inscription of the heritage item on Schedule 5 Environmental Heritage of the *Georges River LEP 2021* identifies the heritage item as 'house and front garden' and identifies the listing as relating to 28A Carlton Crescent and only Lot 21.

This is evident in the mapping in the *Georges River LEP 2021*, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling known as 'Bayview', the former boat shed and numerous semi-mature palm trees. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.

A Development Application was submitted to Georges River Council in early 2023 (DA2023/0025), which proposes the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.

On 24 May 2023, Georges River Council made an Interim Heritage Order ('IHO') relating to Lot 22 of Section 15 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023.

In this manner, Lot 22 is afforded temporary statutory protection by the IHO, with the IHO remaining in force for a period of six (6) months from the date of publication in the NSW Government Gazette, meaning the IHO remains in place until 26 November 2023.

A copy of the IHO is appended to this report (see **Appendix C**).

### 5.3 Non-statutory heritage listings

Non-statutory registers and listings are an advisory registry of items or places, which have heritage significance.

Unlike statutory registers, non-statutory registers and lists do not provide legal protection.

The following identifies the non-statutory heritage listings applicable to 'Bayview' 28A Carlton Crescent, Kogarah Bay.

a) *Commonwealth Government – Register of the National Estate*

The site is not listed on the Register of the National Estate.

b) *National Trust of Australia – National Trust Register*

The site is not listed on the National Trust Register.

c) *Royal Australian Institute of Architects – 20<sup>th</sup> Century Buildings Register*

The site is not listed on the 20<sup>th</sup> Century Buildings Register.

d) *Art Deco Society*

The site is not listed on the Register.

e) *Section 170 Register*

The site is not owned by a government agency; therefore it is not listed on any s170 Register.

#### 5.4 **Items of heritage significance within the vicinity of the site**

For the purposes of this assessment, the term 'in the vicinity' is taken to be any item or items that:

- i) Are within an approximate 100m radius of the boundaries of the subject site.
- ii) Have a physical relationship to the subject site i.e., adjoin the property boundary.
- iii) Are identified as forming a part of a group i.e., a row of terrace houses.
- iv) Have a visual relationship to and from the site.
- v) Are a combination of any of the above.

In applying the above criteria, there are no items of local heritage significance (listed under Schedule 5 of the *Georges River LEP 2021*) within the vicinity of the subject site.

There are no items of State heritage significance (listed on the State Heritage Register (SHR) under the *Heritage Act 1977*) within the vicinity of the subject site.

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## 6.0 EXISTING HERITAGE SIGNIFICANCE ASSESSMENTS

### 6.1 Existing description of the heritage item – 'House and front garden, "Bayview"'

The NSW State Heritage Inventory (SHI No.1870558) (see **Appendix B**) provides a physical description of 'House and front garden, "Bayview"' as follows:

*'Face brick with stucco gables. Lead light windows. Tiled Roof. Mature plantings of phoenix canaviensis.'* [sic]

### 6.2 Existing Statement of Cultural Significance – 'House and front garden, "Bayview"'

The NSW State Heritage Inventory (SHI No.1870558) (see **Appendix B**) provides a Statement of Cultural Significance of 'House and front garden, "Bayview"' as follows:

*'The bungalow located on the water represents a transition of people with a changing perception of the dirty city, to a healthy area that provided water facilities such as boating and fishing etc close at hand.*

*It is an excellent example of a Federation Californian Bungalow and garden.'*

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## 7.0 HERITAGE CURTILAGE ASSESSMENT

### 7.1 Introduction to heritage curtilage

The NSW Heritage Council publication *Heritage Curtilages*<sup>31</sup> defines 'curtilage' as the area of land surrounding an item or area of heritage significance, which is essential for retaining and interpreting its heritage significance.

This area is most commonly, but not always, the lot or lots on which the item is situated and is usually, but not always, restricted to land in the same ownership as the item.

It is important to note that the heritage curtilage for an item or place or heritage significance does not preclude development within the defined heritage curtilage boundary, but requires particular care in the consideration of the nature and extent of such development.

A suitable heritage curtilage should contain all elements, structures and features that contribute to the heritage significance of the site, including, but not limited to:

- a) The historic site boundaries;
- b) Significant buildings and structures including their settings;
- c) Spatial relationships between buildings, landscape features and other important structures;
- d) Significant or important views both to and from the place; and
- e) Any items of moveable heritage significance.

The Australia ICOMOS *Burra Charter 2013* places increased emphasis on the importance of the settings of cultural heritage places, which states that:

*'Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place.'*

*New construction, demolition, intrusions, or other changes that would adversely affect the setting or relationship are not appropriate' (Article 8).*

The Heritage Council of NSW publication *Heritage Curtilages*<sup>32</sup> identifies four different types of heritage curtilages:

TABLE 1 – Heritage curtilage definitions	
Heritage Curtilage Type	How is the heritage curtilage defined?
<i>Lot boundary heritage curtilage</i>	The legal boundary of the allotment is defined as the heritage curtilage. The allotment will in general contain all related features, for example outbuildings and gardens within its boundaries.
<i>Reduced heritage curtilage</i>	An area less than total allotment is defined as the heritage curtilage, and is applicable where not all parts of a property contain places associated with its significance.
<i>Expanded heritage curtilage</i>	The heritage curtilage is actually larger than the allotment, and is predominantly relevant where views to and/or from a place are significant to the place.
<i>Composite heritage curtilage</i>	The heritage curtilage relates to a larger area that includes a number of separate places, such as heritage conservation areas based on a block, precinct or whole village.

Subsequently, care must be taken in the development and management of the surroundings of a significant cultural heritage place.

<sup>31</sup> NSW Heritage Office and the Department of Urban Affairs and Planning. 1996. '*Heritage Curtilages*'

<sup>32</sup> Ibid.

## 7.2 Heritage curtilage assessment

The site is presently identified as an item of local heritage significance, listed on Schedule 5 of the *Georges River LEP 2021*.

The existing heritage listing relates to Lot 21 of Section 15 in Deposited Plan 1963, which means that the heritage listing is defined by and relates to, the entirety of Lot 21, or in other words, defined by the lot boundaries.

The existing heritage listing of the site (Lot 21) references the house and 'front garden', implying that the landscaped gardens extending over onto Lot 22 and even at the rear of the dwelling on Lot 21, are of lesser significance, or no significance at all.

An examination of the existing front garden in the conventional sense of the word, that is, the landscaped area between the street-facing front boundary and the street-facing front elevation of the dwelling, comprises a simple landscaped area, mostly open grass with a dense hedge that delineates the front boundary, of which is considered a contemporary planting to the site. One of the mature Canary Island Palms are situated within the front garden areas immediately in front of the dwelling, however there are no other notable or distinguishing features within the 'front garden' area. Consequently, the listing of the 'front garden' is erroneous as it fails to capture the substantial gardens that envelope the dwelling from the front elevation, wrapping around the northeastern side (Lot 22) and back to the rear of Lot 21.

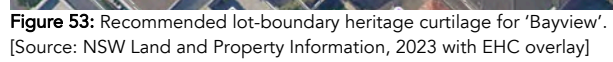
It is evident from a visual examination of the site together with historical land titles, that the site was always intended to be comprised of both Lot 21 and Lot 22, evident in the original purchase of two adjoining lots and continued ownership of the same, together with the deliberate regard the dwelling has for its broader landscaped setting and visual relationship with the ancillary structures. Both Lot 21 and Lot 22 rely on each other to complete the historical narrative of the site, retain the original design intent, and protect the setting, significant fabric and landscaped features as well as physical and visual relationships.

The deliberate design of the dwelling and arrangement of ancillary structures is evident in 1937 and 1943 aerial photography, from which the following key observations can be made:

- a) The extant structures and landscaped setting (inclusive of the numerous Canary Island Palms) on the site display a high degree of integrity, having been largely unaltered since the early inception of the site, whereby having historical significance.
- b) The dwelling, boatshed, garage and summerhouse are each positioned in each of the four corners of the site, creating a large landscaped garden area, with interconnecting pathways.
- c) The footprint of the dwelling is substantially larger by comparison to other extant dwellings in the street at the time, demonstrating a deliberate and clear intent for a more 'substantial' dwelling and garden setting, and the design of the dwelling to have a strongly defined side elevation that exploits views over the garden setting.

## 7.3 Recommended heritage curtilage

The curtilage assessment establishes that a expanded heritage curtilage (defined by the existing allotment boundaries, but comprising both Lot 21 and Lot 22 in Section 15 of Deposited Plan 1963) is appropriate in any future management of the site as a heritage item, so as to preserve the context, setting and visual and physical relationships.



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## 8.0 COMPARITIVE ANALYSIS

### 8.1 Introduction

Comparative analysis of the site is an important consideration in the assessment of cultural significance (see Section 9), helping to determine whether a place is 'rare' or 'representative' and helps to locate it within patterns of history or activity.

The level of design and condition integrity may impact upon how a site compares with other similar examples.

It is important that the comparative analysis is based upon selected examples that display similarities in terms of context of place, or share key features, use, characteristics, attributes, style, association and / or historic themes.

This section of the report examines 'Bayview' in the context of place, with the following selection criteria applied:

- Early 20<sup>th</sup> century Inter-War period waterfront housing with ancillary structures such as boat sheds in the Georges River Council local government area and built following speculative residential subdivision (i.e not built pre-dating the subdivision of the surrounding allotments).
- Houses built by Frederick Rowe in the surrounding locality.

#### 8.1.1 Selection of comparative examples

Given the lineal distance of waterfront land within the Georges River Council local government area, there are many residential properties that benefit from direct waterfrontage. A review of contemporary aerial photography shows numerous waterfront properties with boatsheds and other similar ancillary structures, meaning waterfront residential properties with a boatshed and other ancillary structures are not uncommon.

Distilling this, a search of the NSW State Heritage Inventory (SHI) and the various heritage studies of the Georges River Council local government area (LGA), identifies numerous heritage items that are residential properties enjoying a waterfront situation. These range from:

- 'Carss Cottage' in Carss Park, which is a late 19<sup>th</sup> century Victorian era property [Item No.I45]
- 'Palmyra' in Vista Street, Sans Souci, which is an early 20<sup>th</sup> century Federation period dwelling [Item No.I310].
- 'House and garden' in Stuart Street, Blakehurst, which is a mid-20<sup>th</sup> century dwelling [Item No.I14].
- 'Cuzco' in The Promenade, Sans Souci, which is an early 20<sup>th</sup> century Inter-War bungalow [Item No.I309].

#### 8.1.2 Early 20<sup>th</sup> century Inter-War period waterfront housing in Georges River

Of the search results, 'Cuzco' at 169 The Promenade, Sans Souci [Item No.I309] is the only example of an early 20<sup>th</sup> century Inter-War Bungalow that has ancillary structures and garden setting listed and is a waterfront property.

A comparative analysis of the selected example is provided below.

a) *'Cuzco' – 169 The Promenade, Sans Souci*

'Cuzco' is a fine representative example of a substantially intact single-storey Inter-War Californian Bungalow, notable for its overall design, contemporary garage and original brick and iron front boundary fence.



Situated on a corner allotment, the site has visual prominence in the streetscape, with a hatchet-shaped allotment extending to the waterfront where the property has direct access to Kogarah Bay. The present subdivision pattern evidences that the site has been further subdivided, having originally had wider frontage to Kogarah Bay.

The dwelling is described as making a positive contribution to the streetscape and retains many original distinctive features, such as the gabled roof form with large gables presenting to the side elevations, facebrick walls in a stretcher bond and of dark 'liver' bricks to the front elevation and common brick to the remainder of the dwelling, with a rendered stucco base to the walls.

The dwelling retains a garden setting, with numerous established plantings, including palms and has a defining masonry and iron fence along the front boundary.

TABLE 2 – Comparative analysis evaluation		
Indicator	Response	Similar ✓/X
Class of building	'Cuzco' is a detached style dwelling	✓
Level of significance	'Cuzco' is identified as an item of local heritage significance	✓
Context	'Cuzco' is situated on a corner allotment	X
Allotment	'Cuzco' is situated on a single allotment	X
Location	'Cuzco' has waterfront access, but via a small access handle	✓
Design integrity	'Cuzco' is considered substantially intact	✓
Condition	'Cuzco' is considered in very good repair	✓
Setting	Set within an established garden setting	✓
Use	'Cuzco' maintains a residential land use	✓
Remaining structures	Detached garage	✓
Architectural Style	Inter-War Californian Bungalow	✓
Materiality	Face brick with terracotta tile roofing	✓
Scale	Single storey with large building footprint	✓

'Cuzco' displays similarities to 'Bayview', however there are a number of distinct differences. 'Cuzco' is situated on a single allotment, which evidences previous re-subdivision and subsequent development of the intervening allotment, whereby 'Cuzco' no longer has uninterrupted views and relationship to Kogarah Bay. 'Bayview' is situated over two allotments and retains the original subdivision pattern from 1911, together with its uninterrupted views and relationship to Kogarah Bay.

'Cuzco' is considered a very fine and representative example of the Inter-War Californian Bungalow architectural style, yet does not exhibit the same level of overt detailing and embellishment found in 'Bayview'. In particular, 'Cuzco' employs the traditionally more expensive 'liver bricks' to the front elevation with common bricks used on all other elevations of the dwelling, whereas 'Bayview' is consistently comprised of dark liver bricks on all full elevations.

'Cuzco' has an asymmetrical composition, which is similar to 'Bayview', but has a loft level within the roof form, whereas 'Bayview' is single storey. 'Cuzco' has also been modified from its original form, with sympathetic additions extending off the rear (waterfront) elevation, whereas 'Bayview' retains a high degree of design integrity, having not previously been extended horizontally or vertically.

The garden setting of 'Cuzco' complements the dwelling, though much of the space has been lost from subdivision and the remaining garden areas are largely at the front of the dwelling and do not contain any significant or notable early plantings. There are two extant Cocos Palms, which appear to have been planted in the late 20th century.

While 'Cuzco' is considered a fine example of its style and class and is identified as a listed item of local heritage significance in its own right, 'Cuzco' has distinct differences from 'Bayview',

amplifying the rarity and unique and uncommon characteristics of 'Bayview' and its garden setting.

### 8.1.3 Houses built by Frederick Rowe

Section 4 of this report establishes the historical context of 'Bayview', which evidences that the dwelling was built c1928 by local builder Frederick Rowe.

Frederick Rowe is documented as having built numerous houses and commercial buildings in the Kogarah locality, with 28 Carlton Crescent, Kogarah Bay listed not only as his place of residency (per Sands Directories and land title records) but also as his business address (per newspaper advertisements).

Known examples of Rowe's residential works include:

- i) A house at 9 Carlton Crescent, Kogarah Bay (demolished c2015), which is where Rowe is recorded as residing prior to building 'Bayview' (see Figure 42 of this report).
- ii) Two houses in Torwood Street, Sans Souci (possibly No.9 and No.15).
- iii) A house in Ramsgate Road, Beverley Park (possibly No.50).
- iv) A house in Park Road, Kogarah Bay (possibly No.100).

None of the above listed examples are identified as listed items of heritage significance and a detailed historical analysis of each property has not been undertaken so they cannot be cogently attributed to the work of Rowe.

Each of the above listed examples display characteristics attributed to the early 20<sup>th</sup> century Inter-War period and of the Californian Bungalow architectural style, with a mix of detached style and semi-detached dwellings.

The former dwelling at 9 Carlton Crescent displayed a remarkable resemblance to 'Bayview', being a near exact mirror in composition, with a single large and elaborately detailed gable presenting to the front and rear, three-sided bay windows on the side elevation and a deep verandah framed by bullnosed brick balustrade and scalloped edges. The design integrity of 9 Carlton Crescent however, had been diminished by what appears a later conversion of the roof void for an attic level, with large dormer windows punctuating the roof planes. The external brick walls had also been rendered.

9 Carlton Crescent was also situated on a single allotment and occupied a corner site, making it visually distinctive in the street, but did not enjoy the deep landscaped garden setting as exists at 'Bayview'. Furthermore, 9 Carlton Crescent did not include any ancillary structures such as a shed or garage nor did it have direct water frontage. It would nonetheless, likely have enjoyed some water views being situated on the higher side of Carlton Crescent.

The other known examples of Rowe's work each display similarities in themselves, particularly through the large single gable presenting to the street front elevation, which is a consistent (and possibly a 'signature') design element evident in each of Rowe's domestic work. However, a consistent feature of the other examples is that they are modest sized dwellings, typically situated on a single allotment. None of the other examples enjoy waterfrontage nor do they include ancillary structures that demonstrate a deliberate regard to the dwelling. They are each considered typical but unremarkable examples of the style and class.

### 8.1.4 Summary observations of the comparative analysis

From the comparative analysis, there is only one other known example of an early 20<sup>th</sup> century Inter-War Californian Bungalow with water frontage and ancillary structures that demonstrate a deliberate regard to the dwelling.

As discussed above, the example of 'Cuzco' at 169 The Promenade, Sans Souci, shows some similarities to 'Bayview', however is more dissimilar than it is similar, with 'Bayview' displaying superiority in its design, architectural embellishments and detailing. 'Bayview' retains its original boatshed, garage and summerhouse, expanding over two adjoining allotments and with those lots together retaining their original c1911 configuration. 'Bayview' has also retained an uninterrupted view and relationship with Kogarah Bay.

'Bayview' retains its original established landscaped garden, while 'Cuzco' has been reduced and diminished from subdivision. 'Cuzco' also does not contain significant tree plantings or other landscape features. Unlike 'Bayview', 'Cuzco' has a higher degree of visual prominence in the streetscape, being situated on a corner allotment and not obscured by existing vegetation.

In considering other known domestic work by Frederick Rowe, while the selected examples cannot be cogently attributed to Frederick Rowe, they do show similarities and consistencies which strongly hint at being Rowe's work. The former dwelling at 9 Carlton Crescent (demolished c2015) is the only other known example to show remarkable resemblance to 'Bayview', being a near mirror image of the dwelling.

Despite the similarities between 9 and 28 Carlton Crescent, 9 Carlton Crescent is more restrained in its detailing, lacking the large distinctive bay windows and numerous other embellishments that have been employed at 'Bayview', such as the stucco render and the bas-relief plaster panels. However, imagery available online from a c2011 real estate sales campaign for 9 Carlton Crescent, showed that the dwelling had elaborately detailed leadlight glass windows and tessellated tile flooring to the verandah. Internally, timber floors were laid in a herringbone pattern, with the dwelling displaying a higher-than-usual degree of craftsmanship and detailing.

The historical analysis in Section 4 documents that Rowe lived at 9 Carlton Crescent before relocating to 28 Carlton Crescent and it is thought that Rowe may have built 9 Carlton Crescent as a prototype to what would be built at 28 Carlton Crescent.

'Bayview' was also likely used by Rowe to showcase his craftsmanship to prospective clients, exhibiting an unequivocal superiority to the other examples of his work and demonstrates features which are inconsistent with the numerous indicators applied, appearing to be a rare example of its style and class.

The size and integrity of the site makes it particularly unique in comparison to other similar sites selected. Each of the other examples lack the integrity of their early 20<sup>th</sup> century curtilage and the physical and visual connections with the waterfront, which is demonstrated in 'Bayview'. 'Bayview' retains its original 1911 allotment boundaries and is unique in that the placement of the extant structures in all four corners of the cumulative site, demonstrates a deliberate intent for the site to have been developed as two adjoining lots. None of the other examples retain, or ever had, a separate boatshed, garage and summerhouse, nor do any of the other sites have an expansive garden setting.

'Bayview' is considered easily understood as a representation of its early 20<sup>th</sup> century history and appears to be rare and unique within the local context, having no known equal.

## 9.0 ASSESSMENT OF CULTURAL SIGNIFICANCE

### 9.1 Introduction

Within New South Wales, there are different types of statutory heritage listings for local, State and national heritage items.

A property is considered a 'heritage item' if it is:

- Listed in the heritage schedule of a local Council's Local Environmental Plan (LEP) or a State Environmental Planning Policy (SEPP); or
- Listed on the State Heritage Register (SHR), a register of places and items of particular importance to the people of NSW; or
- Listed on the National Heritage List established by the Australian Government to list places of outstanding heritage significance to Australia.

### 9.2 Identifying heritage significance

Assessments of heritage significance aim to identify whether a place has heritage values, establish what those values may be, and determine why the item or place (or element of a place) may be considered important and valuable to the community.

The terms 'heritage value' and 'heritage significance' are broadly synonymous with 'cultural significance', which is the term that the Burra Charter uses to mean '*aesthetic, historic, scientific or social value for past, present or future generations*'<sup>33</sup>.

These definitions are broadly consistent with the definitions used and adopted by other organisations including the Australian Heritage Council, the National Trust of Australia (NSW) and the Heritage Division (Office of Environment and Heritage).

Assessments of cultural significance rely on an understanding and analysis of these values, which have been derived from an examination of the context of the item or place, the way in which the extant fabric demonstrates function, associations and aesthetic qualities. An understanding of the historical context of an item or place and consideration of the physical evidence are therefore, key components in the heritage significance assessment.

In order to make informed decisions regarding the ongoing use and future management of 'Bayview', it is necessary to establish the nature of the significance involved.

Article 26.1 of the *Burra Charter* states that:

*'Work on a place should be preceded by studies to understand the place which should include analysis of physical, documentary oral and other evidence, drawing on appropriate knowledge, skills and disciplines.'*

### 9.3 Methodology

The assessment of cultural significance follows the methodology recommended in *Assessing Heritage Significance*<sup>34</sup> by using the NSW Heritage Assessment Criteria and is consistent with the guidelines as set out in the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter 2013)*<sup>35</sup>.

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<sup>33</sup> Australia ICOMOS, 2013. '*The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*', 2013.

<sup>34</sup> NSW Heritage Branch, 2001. '*Assessing Heritage Significance*'.

<sup>35</sup> Australia ICOMOS, 2013. '*Burra Charter*'.



An item or place will be considered to be of heritage significance if it meets at least one or more of the following criteria:

TABLE 3 – Significance Assessment Criteria		
Criterion:	Significance theme:	Explanation:
<b>Criterion (a)</b>	Historical	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion (b)</b>	Historical association	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion (c)</b>	Aesthetic	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
<b>Criterion (d)</b>	Social	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
<b>Criterion (e)</b>	Technical / Research	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion (f)</b>	Rarity	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
<b>Criterion (g)</b>	Representative	An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places or cultural or natural environments.

It is important to note that only one of the above criteria needs to be satisfied for an item or place to have heritage significance. Furthermore, an item or place is not excluded from having heritage significance because other items with similar characteristics have already been identified or listed.

## 9.4 Assessment against NSW Heritage Assessment Criteria

### 9.4.1 Criterion (a) – Historical Significance

An item or place is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

TABLE 4 – Criterion (a) – Historical Significance					
Guidelines for Inclusion		✓/X	Guidelines for Exclusion		✓/X
•	Shows evidence of a significant human activity.	✓	•	Has incidental or unsubstantiated connections with historically important activities or processes.	X
•	Is associated with a significant activity or historical phase.	✓	•	Provides evidence of activities or processes that are of dubious historical importance.	X
•	Maintains or shows the continuity of a historical process or activity.	✓	•	Has been so altered that it can no longer provide evidence of a particular association.	X

### Assessment of Significance

- 'Bayview' at 28 Carlton Crescent, Kogarah Bay, is of historical significance at the local level as it evidences early residential development in Kogarah Bay following the speculative subdivisions of earlier land grants into residential allotments and the resulting residential development that ensued.
- 'Bayview' is historically significant as it evidences the changing attitudes to living in the city and established populated areas, preferring instead to develop the outer suburbs in a desire for a healthier lifestyle and environment.

- 'Bayview' is historically significant as it retains strong evidence of the original 1911 subdivision pattern, together with its original boathouse, garage / workshop and summerhouse, together with much of the original landscape plantings and theme, which allows the property to be easily understood as a representation of its early 20<sup>th</sup> century history.

'Bayview' satisfies this criterion in demonstrating historical significance at a local level.

#### 9.4.2 Criterion (b) – Historical Association Significance

An item or place has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

TABLE 5 – Criterion (b) – Historical Association Significance			
Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Shows evidence of a significant human occupation.	✓	• Has incidental or unsubstantiated connections with historically important people or events.	X
• Is associated with a significant event, person or group of persons.	✓	• Provides evidence of people or events that are of dubious historical importance.	X
		• Has been so altered that it can no longer provide evidence of a particular association.	X

#### Assessment of Significance

- 'Bayview' is of historical associative significance for its strong association with builder, Frederick Rowe, who is attributed with building the dwelling and ancillary structures in or about 1928 as his own home and place of business. Rowe is attributed with having built numerous houses in and around Kogarah throughout the 1920s and 1930s period.
- 'Bayview' was also likely used by Rowe to showcase his craftsmanship to prospective clients, exhibiting an unequivocal superiority to the other examples of his work and demonstrates features which are unparalleled in his other work, with a high degree of ornamentation and quality craftsmanship.

'Bayview' satisfies this criterion in demonstrating historical associative significance at a local level.

#### 9.4.3 Criterion (c) – Aesthetic Significance

An item or place is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

TABLE 6 – Criterion (c) – Aesthetic Significance			
Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Shows or is associated with, creative or technical innovation or achievement.	✓	• Is not a major work by an important designer or artist.	X
• Is the inspiration for a creative or technical innovation or achievement.	✓	• Has lost its design or technical integrity.	X
• Is aesthetically distinctive.	✓	• Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded.	X
• Has landmark qualities.	✓	• Has only a loose association with a creative or technical achievement.	X
• Exemplifies a particular taste, style or technology	✓		

### Assessment of Significance

- 'Bayview' exhibits quality craftsmanship with overt detailing and embellishments, making it a fine and highly distinctive example of an early 20<sup>th</sup> century Inter-War Californian Bungalow.
- The aesthetic qualities and visual distinctiveness of 'Bayview' is directly enhanced by the double-allotment width, which creates a generously proportioned garden setting with numerous significant landscape plantings extant, protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site.
- The sensory appeal and aesthetic values of the site are also directly enhanced by uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay at the rear, with the original allotment configuration having been retained.
- The incorporation of multiple large bay windows and verandahs to the dwelling evidence a deliberate design approach to celebrate the contrived aesthetic values of the expansive garden setting and water views.
- 'Bayview' and its garden setting is visually distinctive in the street and broader landscape through the uncharacteristically wide presentation to Carlton Crescent, with the property distinguished by the large collection of mature Canary Island Palms.
- 'Bayview' exhibits a high degree of aesthetic quality that is unparalleled in other similar Inter-War period bungalows, with 'Bayview' retaining its original elements, site features, garden setting, subdivision pattern and visual and physical relationships. This makes 'Bayview' visually distinctive and an exemplar of its style and class because of its setting.

'Bayview' satisfies this criterion in demonstrating aesthetic significance at a local level.

#### 9.4.4 Criterion (d) – Social Significance

An item or place has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

TABLE 7 – Criterion (d) – Social Significance					
Guidelines for Inclusion		✓/X	Guidelines for Exclusion		✓/X
•	Is important for its associations with an identifiable group.	✓	•	Is only important to the community for amenity reasons.	X
•	Is important to a community's sense of place.	✓	•	Is retained only in preference to a proposed alternative.	X

### Assessment of Significance

- 'Bayview' contributes to the community's sense of place, being a visually distinctive feature of the local landscape.
- Having functioned throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events, 'Bayview' is likely to have social significance and importance to the local and broader community, particularly those who attended social events at the property.

'Bayview' satisfies this criterion in demonstrating social significance at a local level.



#### 9.4.5 Criterion (e) – Technical / Research Significance

An item or place has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

TABLE 8 – Criterion (e) – Technical / Research Significance			
Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> <li>Has the potential to yield new or further substantial scientific and/or archaeological information</li> </ul>	✓	<ul style="list-style-type: none"> <li>The knowledge gained would be irrelevant to research on science, human history or culture.</li> </ul>	X
<ul style="list-style-type: none"> <li>Is an important benchmark or reference site or type.</li> </ul>	✓	<ul style="list-style-type: none"> <li>Has little archaeological or research potential.</li> </ul>	X
<ul style="list-style-type: none"> <li>Provides evidence of past human cultures that is unavailable elsewhere.</li> </ul>	X	<ul style="list-style-type: none"> <li>Only contains information that is readily available from other resources or archaeological sites.</li> </ul>	✓

#### Assessment of Significance

- 'Bayview' exhibits an unusually high degree of ornamentation and quality craftsmanship, with numerous distinguishing, unusual and uncommon features that suggest Rowe used the dwelling to showcase his craftsmanship to prospective clients.
- The dwelling exhibits construction techniques and features which are uncommon to the style and class of domestic building, particularly evidenced in the large floor area and matching ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and the innovative use of the splayed ceiling panelling to follow the roof profile and maximise the perceived and actual spaciousness internally.
- The high-quality craftsmanship combined with the incorporation of uncommon construction techniques and features, makes 'Bayview' an important benchmark and reference site.

'Bayview' satisfies this criterion in demonstrating technical / research significance at a local level.

#### 9.4.6 Criterion (f) – Rarity

An item or place possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

TABLE 9 – Criterion (f) – Rarity Significance			
Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> <li>Provides evidence of a defunct custom, way of life, or process.</li> </ul>	✓	<ul style="list-style-type: none"> <li>Is not rare.</li> </ul>	X
<ul style="list-style-type: none"> <li>Demonstrates a process, custom or other human activity that is in danger of being lost.</li> </ul>	X	<ul style="list-style-type: none"> <li>Is numerous but under threat.</li> </ul>	X
<ul style="list-style-type: none"> <li>Shows unusually accurate evidence of a significant human activity.</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Is the only example of its type.</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Demonstrates designs or techniques of exceptional interest.</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Shows rare evidence of a significant human activity important to the community</li> </ul>	✓		

### Assessment of Significance

- 'Bayview' is attributed to the work of local builder Frederick Rowe, having been built c1928. Rowe is credited with having built numerous houses around Kogarah during the 1920s and 1930s period, however 'Bayview' is considered his best and most distinguished work.
- Other examples of Rowe's domestic work display similarities in themselves, yet 'Bayview' exhibits an unparalleled superiority in the quality of craftsmanship and detailing, containing numerous design features that are unique to 'Bayview', including the distinctive large bay windows and curved balcony as well as many distinct internal features, including the elaborate leadlight windows, timber flooring and ceiling panelling.
- 'Bayview' is a highly intact early 20<sup>th</sup> century residential property which displays deliberate design intent to address the expansive garden setting and waterfrontage, and is both unusual and uncommon as it is spread across two adjoining allotments, having been originally purchased together and continually maintained as such.
- 'Bayview' evidences early 20<sup>th</sup> century marine activity, including a boatshed and summerhouse, both built right on the water's edge and the retention of the boatshed, garage / workshop and summerhouse is exceptionally rare in the local context, demonstrating rarity significance accordingly.

'Bayview' satisfies this criterion in demonstrating significance through the item's rarity at a local level.

#### 9.4.7 Criterion (g) - Representativeness

An item or place is important in demonstrating the principal characteristics of a class of NSW's:

- Cultural or natural places; or
- Cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments.).

TABLE 10 – Criterion (g) – Representative Significance			
Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Is a fine example of its type.	✓	• Is a poor example of its type.	X
• Has the principal characteristics of an important class or group of items.	✓	• Does not include or has lost the range of characteristics of a type.	X
• Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity.	✓	• Does not represent well the characteristics that make up a significant variation of a type.	X
• Is a significant variation to a class of items.	✓		
• Is part of a group which collectively illustrates a representative type.	✓		
• Is outstanding because of its setting, condition or size.	✓		
• Is outstanding because of its integrity or the esteem in which it is held.	✓		

### Assessment of Significance

- 'Bayview' is described as a single storey dwelling, which displays characteristics attributed to the early 20<sup>th</sup> century Inter-War period and of the Californian Bungalow architectural style.
- Built c1928 by local builder Frederick Rowe, the dwelling exhibits a high degree of design integrity, having been little altered. It exhibits fine craftsmanship, with exceptional detailing that is

uncommon to the architectural style and domestic scale of the building. 'Bayview' is considered of remarkable quality and detailing, making it of high architectural interest and value as an excellent representative example of the style and class.

- The dwelling is complemented by a freestanding boatshed, garage / workshop and summerhouse, each of which exhibit similarity in design and language, having each been constructed around the same time. The high degree of design integrity and intactness of each of the structures make an important group setting of outstanding quality, enhanced by the retention of the original allotment boundaries and garden setting. Collectively, the site is representative of an early 20<sup>th</sup> century waterfront property.
- The garden setting spread over two adjoining allotments continue to communicate the early functions and relationships, retaining many original landscape plantings including the Canary Island Palms, pathways and front fence.

'Bayview' satisfies this criterion in demonstrating representative significance at a local level.

## 9.5 Summary level of significance

The following table summarises the assessed level of significance against each criterion for assessing heritage significance:

TABLE 11 – Assessed levels of significance	
Criterion	What is the assessed level of significance?
Criterion (a) – Historical Significance	LOCAL
Criterion (b) – Historical Association Significance	LOCAL
Criterion (c) – Aesthetic Significance	LOCAL
Criterion (d) – Social Significance	LOCAL
Criterion (e) – Technical / Research Significance	LOCAL
Criterion (f) – Rarity Significance	LOCAL
Criterion (g) – Representativeness Significance	LOCAL
<b>Overall assessed level of cultural significance</b>	<b>LOCAL</b>

## 9.6 Statement of Cultural Significance

A statement of cultural significance is a declaration of the value and importance given to a place or item, by the community. It acknowledges the concept of a place or item having an intrinsic value, which is separate from its economic value.

Based upon the assessment of cultural significance in Section 9 above, a Statement of Cultural Significance has been developed as follows:

*'Bayview' at 28 Carlton Crescent, Kogarah Bay, is an Inter-War period waterfront property, containing the main dwelling known as 'Bayview', together with its original detached boatshed, garage / workshop and summerhouse – all of which have been designed in the Inter-War Californian Bungalow architectural style and exhibit deliberate relationship to each other.*

*The property is of historical importance as it evidences early residential development in Kogarah Bay and the changing attitudes to living in the city, instead preferring the outer suburbs in a desire for a healthier lifestyle and environment. This is further demonstrated through the original purchase of two adjoining lots to create a high-quality waterfront property.*

*Constructed c1928 by local builder Frederick Rowe as his place of residence and likely used to showcase his fine craftsmanship to prospective clients, the house exhibits exceptionally fine craftsmanship and detailing that is uncommon to the architectural style and domestic scale of the building. This detailing is unparalleled in Rowe's other domestic work, making 'Bayview' arguably his best and most distinguished work.*

*'Bayview' is considered an important benchmark and reference site for the incorporation of many distinguishing and unique features uncommon to the architectural style and domestic scale of building, notably the large ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and elaborately detailing internal flooring, ceilings and leadlight windows.*

*Each of the buildings retain a high degree of design integrity, having been little altered and collectively, the group is considered of outstanding quality, making it of high architectural interest and value as an excellent representative example of an early 20<sup>th</sup> century Inter-War period waterfront property.*

*The property has high aesthetic value and significance, being visually distinctive and unique for it comprises two adjoining allotments that create a generously proportioned and well-established garden setting with numerous original landscape plantings extant, including a large collection of Canary Island Palms. The garden setting has been self-protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site. The deliberate placement of the large bay windows in the dwelling provides a commanding and pleasant outlook over the expansive garden setting and wide water frontage.*

*'Bayview' and its setting is considered an exemplar of its style and class, retaining its original lot configuration and proportion and is strongly associated with water activity, evident through the boatshed and summerhouse and the uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay.*

*Collectively, the site is considered a rare and substantially intact example of an early 20<sup>th</sup> century Inter-War period waterfront property.*

*'Bayview' has some social significance having been used throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events.*



## 10.0 CONCLUSION AND RECOMMENDATIONS

### 10.1 Conclusion

This Heritage Significance Assessment has been prepared at the request of Georges River Council to establish the cultural heritage significance of the dwelling 'Bayview' and its setting at 28 Carlton Crescent, Kogarah Bay.

The objective of this report is to analyse, assess and establish the heritage values and cultural significance of 'Bayview' and to provide recommendations on the future management of the place.

'Bayview' is presently identified as an item of local heritage significance and is listed on Schedule 5 Environmental Heritage of the *Georges River Local Environmental Plan 2021*.

The item name on Schedule 5 of the *Georges River LEP 2021* describes the item as 'House and front garden, "Bayview"' and identifies the site as Lot 21 at 28A Carlton Crescent, Kogarah Bay. This is supported by the mapping in the *Georges River LEP 2021*, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.

It is evident from a visual examination of the site together with the historical analysis, that there was clear intention for the site to be comprised of both Lot 21 and Lot 22. This evidence is expressed through:

- i) The original purchase in 1916 of two adjoining lots from the c1911 Kogarah Bay Estate subdivision.
- ii) The continual and unsevered ownership of both of those lots since first purchase in 1916 to the present-day.
- iii) The uncharacteristically large footprint of the dwelling by comparison with other modestly-sized early dwellings in the street, made possible by the available open space on Lot 22.
- iv) The deliberate regard the dwelling has for its broader landscaped setting and visual and physical relationships with the ancillary structures, including the former boatshed, garage and teahouse / summerhouse – all interconnected by various circulation paths and set within a pleasant established garden setting that comprises a number of mature Canary Island Palms.

This Heritage Significance Assessment has reviewed the existing heritage listing and undertaken further analysis of the site and the built and landscape features thereon, additional historical research and an assessment of cultural significance, applying the NSW Heritage Assessment Criteria as established by the Heritage Council of NSW.

Both Lot 21 and Lot 22 are considered to be of equal cultural significance and neither one lot is mutually exclusive – they both rely on each other to complete the historical narrative of the site, retain the original design intent, and protect the curtilage, setting, significant fabric and landscaped features as well as physical and visual relationships.

The first identification of the site as a potential heritage item by the *Kogarah Heritage Study 1994* includes photographs that clearly depicts the substantial garden setting (inclusive of both Lots 21 and 22) as forming the key elements of significance. That study also described the site as 'house and garden', rather than the contemporary description of 'house and front garden' as appears in Schedule 5 of the *Georges River LEP 2021*.

An examination of the existing front garden in the conventional sense of the word, that is, the landscaped area between the street-facing front boundary and the street-facing front elevation of the dwelling, comprises a simple landscaped area, mostly open grass with a dense *Murraya paniculata* hedge that delineates the front boundary, which is considered a contemporary planting to the site. There are no

other notable or distinguishing features within the 'front garden' area. Consequently, it is understood that the intent of the listing of the 'front garden' was to in fact include the substantial gardens that envelope the dwelling from the front elevation, wrapping around the northeastern side (extending over Lot 22) and to the rear of the dwelling (on Lot 21).

In light of the above, there is clear evidence that the intent of the heritage listing was to include Lot 21 and Lot 22 both in their entirety and to be managed and protected as a single heritage item, though only Lot 21 was identified on Schedule 5 and mapped accordingly. This is considered erroneous and the heritage listing of the site should in fact be inclusive of both Lots 21 and 22 in Section 15 of Deposited Plan 1963.

The gazettal of Interim Heritage Order No.2 affords temporary statutory heritage protection to Lot 22. While IHO No.2 remains in force, approval is required pursuant to Section 57(1) of the *Heritage Act 1977* for any works including inter-alia, demolition, excavation, altering the building or destroying any tree or vegetation on the land.

If IHO No.2 lapses or is revoked, the demolition of the garage, summerhouse / teahouse and mature Canary Island Palms could potentially occur via a Complying Development Certificate. Demolition of those described features would have an adverse and irreversible impact on the identified heritage values and significance of the site.

Consequently, the existing heritage listing of the site (Lot 21) under Schedule 5 of the *Georges River LEP 2021* is warranted and it is appropriate that the property continue to be managed and recognised as an item of local heritage significance. However, the existing heritage listing is incomplete and should be expanded to include Lot 22 so that the entire site is afforded statutory heritage protection and thus ensuring all built and landscape elements of identified cultural significance and value are afforded appropriate statutory protection.

## 10.2 Recommendations on future management

On the basis of this Heritage Significance Assessment, the following key recommendations are made on the future management of 'Bayview' at 28 Carlton Crescent, Kogarah Bay:

1. 'Bayview' should continue to be identified as an item of local heritage significance and remain listed on Schedule 5 of the *Georges River LEP 2021*.
2. Council should prepare a Planning Proposal to amend the listing of Heritage Item No.1208 on Schedule 5 of the *Georges River LEP 2021* by making the following changes:
  - i) Revise the item name from 'House and front garden, "Bayview"' to '"Bayview" house and garden, boatshed, garage and summerhouse'.
  - ii) Revise the address from '28A Carlton Crescent, Kogarah Bay' to '28 and 28A Carlton Crescent, Kogarah Bay'.
  - iii) Revise the property description to include both Lots 21 and 22 in Section 15 of Deposited Plan 1963.
  - iv) Update the Heritage Map in the *Georges River LEP 2021* to correspond with the above changes.
3. The citation for the heritage item on the NSW State Heritage Inventory Database should be revised and updated to reflect the attached revised and updated Inventory Sheet (see **Appendix D**).
4. It is important to recognise that the identified and reassessed cultural significance of the property does not preclude any further development or changes being made or undertaken to the building and site. However, the following activities would not be considered acceptable:
  - i) Demolition of the dwelling or its ancillary structures.

- 
- ii) Removal of significant trees and other landscape elements.
  - iii) Further subdivision of the allotments (except a boundary adjustment to amalgamate Lots 21 and 22).
  - iv) Vertical additions to the existing dwelling.
  - v) Horizontal additions to the existing dwelling that involve the obscuration or removal of significant features and elements or sever visual and physical relationships.
  - vi) New development that obscures or severs visual and physical relationships.
  - vii) Removal of the existing heritage listing.
5. As an overarching principle, any changes to the site (whether through alterations and additions, change of use or new development), should be sympathetic to the identified heritage values and cultural significance of the site.
  6. It is necessary to recognise that elements and fabric identified as having exceptional and high significance have very little tolerance to change and should be retained in-situ and unaltered, excepting conservation works to ensure survival.
  7. Elements and fabric identified as having moderate significance generally have a reasonable degree of tolerance to change and adaptation, providing that any such changes are carefully considered and well informed with no resulting negative impacts on highly significant fabric or features.
  8. Elements and fabric identified as being of low significance may be retained or replaced as required, subject to exercising due care.
  9. Good conservation practice encourages change, adaptation or removal of elements that have a lesser contribution to the overall significance of the item, whereas elements that provide a high contribution to the overall significance should generally be left intact or altered in a most sympathetic manner that does not detract from the interpretation or understanding of the heritage significance.
  10. Although the zoning and the principal development standards<sup>36</sup> applicable to the site as specified in the *Georges River LEP 2021* may suggest a higher yield could be achieved on the site than what is currently achieved through the present built form, it is necessary to consider that these development controls are intended to be a 'guide' and are not a 'given right'. In this regard, the particular circumstances of the site, including environmental and built form constraints, would be taken into consideration in any redevelopment.
  11. Clause 5.10 of the *Georges River LEP 2021* establishes the statutory framework for the management, identification and protection of listed items of heritage significance. The 'heritage incentive' provisions of clause 5.10(10) are a means of exploring options for alternative uses of a heritage item. For instance, within a residential zone, certain commercial land uses may be prohibited. The heritage incentive provisions allow Council to exercise flexibility and gives the ability to grant consent to what would otherwise be a prohibited land use in the zoning of the site, provided it can be demonstrated that such a new use would result in a positive heritage outcome. It is far better to have a heritage building being occupied than one that is unoccupied, as occupied buildings are more likely to be 'looked after' and afforded the required care and ongoing maintenance.
  12. While it goes beyond the scope of this Heritage Significance Assessment to assess in detail any available opportunities for alterations and additions or new development, it may be possible to:
- 

<sup>36</sup> Principal Development Standards are specific in Part 4 of *Georges River Local Environmental Plan 2021* and include such development controls as building height, floor space ratio and minimum lot sizes.

- 
- Adaptively re-use the existing building for alternative compatible land use activities.
  - Adaptively re-use the ancillary structures for small-scaled, low-intensity and low-impact uses that provide an active and viable use of the site overall.
  - Maintain the existing single residential use.
  - Undertake small-scaled sympathetic alterations and additions.
13. A detailed heritage impact assessment would be required as part of a Development Application for any such proposal. The heritage impact assessment would need to consider in detail the impact/s that such development would have on the cultural significance of the heritage item and to demonstrate that the works would not adversely impact on or obscure, the identified heritage values.
14. Prior to the development of a specific proposal for the site, further specialist heritage advice should be sought to assist in the formulation of the proposal and to appropriately guide changes to the place.

End of Report



# Appendix A

## Common Terms Used

The following is a list of terms and abbreviations adopted for use in the NSW Heritage Manual (prepared by the Heritage Council of NSW), and other terms used by those involved in investigating, assessing and managing heritage, including terms used within this Heritage Significance Assessment:

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**Aboriginal significance:** An item is of Aboriginal heritage significance if it demonstrates Aboriginal history and culture. The National Parks and Wildlife Service has the primary responsibility for items of Aboriginal significance in New South Wales.

**Adaptation:** Modification of a heritage item to suit a proposed, compatible use.

**Aesthetic significance:** An item having this value is significant because it has visual or sensory appeal, landmark qualities and/or creative or technical excellence.

**Archaeological assessment:** A study undertaken to establish the archaeological significance (research potential) of a particular site and to propose appropriate management actions.

**Archaeological feature:** Any physical evidence of past human activity. Archaeological features include buildings, works, relics, structures, foundations, deposits, cultural landscapes and shipwrecks. During an archaeological excavation the term 'feature' may be used in a specific sense to refer to any item that is not a structure, a layer or an artefact (for example, a post hole).

**Archaeological significance:** A category of significance referring to scientific value or 'research potential' that is, the ability to yield information through investigation.

**Archaeological sites:** A place that contains evidence of past human activity. Below-ground archaeological sites include building foundations, occupation deposits, features and artefacts. Above-ground archaeological sites include buildings, works, industrial structures and relics that are intact or ruined.

**Archaeology:** The study of material evidence to discover human past. See also historical archaeology.

**Artefacts:** Objects produced by human activity. In historical archaeology the term usually refers to small objects contained within occupation deposits. The term may encompass food or plant remains (for example, pollen) and ecological features.

**Australia ICOMOS:** The national committee of the International Council on Monuments and Sites.

**Burra Charter:** (and its guidelines). Charter adopted by Australia ICOMOS which establishes the nationally accepted principles for the conservation of places of cultural significance.

**Comparative significance:** In the NSW Heritage Assessment Procedure there are two

values used to compare significance: representativeness and rarity.

**Compatible use:** A use for a heritage item, which involves no change to its culturally significant fabric, changes which are substantially reversible or changes, which make a minimal impact.

**Cultural landscapes:** Those areas of the landscape, which have been significantly modified by human activity. They include rural lands such as farms, villages and mining sites, as well as country towns.

**Cultural significance:** A term frequently used to encompass all aspects of significance, particularly in guidelines documents such as the Burra Charter. Also one of the categories of significance listed in the Heritage Act 1977.

**Curtilage:** The geographical area that provides the physical context for an item, and which contributes to its heritage significance. Land title boundaries and heritage curtilages do not necessarily coincide.

**Demolition:** The damaging, defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area, in whole or in part.

**Conjectural reconstruction:** Alteration of a heritage item to simulate a possible earlier state, which is not based on documentary or physical evidence. This treatment is outside the scope of the Burra Charter's conservation principles.

**Conservation:** All the processes of looking after an item so as to retain its cultural significance. It includes maintenance and may, according to circumstances, include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

**Conservation Management Plan:** (CMP) A document explaining the significance of a heritage item, including a heritage conservation area, and proposing policies to retain that significance. It can include guidelines for additional development or maintenance of the place.

**Conservation policy:** A proposal to conserve a heritage item arising out of the opportunities and constraints presented by the statement of heritage significance and other considerations.

**Contact sites:** Sites which are associated with the interaction between Aboriginal and non-Aboriginal people.

**Excavation permit:** A permit issued by the Heritage Council of New South Wales under

section 60 or section 140 of the Heritage Act 1977 to disturb or excavate a relic.

**Façade:** The elevation of a building facing the street.

**Heritage Act 1977:** The statutory framework for the identification and conservation of heritage in New South Wales. The Act also describes the composition and powers of the Heritage Council.

**Heritage Advisor:** A heritage consultant engaged by a local council, usually on a part-time basis, to give advice on heritage matters to both the council and the local community.

**Heritage assessment criteria:** Principles by which values for heritage significance are described and tested. See historical, aesthetic, social, technical/ research, representativeness, rarity.

**Heritage conservation area:** An area which has a distinctive character of heritage significance, which it is desirable to conserve.

**Heritage Council:** The New South Wales Government's heritage advisory body established under the Heritage Act 1977. It provides advice to the Minister for Urban Affairs and Planning and others on heritage issues. It is also the determining authority for section 60 applications.

**Heritage fabric:** All the physical material of an item, including surroundings and contents, which contribute to its heritage significance.

**Heritage inventory:** A list of heritage items, usually in a local environmental plan or regional environmental plan.

**Heritage item:** A landscape, place, building, structure, relic or other work of heritage significance.

**Heritage Division:** The State Government agency of the Office of Environment and Heritage, responsible for providing policy advice to the Minister for Heritage, administrative services to the Heritage Council and specialist advice to the community on heritage matters.

**Heritage precinct:** An area or part of an area which is of heritage significance. See also heritage conservation area.

**Heritage significance:** Of aesthetic, historic, scientific, cultural, social, archaeological, natural or aesthetic value for past, present or future generations.

**Heritage study:** A conservation study of an area, usually commissioned by the local council. The study usually includes a historical

context report, an inventory of heritage items within the area and recommendations for conserving their significance.

**Heritage value:** Often used interchangeably with the term 'heritage significance'. There are four nature of significance values and two comparative significance values. See heritage significance, nature of significance, comparative significance.

**Hierarchy of significance:** Used when describing a complex heritage site where it is necessary to zone or categorise parts of the area assigning each a particular significance. A commonly used four level hierarchy is: considerable, some, little or no, intrusive (that is, reduces the significance of the item).

**Industrial archaeology:** The study of relics, structures and places involved with organised labour extracting, processing or producing services or commodities; for example, roads, bridges, railways, ports, wharves, shipping, agricultural sites and structures, factories, mines and processing plants.

**Integrity:** A heritage item is said to have integrity if its assessment and statement of significance is supported by sound research and analysis, and its fabric and curtilage are still largely intact.

**International Council on Monuments and Sites (ICOMOS):** An international organisation linked to UNESCO that brings together people concerned with the conservation and study of places of cultural significance.

There are also national committees in sixty countries including Australia.

**Level of significance:** There are three management levels for heritage items in New South Wales — local, regional and state. The level is determined by the context in which the

item is significant. For example, items of state heritage significance will either be fine examples or rare state-wide or will be esteemed by a state-wide community.

**Local significance:** Items of heritage significance which are fine examples, or rare, at the local community level.

**Moveable heritage:** Heritage items not fixed to a site or place (for example, furniture, locomotives and archives).

**Occupation deposits:** (In archaeology.) Accumulations of cultural material that result from human activity. They are usually associated with domestic sites, for example, under-floor or yard deposits.

**Post-contact:** Used to refer to the study of archaeological sites and other heritage items dating after European occupation in 1788 which helps to explain the story of the relationship between Aborigines and the new settlers.

**Preservation:** Maintaining the fabric of an item in its existing state and retarding deterioration.

**Rarity:** An item having this value is significant because it represents a rare, endangered or unusual aspect of our history or cultural heritage.

**Reconstruction:** Returning a place as nearly as possible to a known earlier state by the introduction of new or old materials into the fabric (not to be confused with conjectural reconstruction).

**Relic:** The Heritage Act 1977 defines relic as: '...any deposit, object or material evidence relating to non-Aboriginal settlement which is more than fifty years old.' The National Parks and Wildlife Act 1974 defines a relic as: '...any

deposit, object or material evidence (not being a handicraft made for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction, and includes Aboriginal remains.'

**Representativeness:** Items having this value are significant because they are fine representative examples of an important class of significant items or environments.

**Restoration:** Returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without introducing new material.

**Social significance:** Items having this value are significant through their social, spiritual or cultural association with a recognisable community.

**State heritage inventory:** A list of heritage items of state significance developed and managed by the Heritage Division. The inventory is part of the NSW Heritage Database.

**State significance:** Items of heritage significance which are fine examples, or rare, at a state community level.

**Statement of heritage significance:** A statement, usually in prose form which summarises why a heritage item or area is of importance to present and future generations.

**Technical/research significance:** Items having this value are significant because of their contribution or potential contribution to an understanding of our cultural history or environment.

# Appendix B

## Existing SHI Database Sheets



## Item Details

**Name**  
House and front garden, "Bayview"

**SHR/LEP/S170**  
LEP #

**Address**  
28A Carlton Crescent KOGARAH BAY NSW 2217

**Local Govt Area**  
Georges River

**Local Aboriginal Land Council**  
Unknown

Item Type	Group/Collection	Category
Built	Residential buildings (private)	House

## All Addresses

### Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
28A	Carlton Crescent	KOGARAH BAY/NSW/2217	Georges River	Unknown			Unknown	Primary Address

## Significance

### Statement Of Significance

The bungalow located on the water represents a transition of people with a changing perception of the dirty city, to a healthy area that provided water facilities such as boating and fishing etc close at hand. It is an excellent example of a Federation Californian Bungalow and garden.

## Owners

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

## Description

Designer Builder/Maker

Physical Description Updated  
Face brick with stucco gables. Lead light windows. Tiled Roof. Mature plantings of phoenix canaviensus.

Physical Condition Updated

Modifications And Dates

Further Comments  
Lot 21 only.

Current Use

Former Use

Listings

Listings					
			Records Retrieved: 3		
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Georges River Local Environmental Plan 2021	I208	1/25/2013 12:00:00 AM		
Local Environmental Plan			10/2/1998 12:00:00 AM		
Heritage study					

Procedures/Exemptions

Records Retrieved: 0					
Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance Updated

Historic Themes

Records Retrieved: 0

National Theme	State Theme	Local Theme
No Results Found		

Recommended Management

Management Summary

Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Report/Study

Heritage Studies

Records Retrieved: 1

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
Kogarah Heritage Study 1994			1994		Tropman & Tropman

Reference & Internet Links

References

Records Retrieved: 0

Type	Author	Year	Title	Link
No Results Found				

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	Georges River Council	1870558

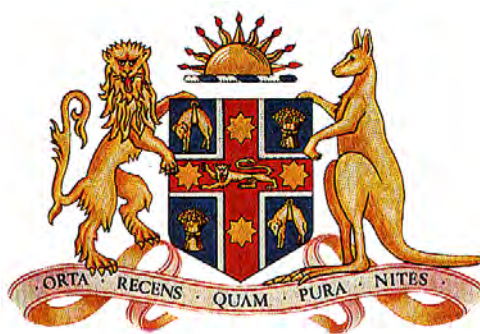
Every effort has been made to ensure that information contained in the State Heritage Inventory is correct. If you find any errors or omissions please send your comments to [mail@georgesriver.nsw.gov.au](mailto:mail@georgesriver.nsw.gov.au)

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## Appendix C

### Interim Heritage Order No.2





# *Government Gazette*

of the State of

New South Wales

**Number 227–Planning and Heritage**

**Friday, 26 May 2023**

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The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

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To submit a notice for gazettal, see the Gazette page.

**HERITAGE ACT 1977**  
**INTERIM HERITAGE ORDER NO. 2**

28 Carlton Crescent Kogarah Bay

Under Section 25 of the *Heritage Act*, 1977 Georges River Council does by this order:

1. Make an interim heritage order to cover the item of the environmental heritage specified or described in **Schedule 'A'**; and
2. Declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in **Schedule 'B'**.

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date either:

- 1) In the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
- 2) In the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Ms Meryl Bishop  
**Director Environment and Planning, Georges River Council**

Sydney, 24 May 2023

**Schedule 'A'**

The property located at 28 Carlton Crescent, Kogarah Bay on land described in Schedule 'B'.

**Schedule 'B'**

All those pieces or parcels of land known as Lot 22, Section 15 DP 1963 in Parish of St George, County of Cumberland.

## HERITAGE ACT 1977

### INTERIM HERITAGE ORDER UNDER SECTION 25

Under section 25(2) of the *Heritage Act 1977*, Willoughby City Council does by this order:

- i. make an Interim Heritage Order to cover the item of environmental heritage specified or described in Schedule 'A'; and
- ii. declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

This Interim Heritage Order will lapse six months from the date that it is made unless Willoughby City Council has passed a resolution before that date either:

1. in the case of an item which, in Council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
2. in the case of an item which, in Council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

#### **Schedule 'A'**

The place located at 43 Donnelly Road, Naremburn (Lot 1 in Deposited Plan 115889, Lot A in Deposited Plan 341975 and Lot 1 in Deposited Plan 320984), except for all of the land identified as Item 1160 listed in Schedule 5 to the *Willoughby Local Environmental Plan 2012*, described as 'St Leonards Church (including original interiors)'.

#### **Schedule 'B'**

All those pieces or parcels of land legally described as Lot 1 in Deposited Plan 115889, Lot A in Deposited Plan 341975 and Lot 1 in Deposited Plan 320984, excluding all of the land identified as Item 1160 listed in Schedule 5 to the *Willoughby Local Environmental Plan 2012*, described as 'St Leonards Church (including original interiors)'.

# Appendix D

## Updated NSW SHI Database Sheet

# NSW State Heritage Inventory form

ITEM DETAILS							
Name of Item	'Bayview' including garden setting, boatshed, garage and summerhouse						
Other Name/s Former Name/s	'Bayview' / 'Bay Vista'						
Item type (if known)	House						
Item group (if known)							
Item category (if known)							
Area, Group, or Collection Name							
Street number	28 and 28A						
Street name	Carlton Crescent						
Suburb/town	Kogarah Bay					Postcode	2217
Local Government Area/s	Georges River Council						
Property description	<p>'Bayview' is situated within the Georges River Council local government area and in the locality of Kogarah Bay.</p> <p>'Bayview' comprises Lots 21 &amp; 22 of Section 15 in Deposited Plan 1963, commonly and collectively known as 28 and 28A Carlton Crescent, Kogarah Bay.</p>						
Location - Lat/long	Latitude	-33.98507			Longitude	151.12581	
Location - AMG (if no street address)	Zone		Easting		Northing		
Owner							
Current use	Dwelling house						
Former Use	Dwelling house						
Statement of significance	<p>'Bayview' at 28 and 28A Carlton Crescent, Kogarah Bay, is an Inter-War period waterfront property, containing the main dwelling known as 'Bayview', together with its original detached boatshed, garage / workshop and summerhouse – all of which have been designed in the Inter-War Californian Bungalow architectural style and exhibit deliberate relationship to each other.</p> <p>The property is of historical importance as it evidences early residential development in Kogarah Bay and the changing attitudes to living in the city, instead preferring the outer suburbs in a desire for a healthier lifestyle and environment. This is further demonstrated through the original purchase of two adjoining lots to create a high-quality waterfront property.</p> <p>Constructed c1928 by local builder Frederick Rowe as his place of residence and likely used to showcase his fine craftsmanship to prospective clients, the house exhibits exceptionally fine craftsmanship and detailing that is uncommon to the architectural style and domestic scale of the building. This detailing is unparalleled in Rowe's other domestic work, making 'Bayview' arguably his best and most distinguished work.</p>						



# NSW State Heritage Inventory form

	<p>'Bayview' is considered an important benchmark and reference site for the incorporation of many distinguishing and unique features uncommon to the architectural style and domestic scale of building, notably the large ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and elaborately detailing internal flooring, ceilings and leadlight windows.</p> <p>Each of the buildings retain a high degree of design integrity, having been little altered and collectively, the group is considered of outstanding quality, making it of high architectural interest and value as an excellent representative example of an early 20<sup>th</sup> century Inter-War period waterfront property.</p> <p>The property has high aesthetic value and significance, being visually distinctive and unique for it comprises two adjoining allotments that create a generously proportioned and well-established garden setting with numerous original landscape plantings extant, including a large collection of Canary Island Palms. The garden setting has been self-protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site. The deliberate placement of the large bay windows in the dwelling provides a commanding and pleasant outlook over the expansive garden setting and wide water frontage.</p> <p>'Bayview' and its setting is considered an exemplar of its style and class, retaining its original lot configuration and proportion and is strongly associated with water activity, evident through the boatshed and summerhouse and the uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay.</p> <p>Collectively, the site is considered a rare and substantially intact example of an early 20<sup>th</sup> century Inter-War period waterfront property.</p> <p>'Bayview' has some social significance having been used throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events.</p>	
<b>Level of Significance</b>	State <input type="checkbox"/>	Local <input checked="" type="checkbox"/>

# NSW State Heritage Inventory form

DESCRIPTION	
Designer	Unknown
Builder/ maker	Frederick Rowe
Physical Description	<p>Situated on the site are a number of built structures which are described below.</p> <p><b><i>The dwelling</i></b></p> <p>The most prominent and largest of the buildings on the site, is the dwelling house. Known as 'Bayview', the dwelling is situated entirely on Lot 21 and within close proximity to the front boundary, where the dwelling takes advantage of the higher elevation in topography.</p> <p>The dwelling is described as single storey and detached style. It is of brick construction typically of stretcher bond, sitting atop of a solid brick wall skirt that conceals the foundations. Owing to the fall in topography, the brick wall skirt is expressed at the front as only a few string courses in height, increasing in height to a near full storey equivalent at the rear. The entirety of the brick wall skirt has been finished in stucco, with a rendered horizontal band that provides definition between the transition to the residual walls which are of dark 'liver' facebrick.</p> <p>All elevations of the dwelling are asymmetrically composed, yet the primary front elevation features a striking large single gable that spans the full width of the dwelling. The gabled face features a symmetrical design, with vertical timber battens applied over the panelling and detailed timber lattice battening to the upper apex of the gable framed by a series of small timber brackets arranged in pairs. A rotated square panel containing a cherub in bas-relief plaster, is centrally positioned just below the apex.</p> <p>The front elevation below the wide gable, contains a verandah that wraps around to the eastern side elevation and finished in decorative tessellated tiles. The verandah is framed by a low-height brick wall with a scalloped string course of bullnosed bricks, supporting trapezoidal shaped brick verandah posts that have been finished in stucco to match the skirt wall. The stuccoed verandah posts continue to the underside of the ceiling, to frame the verandah in a series of openings. A three-sided bay window projects off the western side of the front entry. The main front entry door is of timber joinery and features sidelight and transom windows – all in elaborately detailed leadlight glass. Windows throughout the dwelling are timber framed casements with a consistent leadlight glass pattern.</p> <p>The eastern side elevation carries the front verandah through before returning to a full height masonry wall that bookends the verandah and contains a three-sided bay window matching the one in the front elevation. The most striking feature of the eastern elevation is the large eight-sided bay window sitting atop of the matching curved facebrick wall in a stacked header bond and awning roof. The stuccoed skirt wall below the centre line of the bay window, features a rotated square panel containing a cherub in bas-relief plaster, matching that to the front gable.</p> <p>The rear elevation features a large singular gable (matching the detailing to the front elevation) and below the gable is the largest of the bay windows in the house, with a twelve-sided bay window projecting directly off the rear elevation, the detailing of which matches that of the eastern side elevation complete with the cherub bas-relief panel. A large open balcony projects off the rear elevation, framed by a semi-circular wall with castellated string course to form the top of the brick balustrade and with tessellated tile flooring. Separating the semi-circular elevated balcony and semi-circular bay window, is a curved set of external stairs which lead to the back garden.</p> <p>The western side elevation is the most simplistically formed and detailed of the entire dwelling, sitting in close proximity and parallel to the side property boundary.</p>

# NSW State Heritage Inventory form

	<p>A large gabled roof form spans the near entirety of footprint of the dwelling with a smaller gable projecting partly over the rear semi-circular balcony. There are no chimneys, save for a small contemporary steel flue punctuating the eastern roof plane. The roof is clad in unglazed terracotta tiles and features a scrolled finial at the apex of the front and rear gables. Bargeboards are planar and the soffits are all lined with painted tongue-and-groove timber lining boards.</p> <p>Overall, the dwelling displays characteristics that are attributed to the Inter-War period of the early 20<sup>th</sup> century and of the Californian Bungalow architectural style.</p> <p><b>The Boatshed</b></p> <p>At the southernmost corner of the site (on Lot 21) is a small freestanding boatshed. This structure has a simple utilitarian form and language, with a rectangular footprint and gabled roof form. The gables present to the northern and southern (waterfront) elevations and feature panelling with vertically applied timber battens matching the language of the gables to the main dwelling.</p> <p>The boathouse is of brick construction and appears to be in stretcher bond, though has been painted externally and in part, rendered to mimic the stuccoed finish of the dwelling.</p> <p>Both gabled elevations feature large rectangular openings, which hint at the original use and function of the structure (together with its waterfront placement). These openings have both been later enclosed and contain windows and doors. The gabled roof is clad in unglazed terracotta tiles with scrolled finials to the apex of both gabled ends.</p> <p>Though utilitarian in form and function, the boatshed displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20<sup>th</sup> century and of the Californian Bungalow architectural style.</p> <p><b>The Garage</b></p> <p>Situated towards the northernmost corner of the site (on Lot 22) and within proximity to the front boundary, is a freestanding double car garage structure.</p> <p>The garage sits forward of the alignment of the dwelling, though owing to the spatial separation afforded between the two structures, the garage does not dominate the dwelling.</p> <p>The garage is of brick construction in stretcher bond, with dark 'liver' bricks used to the front elevation and quoins to windows and doors, while the remainder of the structure uses 'common' bricks of a lighter colour.</p> <p>Consistent with the main dwelling, the garage has a large rectangular footprint and gabled elevations presenting to the front and rear. The gables both feature panelling with vertically applied timber battens. The gabled roof is clad in unglazed terracotta tiles and feature scrolled finials to the apex of both gabled ends. Fascia boards feature a simple quirk.</p> <p>A large panelled garage door presents to the front elevation, while the rear and western side elevations contain casement windows and four-panelled timber doors. Window and door openings have a painted concrete lintel inserted.</p> <p>Though utilitarian in form and function, the garage displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20<sup>th</sup> century and of the Californian Bungalow architectural style.</p>
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# NSW State Heritage Inventory form

	<p><b>The Summerhouse</b></p> <p>Towards the easternmost corner of Lot 22 at the water's edge is a freestanding summerhouse / self-contained cottage.</p> <p>This structure has an elongated rectangular footprint with a simple gabled form, with the gabled elevations oriented to the front and rear in the same manner as the dwelling, the boatshed and the garage.</p> <p>The summerhouse is of brick construction, rendered with a stucco finish to the external walls. The gables feature panelling with vertically applied timber battens and planar bargeboards. The gabled roof is clad in unglazed terracotta tiles and, consistent with the roofs of other structures on the site, features a scrolled finial to both apex ends of the roof.</p> <p>The northern elevation is devoid of any windows or doors, while the two side elevations feature timber framed windows. The rear (waterfront) elevation features large aluminium framed sliding doors – presumably having originally been an open verandah to take advantage of the prevailing breeze.</p> <p>The summerhouse displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20<sup>th</sup> century and of the Californian Bungalow architectural style.</p>					
<p><b>Physical condition and Archaeological potential</b></p>	<p>The boatshed, garage and summerhouse generally appear in sound repair and condition, while the dwelling 'Bayview' appears in a remarkable condition.</p> <p>The site has low potential to yield European built archaeology, with the existing dwelling being the first known built improvement on the site and that there has been very little change to the site since construction of the dwelling in c1928.</p>					
<p><b>Construction years</b></p>	<p><b>Start year</b></p>	<p>c1928</p>	<p><b>Finish year</b></p>	<p>c1928</p>	<p><b>Circa</b></p>	<input checked="" type="checkbox"/>
<p><b>Modifications and dates</b></p>	<p>Notable changes to the dwelling include:</p> <ul style="list-style-type: none"> <li>• Contemporary cabinetry fitouts to the bathroom and kitchen in the dwelling.</li> <li>• Construction of a temporary ramp structure at the front entry to the dwelling.</li> <li>• Likely removal of the original chimney from the western side roof plane.</li> <li>• Removal of the sub-floor access door on the eastern elevation of the skirt wall.</li> </ul> <p>Notable changes to the boatshed include:</p> <ul style="list-style-type: none"> <li>• Changes to the openings on both gabled ends of the building, including the enclosure of the large rectangular opening fronting Kogarah Bay and replacement with windows.</li> </ul> <p>Notable changes to the garage include:</p> <ul style="list-style-type: none"> <li>• Replacement of the doors to the front elevation with a contemporary panelled door.</li> </ul> <p>Notable changes to the summerhouse include:</p> <ul style="list-style-type: none"> <li>• Contemporary cabinetry fitouts to the bathroom and kitchen in the dwelling.</li> <li>• Likely removal of an original door and windows on the waterfront elevation to create a large opening and subsequent enclosure of the likely original balcony fronting Kogarah Bay.</li> </ul> <p>Notable changes to the landscaped setting include:</p>					

# NSW State Heritage Inventory form

	<ul style="list-style-type: none"> <li>• Removal of the original pathway leading from the front entry to the front boundary and making good the opening to the brick fence along the front boundary, including removal of the two large gateposts (evident in the c1993 photographs).</li> <li>• Increase in height of brick soldier posts to the driveway opening to support new driveway gates.</li> <li>• Additional landscape plantings introduced, chiefly the hedge immediately behind the front boundary fence.</li> <li>• New concrete driveway and apron extending to an elevated hardstand area at the rear of the garage.</li> <li>• Renewal of the original garden paths with new tiled paths and continuous-formed concrete edging (though the paths appear to retain the original location save for the reconfiguration of the front path from the front entry).</li> <li>• Removal of at least two established Canary Island Palms, with one removed from immediately out the front of the dwelling in the front garden and one removed from the row along the eastern side elevation.</li> <li>• Construction of a concrete seawall spanning the rear of the site.</li> </ul> <p>Overall, the changes that have occurred to the buildings and landscaped setting have had little impact on the overall character and appearance when viewed in the context of the streetscape, nor have the changes significantly diminished the integrity of the buildings or the landscaped garden setting.</p>
<b>Further comments</b>	<p>'Bayview' is identified as an item of local heritage significance and is listed on Schedule 5 Environmental Heritage of the Georges River Local Environmental Plan 2021.</p> <p>The inscription on Schedule 5 of the Georges River LEP 2021 describes the item as 'House and front garden, "Bayview"' and identifies the site as Lot 21 at 28A Carlton Crescent, Kogarah Bay. This is supported by the mapping in the Georges River LEP 2021, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.</p> <p>On 24 May 2023, Georges River Council made an Interim Heritage Order ('IHO') relating to Lot 22 of Section 15 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023.</p>



# NSW State Heritage Inventory form

HISTORY	
Historical notes	<p>In 1808, 1,950 acres was granted to John Townson, an army officer and settler, born in 1759 in Yorkshire, England. After serving several years as a lieutenant in the 18<sup>th</sup> Regiment, he transferred to the New South Wales Corps in October 1789 and arrived in the colony in 1790. Most of Townson's military service was spent at Norfolk Island, where he was stationed for about six years. In 1799, he also acted as lieutenant-governor of Norfolk Island while Lieutenant-Governor Philip Gidley King was absent.</p> <p>After returning to England and retiring, Townson came back to the colony in 1806 with a letter stating the intention of the Secretary of State to direct to Governor William Bligh to grant him 2,000 acres. Governor Bligh declined to do so until he received specific instructions from official authority. Townson was ready to return to England, until 1907 when his brother Robert arrived, and the Secretary of State directed that the grant be made – however, the order had not reached Sydney when the rebellion occurred in January 1808.</p> <p>In July, major George Johnson granted Townson 1,950 acres in the Bexley district, and the following year he received a further 250 acres from Lieutenant-Governor William Paterson. All of his land was then re-granted by Governor Lachlan Macquarie in 1810. The subject site was part of 50 acres, Portion 119 of the Parish of St George, that was granted to Townson in April of 1810.</p> <p>In 1811, Townson sold his land to Simeon Lord, who was quick to realise that land acquisition was a growing industry, and an industry that would continue to grow as the colony itself grew. The purchase of Townson's land was his first major purchase, followed by purchasing King's Grove Farm in 1829. Lord paid £800 for Townson's land, some of the best timber in the St George area. The location then became known as Lord's Bush.</p> <p>In the late 1870s, the land was sold and by 1885, the land had been reduced to 48 acres, having been purchased by The Mutual Provident Land Investing and Building Society Limited. They set about surveying the land and prepared a plan of subdivision that carved the estate into multiple residential sized allotments, interconnected by new roads.</p> <p>Known as 'Carlton Park', the first sale of the newly created allotments occurred in mid-December 1885 at an auction on the ground. In 1892, Lucy Jane Macmillan purchased Lots 2-20 (inclusive) of Section 11 of Deposited Plan 1963 (equating to 2 acres, three roods, 1 perch) as well as Lots 17-23 (inclusive) of Section 15 of Deposited Plan 1963 (1 acre 2 roods 2 perches). It was Lots 21 and 22 of Section 15 of Deposited Plan 1963 that were to become the subject site.</p> <p>In 1911, Macmillan's land was sold to the New South Wales Realty Co Limited. They then prepared a plan of subdivision, marketing the sale of allotments as the 'Kogarah Bay Estate', though there were no notable changes from the 1885 subdivision. At an auction on the ground held on 6<sup>th</sup> May 1911, they began selling the allotments, however not all the allotments would sell at that time.</p> <p>Lots 21 &amp; 22 of Section 15 were finally purchased in 1916 by Bert Pooley. In 1920, Pooley sold the land to Elizabeth Maria Rowe, wife of Kogarah builder Frederick Ernest Rowe, who had earlier purchased Lot 19 from the Kogarah Bay Estate.</p> <p>Throughout the 1920s and 1930s, Frederick Rowe was a prominent figure in the building industry as he was advertised as having conducted numerous building works throughout the Kogarah area. In 1924 under the "Works in Progress" section in The Daily Telegraph Rowe is credited to building a 'brick cottage' in Carlton Crescent, Kogarah Bay and in 1927, he was building brick additions (presumably houses) in Payten and Myee Streets in Kogarah Bay.</p> <p>For the majority of the 1920s, the Rowe's residence was listed as 9 Carlton Crescent on the corner of Carlton Crescent and Payten Street.</p>

# NSW State Heritage Inventory form

This dwelling may have been a prototype for what Rowe would shortly build at 28 Carlton Crescent, as it appears substantially the same in form, detail and language, with the large single gable presenting to the street and rear elevations and with the timber panelling and lattice detailing to the gabled facades. Rowe's cottage at 9 Carlton Crescent would also be a mirror in composition to 28 Carlton Crescent, though as 9 Carlton Crescent was only situated on a single allotment, it would not have the defining bay windows which would be a signature to 28 Carlton Crescent.

In 1928, Frederick Rowe became a joint tenant of the subject site with his wife and the Rowes are listed as residing at 30 Carlton Crescent in the 1931 Sands Directory as well as the electoral rolls of 1931 and 1937. However, at the similar time, Eleanora Eager is listed as living at 32 Carlton Crescent in 1935 then 30 Carlton Crescent in 1938. It is possible that the street numbers shifted during this time and it took time for residents to adjust. Mr Rowe, as a builder, may also have used multiple addresses for his businesses. More likely, Rowe's two adjoining lots probably added confusion – was it No.28 or No.30?

In any case, reference to the address '28 Carlton Crescent' first appears in newspapers, the Sands Directory and NSW electoral rolls in 1928, suggesting that Rowe had built a house on the land by this time, coinciding with the transfer of title that same year to Mr and Mrs Rowe as joint tenants.

Designed in what is contemporaneously referred to as the 'Inter-War Californian Bungalow' architectural style, the dwelling was designed as a single storey structure, fashionable for the period and architectural style, yet would occupy an uncharacteristically large footprint by comparison to the other early dwellings that had been erected on their respective lots within the emerging streetscape.

The purchase of Lots 21 and 22 together appears to have largely influenced the design, placement and construction of the dwelling. Despite being constructed entirely upon Lot 21, the dwelling displays a judicious design that exploits the outlook eastwards over the adjoining Lot 22 and Kogarah Bay to the south, with the considered placement of large bay windows.

In 1937, the St George County Council commissioned a run of aerial photography from Adastra Airways, producing the earliest aerial photography for the area. The 1937 aerial photograph evidences the considerably larger footprint of the dwelling by comparison with the other extant dwellings within Carlton Crescent at that time. It also evidences that a number of ancillary structures had been erected on both Lots 21 and 22, including a small boatshed at the southernmost corner of Lot 21, a detached garage structure in the northernmost corner of Lot 22 and a summerhouse / self-contained cottage in the easternmost corner of Lot 22. The various structures were all evidently interconnected by formed pathways, set within what appears as an established landscaped garden setting, with numerous plantings of Canary Island Palms and other shrubbery. A definitive shadow line also evidences the existence of a low-height fence along the street-front boundary. Similarly, a defined rectilinear line at the rear of the site indicates that a seawall had also been constructed to protect the property from the fluctuating tides.

Throughout the 1930s, Frederick Rowe continued to advertise his building services as well as sales of properties with his contact address being listed as 28 Carlton Crescent. With private motor vehicle ownership still relatively uncommon and remaining so until the Post-War period, it is probable that Rowe used what is now the garage as a workshop and shed for the storage of his tools and equipment. The fact that Rowe specifically referenced his address in the newspaper advertisements rather than a telephone number, suggests either Rowe hadn't subscribed to a telephone service, or he deliberately wanted prospective clients to view an example of one of his completed projects, somewhat of a 'display home'.

During this time, Rowe was letting the small summerhouse as a self-contained 3-roomed cottage for 30 shillings a week.

# NSW State Heritage Inventory form

It was here that the Rowe's continued to reside until 1949, when Frederick died at the age of 70 at St George Hospital in May. By November 1949, an advertisement appeared in the local newspaper The Propeller, advertising inspections of a 'Luxurious Waterfront Home' describing the subject site as 'face brick and double fronted in new condition. The site was said to have land of 100ft. and a frontage of 200 ft. with the additional 3-roomed self-sustained cottage.

The sales advertisement also particularly noted that the house contained a ballroom with a polished Jarrah timber floor, large verandahs, with a double garage, large workshop, boat shed and tiled and cement paths that led to the waterfront from the front entrance and that the property was 'well-laid out with palms and gardens'.

Following Frederick's death, the property transferred into the sole ownership of his wife, who in turn was looking to sell it for immediate possession for £6,500. Interestingly, the sales advertisement from 1949 noted that a possible function for the "beautiful home" would be to convert it into a private hospital.

Instead, it was purchased in 1950 by Mervyn Augustus Vollmer of Kogarah and his registered trade was a 'taxi proprietor', who was known for often using his black cabs as wedding cars. Within three years, advertisements started to appear in newspapers advertising "Bay-Vista" for wedding receptions and other parties. Vollmer began using the property commercially for wedding receptions in November 1952 and from then till 1969, approximately two functions were hosted there each week.

These advertisements boasted the property's ballroom and noted that they had an orchestra for hire and a bride's room. This is the first documented use of the name 'Bay-Vista' for the property that over time, transformed into 'Bayview' as the property remains known to the present-day.

A few years previously, Mr Vollmer had been in the news in a very public divorce case involving his previous wife Rona Vollmer, who discovered his affair with Mrs Patricia Harrison and took him to court. The Vollmers are listed as living at 28 Carlton Crescent for the decade of the 1950s, however by 1963, Mervyn Vollmer was listed as living in Windsor as a farmer whilst Patricia's address remains at Carlton Crescent until 1968.

In 1968, 'Bay-Vista' was sold, transferring in ownership to Elise Linda Burcher. Burcher did not live at the property, but did live close-by. 'Bay-Vista' was leased to Gavin George Robert Morton and his wife Joan Mary Morton in 1968, with both the Mortons professions being recorded as 'caterers'. It is evident through newspaper articles regarding weddings and advertisements that the subject site continued to be used as the Bay-Vista function centre. When Elise Burcher died in 1988, the property was sold, transferring in equal shares to her children Leslie Ronald Burcher and Norma Winifred Treloar.

'Bay Vista' or 'Bayview' as it had also become known, was subsequently advertised for sale by auction in 1989, advertised as a 'prestige waterfront subdividable land' with 'existing use rights for Wedding receptions.'

It was purchased by Kyriacos and Mary Kyriacou who had just recently sold their wedding car hire business that same year. Several years of legal challenges ensued, with the Kyriacou's trying to continue and expand the function centre use of the site, with such a land use being otherwise prohibited in the residential zoning under the Council's planning regime. In 1991, the NSW Land and Environment Court granted injunctions, restraining the Kyriacou's from using the property for any other purpose other than as a private dwelling house.

This likely prompted the sale of the property in 1992, when it was purchased by Demetre Dimitropolous and in 1995, new legal proceedings were commenced against the (then) Kogarah Municipal Council and their Solicitor Sophie Antoniadis for negligence. The case of *Kyriacou v*

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	<p><i>Kogarah MC (1995)</i> dealt with the issue of existing use rights and whether or not the Council and Council's Solicitor were negligent in misinforming the Kyriacou's about their lawful ability to use the property as a wedding reception centre. The Kyriacous were awarded costs and the case has since been regularly cited, having influenced reforms to conveyancing laws.</p> <p>'Bayview' was sold in 1998 and then again in 2001, before being sold in 2010 to the present owners.</p> <p>In early 2023, a Development Application was submitted to Georges River Council involving the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.</p> <p>On 24 May 2023, Georges River Council made an Interim Heritage Order No.2 relating to Lot 22 of Section 15 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023.</p>
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## APPLICATION OF CRITERIA

<p><b>Historical significance</b> SHR criteria (a)</p>	<ul style="list-style-type: none"> <li>'Bayview' at 28 Carlton Crescent, Kogarah Bay, is of historical significance at the local level as it evidences early residential development in Kogarah Bay following the speculative subdivisions of earlier land grants into residential allotments and the resulting residential development that ensued.</li> <li>'Bayview' is historically significant as it evidences the changing attitudes to living in the city and established populated areas, preferring instead to develop the outer suburbs in a desire for a healthier lifestyle and environment.</li> <li>'Bayview' is historically significant as it retains strong evidence of the original 1911 subdivision pattern, together with its original boathouse, garage / workshop and summerhouse, together with much of the original landscape plantings and theme, which allows the property to be easily understood as a representation of its early 20<sup>th</sup> century history.</li> </ul>
<p><b>Historical association significance</b> SHR criteria (b)</p>	<ul style="list-style-type: none"> <li>'Bayview' is of historical associative significance for its strong association with builder, Frederick Rowe, who is attributed with building the dwelling and ancillary structures in or about 1928 as his own home and place of business. Rowe is attributed with having built numerous houses in and around Kogarah throughout the 1920s and 1930s period.</li> <li>'Bayview' was also likely used by Rowe to showcase his craftsmanship to prospective clients, exhibiting an unequivocal superiority to the other examples of his work and demonstrates features which are unparalleled in his other work, with a high degree of ornamentation and quality craftsmanship.</li> </ul>
<p><b>Aesthetic significance</b> SHR criteria (c)</p>	<ul style="list-style-type: none"> <li>'Bayview' exhibits quality craftsmanship with overt detailing and embellishments, making it a fine and highly distinctive example of an early 20<sup>th</sup> century Inter-War Californian Bungalow.</li> <li>The aesthetic qualities and visual distinctiveness of 'Bayview' is directly enhanced by the double-allotment width, which creates a generously proportioned garden setting with numerous significant landscape plantings extant, protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site.</li> <li>The sensory appeal and aesthetic values of the site are also directly enhanced by uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay at the rear,</li> </ul>

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	<p>with the original allotment configuration having been retained.</p> <ul style="list-style-type: none"> <li>The incorporation of multiple large bay windows and verandahs to the dwelling evidence a deliberate design approach to celebrate the contrived aesthetic values of the expansive garden setting and water views.</li> <li>'Bayview' and its garden setting is visually distinctive in the street and broader landscape through the uncharacteristically wide presentation to Carlton Crescent, with the property distinguished by the large collection of mature Canary Island Palms.</li> <li>'Bayview' exhibits a high degree of aesthetic quality that is unparalleled in other similar Inter-War period bungalows, with 'Bayview' retaining its original elements, site features, garden setting, subdivision pattern and visual and physical relationships. This makes 'Bayview' visually distinctive and an exemplar of its style and class because of its setting.</li> </ul>
<b>Social significance</b> SHR criteria (d)	<ul style="list-style-type: none"> <li>'Bayview' contributes to the community's sense of place, being a visually distinctive feature of the local landscape.</li> <li>Having functioned throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events, 'Bayview' is likely to have social significance and importance to the local and broader community, particularly those who attended social events at the property.</li> </ul>
<b>Technical/Research significance</b> SHR criteria (e)	<ul style="list-style-type: none"> <li>'Bayview' exhibits an unusually high degree of ornamentation and quality craftsmanship, with numerous distinguishing, unusual and uncommon features that suggest Rowe used the dwelling to showcase his craftsmanship to prospective clients.</li> <li>The dwelling exhibits construction techniques and features which are uncommon to the style and class of domestic building, particularly evidenced in the large floor area and matching ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and the innovative use of the splayed ceiling panelling to follow the roof profile and maximise the perceived and actual spaciousness internally.</li> <li>The high-quality craftsmanship combined with the incorporation of uncommon construction techniques and features, makes 'Bayview' an important benchmark and reference site.</li> </ul>
<b>Rarity</b> SHR criteria (f)	<ul style="list-style-type: none"> <li>'Bayview' is attributed to the work of local builder Frederick Rowe, having been built c1928. Rowe is credited with having built numerous houses around Kogarah during the 1920s and 1930s period, however 'Bayview' is considered his best and most distinguished work.</li> <li>Other examples of Rowe's domestic work display similarities in themselves, yet 'Bayview' exhibits an unparalleled superiority in the quality of craftsmanship and detailing, containing numerous design features that are unique to 'Bayview', including the distinctive large bay windows and curved balcony as well as many distinct internal features, including the elaborate leadlight windows, timber flooring and ceiling panelling.</li> <li>'Bayview' is a highly intact early 20<sup>th</sup> century residential property which displays deliberate design intent to address the expansive garden setting and waterfrontage, and is both unusual and uncommon as it is spread across two adjoining allotments, having been originally purchased together and continually maintained as such.</li> <li>'Bayview' evidences early 20<sup>th</sup> century marine activity, including a boatshed and summerhouse, both built right on the water's edge and the retention of the boatshed, garage / workshop and summerhouse is exceptionally rare in the local context, demonstrating rarity</li> </ul>





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	significance accordingly.
<b>Representativeness</b> SHR criteria (g)	<ul style="list-style-type: none"> <li>• 'Bayview' is described as a single storey dwelling, which displays characteristics attributed to the early 20<sup>th</sup> century Inter-War period and of the Californian Bungalow architectural style.</li> <li>• Built c1928 by local builder Frederick Rowe, the dwelling exhibits a high degree of design integrity, having been little altered. It exhibits fine craftsmanship, with exceptional detailing that is uncommon to the architectural style and domestic scale of the building. 'Bayview' is considered of remarkable quality and detailing, making it of high architectural interest and value as an excellent representative example of the style and class.</li> <li>• The dwelling is complemented by a freestanding boatshed, garage / workshop and summerhouse, each of which exhibit similarity in design and language, having each been constructed around the same time. The high degree of design integrity and intactness of each of the structures make an important group setting of outstanding quality, enhanced by the retention of the original allotment boundaries and garden setting. Collectively, the site is representative of an early 20<sup>th</sup> century waterfront property.</li> <li>• The garden setting spread over two adjoining allotments continue to communicate the early functions and relationships, retaining many original landscape plantings including the Canary Island Palms, pathways and front fence.</li> </ul>
<b>Integrity</b>	<p>Each of the buildings display some evidence of previous cosmetic and structural changes, though the original silhouette and form of the structures remain remarkably intact. Original detailing and features also appear remarkably intact.</p> <p>Similarly, the landscaped gardens evidence some changes by comparison with contemporary examination and historical documentary evidence. Overall, the garden setting remains substantially intact and unaltered.</p>

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## HERITAGE LISTINGS

Heritage listing/s	Schedule 3 – Kogarah Local Environmental Plan 1998
	Schedule 5 – Kogarah Local Environmental Plan 2012
	Schedule 5 – Georges River Local Environmental Plan 2021 [Item No.I208] (Lot 21 only)
	Interim Heritage Order No.2 (relating to Lot 22 in Section 15 of DP 1963) made 24 May 2023 and gazetted on 26 May 2023

## INFORMATION SOURCES

Include conservation and/or management plans and other heritage studies.

Type	Author/Client	Title	Year	Repository
Study	Tropman and Tropman Architects	Kogarah Heritage Study	1993	Georges River Council archives
Study	Edwards Heritage Consultants Pty Ltd	Heritage Significance Assessment – 28 Carlton Crescent, Kogarah Bay	2023	Georges River Council archives

## RECOMMENDATIONS

Recommendations	1.	'Bayview' should continue to be identified as an item of local heritage significance and remain listed on Schedule 5 of the Georges River LEP 2021.
	2.	Council should prepare a Planning Proposal to amend the listing of Heritage Item No.I208 on Schedule 5 of the Georges River LEP 2021 by making the following changes: <ul style="list-style-type: none"> <li>i) Revise the item name from 'House and front garden, "Bayview"' to '"Bayview" house and garden, boatshed, garage and summerhouse'.</li> <li>ii) Revise the address from '28A Carlton Crescent, Kogarah Bay' to '28 and 28A Carlton Crescent, Kogarah Bay'.</li> <li>iii) Revise the property description to include both Lots 21 and 22 in Section 15 of Deposited Plan 1963.</li> <li>iv) Update the Heritage Map in the Georges River LEP 2021 to correspond with the above changes.</li> </ul>
	3.	The citation for the heritage item on the NSW State Heritage Inventory Database should be revised and updated to reflect this revised and updated Inventory Sheet.

## SOURCE OF THIS INFORMATION

Name of study or report	Heritage Significance Assessment – 'Bayview' 28 Carlton Crescent, Kogarah Bay (July 2023)	Year of study or report	2023
Item number in study or report			
Author of study or	Edwards Heritage Consultants Pty Ltd		



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report			
Inspected by	Michael Edwards		
NSW Heritage Manual guidelines used?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
This form completed by	Michael Edwards	Date	July 2023

## IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

<b>Image caption</b>	View of 'Bayview' from the front garden.				
<b>Image year</b>	2023	<b>Image by</b>	Edwards Heritage Consultants Pty Ltd	<b>Image copyright holder</b>	Edwards Heritage Consultants Pty Ltd







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## IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

<b>Image caption</b>	Aerial view of the site (NSW Land and Property Information aerial imagery with EHC overlay)				
<b>Image year</b>	c2017	<b>Image by</b>	Edwards Heritage Consultants Pty Ltd	<b>Image copyright holder</b>	Edwards Heritage Consultants Pty Ltd





## IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

<b>Image caption</b>	View of 'Bayview' and garage, together with the garden setting.				
<b>Image year</b>	2023	<b>Image by</b>	Edwards Heritage Consultants Pty Ltd	<b>Image copyright holder</b>	Edwards Heritage Consultants Pty Ltd





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## IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

<b>Image caption</b>	View of 'Bayview' from the summerhouse.				
<b>Image year</b>	2023	<b>Image by</b>	Edwards Heritage Consultants Pty Ltd	<b>Image copyright holder</b>	Edwards Heritage Consultants Pty Ltd





## IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

<b>Image caption</b>	View of the summerhouse and garden setting.				
<b>Image year</b>	2023	<b>Image by</b>	Edwards Heritage Consultants Pty Ltd	<b>Image copyright holder</b>	Edwards Heritage Consultants Pty Ltd



## IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

<b>Image caption</b>	Aerial view of the site in 1937 by Adastra Airways with EHC overlay.				
<b>Image year</b>	1937	<b>Image by</b>	Georges River Council	<b>Image copyright holder</b>	Georges River Council

