

## HERITAGE COUNCIL DETERMINATION

Determination Date	4 October 2018
Place/Object Name	Buda
Location	42-48 Hunter Street, Castlemaine, Mount Alexander Shire
VHR Number	VHR H0134
Category	Heritage Place

At a meeting of the Heritage Council of Victoria on 2 August 2018 it was determined that, in accordance with Section 62(1) of the *Heritage Act 2017*, the Victorian Heritage Register entry for the above place should be amended. This decision was reached having considered the assessment against the Heritage Council's criteria and other information, including the proposed amendments contained in the attached report and submissions received in response to the Executive Director's recommendation.

The Heritage Council endorses and adopts the attached report for the purposes of making its decision.



**Professor Stuart Macintyre AO**  
Chair, Heritage Council of Victoria

# Recommendation of the Executive Director and assessment of cultural heritage significance under Part 3 of the *Heritage Act 2017*

<b>Name</b>	Buda
<b>Location</b>	42-48 Hunter Street Castlemaine, Mount Alexander Shire
<b>Date Registered</b>	9 October 1974
<b>VHR Number</b>	VHR H0134
<b>VHR Category</b>	Registered Place
<b>Hermes Number</b>	274



Buda

(Source: Buda Historic Home & Garden Website)

## **EXECUTIVE DIRECTOR RECOMMENDATION TO THE HERITAGE COUNCIL:**

To amend the existing registration of VHR H0495 in accordance with s.62 of the *Heritage Act 2017* by:

- Adding land.

### **Reasons for the proposed amendment:**

The registration of Buda, which was gazetted on 9 October 1974 in the Register of Historic Buildings, requires updating. No land was able to be registered under the *Historic Buildings Act* until 1 June 1982. For places added before that time, only the buildings are included in the registration, not the land on which they sit or an appropriate curtilage. Places registered since that time include both buildings and land and early registrations are currently being updated to reflect this change.

Under s.49(1)(d) of the *Heritage Act 2017* the Heritage Council may include additional land to registered places.

The previous registration documentation is provided at Attachment 1 of this report.

Handwritten signature of Steven Avery

**STEVEN AVERY**  
Executive Director

**Recommendation provided to the Heritage Council of Victoria:** 12 July 2018

**Recommendation publicly advertised and available online:** From 20 July 2018 for 60 days

## AMENDMENT BACKGROUND

An application to amend the registration for Buda by adding land was accepted by the Executive Director on 11 July 2018. The application was prompted by a need to provide clarity around the registration and potential future works at the place particularly in the garden. The gazettal of this place in the Register of Historic Buildings in 1974 did not provide for any land or curtilage to be included in the extent of place.

It is the view of the Executive Director that additional land should be included in the extent of registration to offer sufficient curtilage to provide a setting and to protect the cultural heritage values of the place, including the values of the extensive and significant garden.

## PREVIOUS EXTENT OF REGISTRATION

### **The previous extent of registration:**

City of Castlemaine. No. 134. "Buda", 73 Urquhart Street, Castlemaine.  
[Victoria Government Gazette No 100 Wednesday, October 9 1974 p.3648]

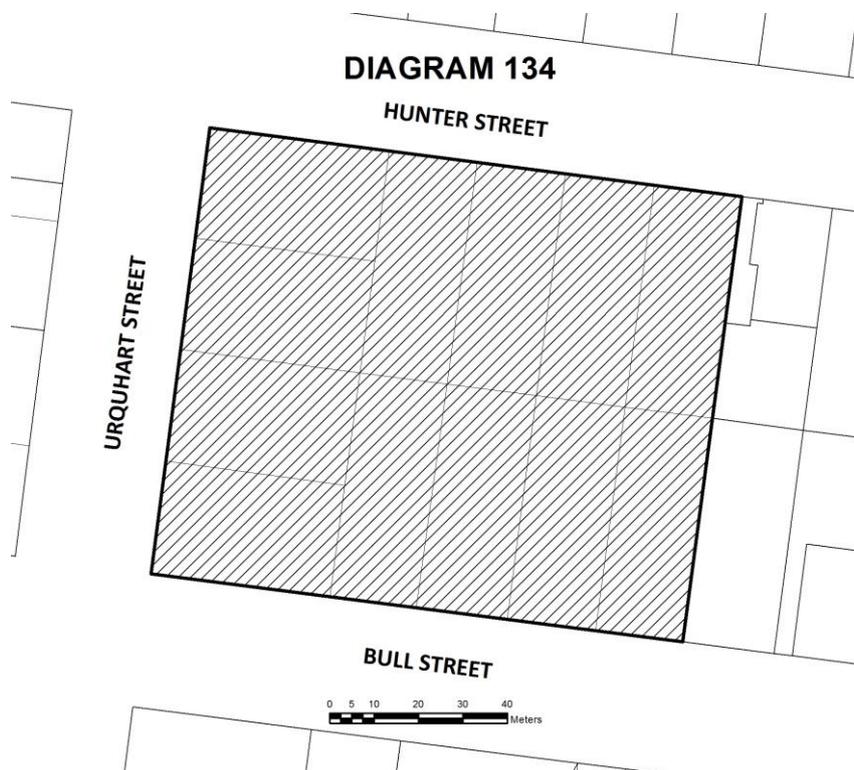
No extent diagram accompanies this registration.

## CATEGORY OF REGISTRATION

Registered Place (no change).

## CURRENT EXTENT OF REGISTRATION

All of the place shown hatched on Diagram 134 encompassing all of Lots 1, 2, 3, 4 on Title Plan 844283; Lot 5 on Title Plan 869740; Lot 6 on TP844263; Lot 7 on TP844268; Lot 8 on Title Plan 844277; Lot 20 on TP844275; Lot 19 on TP844228; Lot 18 on TP844271; Lot 17 on TP844280 in the Parish of Castlemaine.



The extent of registration of the Buda in the Victorian Heritage Register affects the whole place shown on Diagram 134 including the land, buildings (including the exterior and interior) and garden and other features.

The extent is the same as the nominated extent.

## RATIONALE FOR EXTENT

The current extent of registration for Buda encompasses the land, buildings, garden and other features which demonstrate the cultural heritage values for which the place is registered.

## AERIAL PHOTO OF THE PLACE SHOWING CURRENT REGISTRATION



## RECOMMENDATION REASONS

### REASONS FOR RECOMMENDING THE INCLUSION OF ADDITIONAL LAND IN THE VICTORIAN HERITAGE REGISTER

The Executive Director recommends that the Heritage Council amend this registration in accordance with s.62 of the *Heritage Act 2017*. He recommends that the Heritage Council add land to this registration in accordance with s.49(1)(d) *Heritage Act 2017* on the grounds that the land surrounding the place is important to the protection or conservation of the place.

The historical, aesthetic, social and architectural cultural heritage significance of Buda have been recognised by its inclusion in the Victorian Heritage Register (VHR H0134). Both the house and gardens at Buda are mentioned in the Statement of Significance but no land is registered. It is recommended that the proposed land in Diagram 134 be included as part of the registration of the place.

## ATTACHMENT 1

### PREVIOUS REGISTRATION DETAILS

#### PREVIOUS CATEGORY OF REGISTRATION

Heritage place.

#### PREVIOUS EXTENT OF REGISTRATION

City of Castlemaine. No. 134. "Buda", 73 Urquhart Street, Castlemaine.  
[Victoria Government Gazette No 100 Wednesday, October 9 1974 p.3648]

No extent diagram accompanied this registration.

#### PREVIOUS STATEMENT OF CULTURAL HERITAGE SIGNIFICANCE

##### What is significant?

Buda is a single storey 1863 Italianate villa with grand 1890s classical baroque front entrance and octagonal additions, complemented by three acres of mature dry climate garden. The garden is designed in a series of picturesque compartments, some containing oriental inspired garden structures such as the bird aviary, pergola walk and tennis pavilion. The complex is located in the heart of Castlemaine, in the Central Goldfields of Victoria. The property is the artistic creation of Ernest Leviny (1818-1905), a Hungarian émigré, silversmith and jeweller, trained in Vienna and Paris, noted for his contribution to the development of a unique Australian artistic style, combining indigenous Australian motifs with classical allegories, which won him both local and European acclaim. In 1863, he purchased Delhi Villa (circa 1861) from Reverend James Smith, a Baptist missionary returned from India. Initially, planning to develop Kaweka estate nearby, Leviny turned his attention to Delhi Villa, later in life, renaming it Buda, developing the family home into a large estate for his wife and eight children. On the death of their father in 1905, the Leviny sisters, re-decorated Buda house and garden in the style of the emerging Australian Arts and Craft Movement. Their collective craftworks, furniture and paintings of a number of important Australian women artists of the time, including examples of Margaret Preston and Norbertine Bresslern-Roths work, together with the complete contents of the house were bequeathed to the Castlemaine Art Gallery and Historical Museum at the request of Hilda, the last remaining sibling, on her death in 1981.

##### How is it significant?

Buda House and Garden are of historical, aesthetic, social and architectural significance to the State of Victoria.

##### Why is it significant?

Buda House, contents and garden is of exceptional aesthetic significance, displaying the creative and artistic genius of Ernest Leviny and his daughters. The combined works are strongly influenced by the hot dry climate of the locality, showing early development of an indigenous character to an Australian Settler aesthetic style, created by the buoyant success and aspirations of the European gold seekers in the Victorian Goldfields. It was modified later by the Leviny daughters, whose style illustrates a feminine decorative art form associated with the emergence of early 20th century Australian Arts and Crafts Movement, a precursor to Modernism.

Buda House and Garden are of historical and social importance for its association over 120 years with the notable Hungarian born silversmith and jeweller, Ernest Leviny, and his children. The design of the place

reflects the cosmopolitan character of Castlemaine, the site of the richest alluvial goldfields in Central Victoria.

Buda House, inclusive of its garden design, plants, outdoor structures, interiors and contents, is architecturally significant for its authenticity and rarity as a complete family estate, an intact record from the 1850s-60s Victorian Central Goldfields, the focus of one of the great 19th century gold rushes of the world.

[Online Data Upgrade Project 2001]

## PREVIOUS PERMIT POLICY

There is no Permit Policy associated with this registration.

## PREVIOUS PERMIT EXEMPTIONS

**General Conditions: 1.** All exempted alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

**General Conditions: 2.** Should it become apparent during further inspection or the carrying out of works that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such works shall cease and Heritage Victoria shall be notified as soon as possible.

**Note:** All archaeological places have the potential to contain significant sub-surface artefacts and other remains. In most cases it will be necessary to obtain approval from the Executive Director, Heritage Victoria before the undertaking any works that have a significant sub-surface component.

**General Conditions: 3.** If there is a conservation policy and plan all works shall be in accordance with it. Note: A Conservation Management Plan or a Heritage Action Plan provides guidance for the management of the heritage values associated with the site. It may not be necessary to obtain a heritage permit for certain works specified in the management plan.

**General Conditions: 4.** Nothing in this determination prevents the Executive Director from amending or rescinding all or any of the permit exemptions.

**General Conditions: 5.** Nothing in this determination exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authorities where applicable.

**Minor Works:** Note: Any Minor Works that in the opinion of the Executive Director will not adversely affect the heritage significance of the place may be exempt from the permit requirements of the Heritage Act. A person proposing to undertake minor works must submit a proposal to the Executive Director. If the Executive Director is satisfied that the proposed works will not adversely affect the heritage values of the site, the applicant may be exempted from the requirement to obtain a heritage permit. If an applicant is uncertain whether a heritage permit is required, it is recommended that the permits co-ordinator be contacted.