

ORDINARY MEETING

Notice is hereby given that a meeting of the Council of Burwood will be held in the Conference Room, Level 1, 2 Conder Street, Burwood on Tuesday 22 November 2022 at 6:00pm to consider the matters contained in the attached Agenda.

The public gallery will be open for those wishing to observe the meeting. In addition, an opportunity to observe the meeting via audio visual link will also be made available.

Public Forum

A public forum will be held at 6:00pm, prior to the commencement of the meeting, to allow members of the public to make oral submissions about an item on the Agenda for the meeting. The opportunity will also be provided to speak via audio visual link.

Anyone wishing to address Council during the public forum will need to register by 2:00pm on the day of the meeting. A person wishing to speak must indicate the item of business on the Agenda they wish to speak on and whether they wish to speak 'for' or 'against' the item. Registrations to speak can be lodged on [Council's website](#).

The Council Meeting will commence immediately after the conclusion of the Public Forum.

George El Kazzi
ACTING GENERAL MANAGER

(ITEM 113/22) PLANNING PROPOSAL - GROUP HERITAGE LISTING OF FEDERATION DWELLINGS ASSOCIATED WITH THE APPIAN WAY CONSERVATION AREA

File No: 22/40684

REPORT BY DIRECTOR CITY STRATEGY

Summary

A Planning Proposal has been prepared to facilitate the group heritage listing of properties associated with the Appian Way Conservation Area under Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012.

The properties proposed to be listed as part of the group listing meet the threshold of local significance for the relevant criteria of the standard assessment criteria. It is recommended that Council endorse the Planning Proposal for a Gateway Determination

Operational Plan Objective

C.3 An urban environment that maintains and enhances our sense of identity and place

C.3.2 Protect our unique built heritage and maintain or enhance local character

P.13 Identify and plan for built heritage and local character

A.37 Undertake a heritage assessment of existing building stock to identify and update the register of contributory or heritage items

Background

Council at its meeting of 27 September 2022 considered a Mayoral Minute (MM12/22) where they resolved the following:

That Council request the General Manager to investigate the listing of the properties in the Appian Way as heritage items and to further seek advice on the question of whether the Appian Way Conservation Area could be lifted to a State significant status.

Work has been undertaken by Council staff to implement this resolution with the first stage, being the local listing of properties, resulting in the preparation of a Planning Proposal. This report and attached documentation supports progression of certain properties in as group heritage listed items.

Applicant Way Heritage Conservation Status

The Appian Way Conservation Area has been long considered to be one of the most significant Federation precincts in Australia with exemplary heritage significance. The National Trust of Australia (NSW) describes the conservation area as:

"Probably the finest Edwardian bungalow precinct in Sydney. By virtue of its architectural cohesiveness, idyllic landscaped environment of street and allotment alike with community related sports reserve, this development sets a high standard by today's criteria". (National Trust, 1977).

Council and organisations such as the National Trust (NSW) and the Burwood and District Historical Society have strongly advocated for protection of the precinct. Through continued lobbying, dwellings associated with the Hoskins Estate (Appian Way) first gained heritage protection in May 1977.

The Appian Way Precinct was afforded a 'classified precinct' listing by the National Trust of Australia (NSW), followed by the establishment of the Appian Way Urban Conservation Area (with

a much larger area than today) in March 1981. The precinct was listed on the Australian Heritage Commission's Register of the National Estate and had an Interim Conservation Order (No. 182) under the Heritage Act 1977, which gave temporary protection until the preparation of a Local Environmental Plan (LEP).

In 1985 permanent protection was granted and Appian Way was one of the first conservation areas gazetted in New South Wales. Burwood Local Environmental Plan No. 10 afforded the precinct statutory protection setting out development controls preserving the significant characteristics of the precinct.

Burwood Development Control Plan No. 4 replaced LEP10 and was adopted by Council 22 May 2001. This provided more detailed guidance and incorporated changes to heritage protection such as the Burra Charter. This afforded the precinct a similar level of statutory protection under the Burwood Planning Scheme Ordinance (BPSO).

The Standard Instrument Local Environmental Plan framework was released and the Burwood Local Environmental Plan 2012 (BLEP) replaced the BPSO. Under this framework development control plans lost their statutory weight they had under planning scheme ordinances, but the controls from BDCP No. 4 were incorporated into Council's new Development Control Plan, which was adopted 12 February 2013. Development Applications within the precinct continued to be assessed as if they had statutory protection the same as listed items under the BLEP. This has resulted in a situation today where dwellings within the Appian Way Conservation Area are not locally listed as heritage items in the BLEP.

Instead the dwellings only have protection as part of the Appian Way Conservation Area, with controls in the BDCP providing guidance.

Council's experience with development applications and outcomes resulting from Land and Environment Court approvals has demonstrated a need for a greater level of heritage protection. Outcomes of Land and Environment Court approvals, such as at 13 Appian Way have resulted in alterations which compromise the integrity of the Appian Way Conservation Area.

The properties currently have heritage protection afforded by the Appian Way Conservation Area, where the streetscape character is protected. The inclusion as a locally listed group item in Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012 would give greater strength to the preservation of the dwellings and integrity of the precinct as locally listed items are afforded an additional layer of protection with respect to the curtilage of the dwellings. This is consistent with other precincts of this significance in New South Wales, where precincts of this nature would usually be listed as a local heritage item. In addition, the uniqueness of each dwelling warrants heritage recognition as an item of local significance.

Burwood Local Planning Panel Consideration

The Planning Proposal was considered by the Burwood Local Planning Panel (BLPP) at its meeting on 8 November 2022. The BLPP recommended to:

- (a) support the Planning Proposal to amend Schedule 5 of Burwood Local Environmental Plan 2012 to group list those properties that demonstrate heritage significance and meet the threshold of local significance for the relevant criteria, as outlined in the Planning Proposal.
- (b) provides advice to Council to proceed with the Planning Proposal at Attachment 1 to group list the relevant properties in the Appian Way Heritage Conservation Area as a local heritage item in the Burwood LEP 2012.

On the basis of the Burwood BLPP's advice, it is recommended that Council endorse the Planning Proposal and submit the Planning Proposal to the DPE for a Gateway Determination.

The BLPP advised:

The Panel supports the Planning Proposal to amend Schedule 5 of Burwood Local Environmental Plan 2012 to group list those properties that demonstrate heritage significance and meet the threshold of local significance for the relevant criteria, as outlined in the Planning Proposal.

The Panel advice is that the Planning Proposal satisfies the Strategic Merit and Site-Specific Merit tests and should be forwarded to the Department of Planning and Environment for Gateway consideration. The decision was unanimous.

In addition, additional advice was provided, being:

- Further explanation may be needed to explain the additional level of protection to be provided to the properties by the proposal.
- Council should afford existing land owners ample time to engage consultants to provide advice on their behalf as part of the exhibition period.

Amendments have been made to the planning proposal to address the concerns of the LPP, including updating the timeline in the Planning Proposal to provide 2 months for community engagement.

Discussion

Council's Heritage Advisor has undertaken a heritage assessment of each of the properties within the existing heritage conservation area. The dwellings proposed to be included within the group listing have been assessed to demonstrate heritage significance at the local level and meet the threshold of local significance for the relevant criteria, as outlined below.

The properties were assessed against the seven criteria in the guidelines (see Table 1 below).

Each criterion has inclusions and exclusions guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance.

Table 1: NSW Heritage assessment criteria summary

Criteria	
(a) Historic significance	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) Associational significance	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)
(c) Aesthetic significance	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)
(d) Social significance	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
(e) Technological significance/research potential	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)
(f) 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)
(g) Representativeness	An item is important in demonstrating the principal characteristics

	of a class of NSW's <ul style="list-style-type: none"> - 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 environment
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Properties within the Appian Way Conservation Area which have not met this threshold have been excluded from this Planning Proposal, but will continue to have heritage protection as part of the conservation area. No changes will be made to the Appian Way Conservation Area.

The heritage assessment report concludes that the subject properties demonstrate heritage significance at the local level for the following reasons:

- The group of dwellings are representative of an innovative approach to residential development that contains outstanding examples of Edwardian and Federation architecture in a garden setting.
- Each dwelling which remains largely intact from the original subdivision (Hoskins Estate) demonstrates the early 20th Century development of Burwood through a consistent, yet elaborate architectural forms.
- Each original dwelling within the group represents the historical 'garden city' planning movement influenced by the first 'Garden Suburbs' in England, but on a smaller scale and based on local Australian Architecture.
- The dwellings are all interpretations of Federation styles by prominent industrialist George Hoskins and builder/designer William Richards.
- Dwellings located within the Austinlee Estate facing the Appian Way are historically important due to their relationship with the Hoskins Estate (Appian Way), which demonstrate a similar style.
- The group consists of rare Federation Queen Anne (sometimes referred to as Edwardian Bungalow) precinct of architectural and constructional excellence. The group of dwellings represents an almost intact, complete Federation streetscape (though not strictly in Federation style) and is a unique part of the development of Burwood, and more broadly, Sydney with exceptionally generous landscaped settings of high quality.
- The dwellings demonstrate rare significance as part of a very unusual and discrete form of garden suburb incorporating the ideas of the builder and owner where no two houses are identical, yet are consistent in their overall Federation era form.
- Each of the dwellings as an individual dwelling and as part of the group of Federation era dwellings have minimal additions or alterations from the public domain with the majority of dwellings (to Council's knowledge) retaining significant internal heritage fabric.

The Planning Proposal and heritage assessment undertaken by Council's Heritage Adviser is included at Attachment 1 and 2, respectively.

The Planning Proposal has strategic and site specific merit. The Planning Proposal is consistent with the relevant objectives of Greater Sydney Region Plan: A Metropolis of Three Cities (2018) and the actions of the Eastern City District Plan (2018).

The Planning Proposal is consistent with the Council's Community Strategic Plan and the Burwood Local Strategic Planning Statement which was endorsed by the Greater Sydney Commission in March 2020. The vision for Burwood makes reference to '*cherished heritage conservation areas, ...well designed buildings and... neighbourhoods filled with distinct character*'. One the LSPS's objectives include:

Preserve local character by preventing extensive redevelopment in those parts of the LGA which have heritage significance or a significant local character.

The Planning Proposal is consistent with the Standard Instrument – Principal Local Environmental Plan and all other applicable State environmental planning policies and applicable section 9.1 directions.

Consultation

Burwood Council has not consulted with the affected property owners ahead of preparing this Planning Proposal. The properties are already identified within the Appian Way Heritage Conservation Area and this Planning Proposal is seeking to list the significant and intact buildings as part of a group listed heritage item, with the aim of ensuring that those buildings and their curtilage have greater protection.

It is proposed that affected and adjoining property owners be consulted during the exhibition of the planning proposal in accordance with the timeframes identified in any Gateway Determination. The public exhibition will include:

- Electronic copy of all relevant information on Council's Participate Burwood page, as well as the DPE Planning Proposal tracker
- Letters to all affected/neighbouring land owners
- Letters to relevant State agencies and other authorities/agencies nominated by the DPE as part of the Gateway Determination.

Planning or Policy Implications

Heritage listing of properties is undertaken through a Planning Proposal. It is advisable that any Planning Proposal for heritage listing be progressed in a timely manner, therefore limiting the risk of further unsympathetic alterations to significant dwellings within the Appian Way Conservation Area.

Should Council resolve to progress the Planning Proposal, the general steps would be as follows:

- The Planning Proposal is submitted to the NSW Department of Planning and Environment (DPE) for a Gateway Determination. This step will determine whether the proposal can proceed and outlines the community consultation required.
- Undertake public exhibition and consultation with relevant State agencies.
- The outcomes of community consultation are reported back to Council. The Council is asked whether it wishes to adopt the Planning Proposal and proceed to plan-making.
- If adopted, Council staff liaises with the DPE to amend the BLEP.
- The properties are listed as a group item in Schedule 5 of the BLEP.

It is anticipated that the process would take 8 months to complete all steps as outlined above. However, the properties are afforded greater heritage protection (i.e. deemed a "draft heritage item") as soon as the Planning Proposal is placed on public exhibition and a notation will be placed on Council's Planning Certificates to ensure that the information is available to current and future property owners.

Consideration has been given to seeking a State Heritage Listing. Given the heritage values of the properties in Appian Way there is considered to be merit in also pursuing this option. There are several approaches that could be adopted and, concurrently to the local heritage listing process, Council will engage with NSW Heritage to determine an appropriate pathway.

In experience, given the time that State Heritage listing can take to conclude, obtaining local heritage listing offers additional statutory protection as an interim measure. This is until such time that State Heritage listing can be considered and confirmed.

Financial Implications

Suitably justified submissions during the public exhibition may require peer review by an independent heritage consultant. If this is required, money will be allocated from the existing City Planning budget.

There are no other financial implications with respect to the Planning Proposal other than staff allocation and resources.

Conclusion

A Planning Proposal has been prepared to facilitate the group heritage listing of properties associated with the Appian Way Conservation Area under Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012.

Council's Heritage Advisor has undertaken a heritage assessment of each of the properties within the existing heritage conservation area. The dwellings proposed to be listed within the group listing have been assessed to demonstrate heritage significance at the local level and meet the threshold of local significance for the relevant criteria.

In view of the BLPP's support for the Planning Proposal, Council's endorsement is sought for progressing the Planning Proposal to a Gateway Determination.

Recommendation(s)

1. That Council support the group listing of the identified properties, as outlined in the Planning Proposal as a local heritage item on the heritage schedule of the Burwood Environmental Plan 2012 which contains the appropriate provisions for protecting and managing the listed properties.
2. That Council endorse the forwarding of the Planning Proposal to the NSW Department of Planning and Environment (DPE) to request a Gateway Determination under Section 3.33 of the Environmental Planning and Assessment Act 1979 for an amendment to the Burwood Local Environmental Plan 2012 by:
 - i. Group listing the properties as identified in the Planning Proposal as a heritage item in Schedule 5 Environmental heritage; and
 - ii. Mapping the properties as "Item – General" on the Heritage Map
3. That subject to the Gateway Determination, affected property owners be notified in writing.
4. That the results of the public exhibition and consultation be reported back to Council.
5. That Council supports the nomination of the Appian Way Heritage Conservation Area as State Heritage item and that engagement with NSW Government is authorised to commence this process and a further report be provided to Council to outline a process and pathway to secure State Heritage Listing.

Attachments

- 1 [📄](#) Attachment 1 - Planning Proposal - Appian Group Listing - For Council Meeting
- 2 [📄](#) Attachment 2 - Heritage Assessment Report - Appian Group Listing - For Council Meeting



Planning Proposal

Amendment of Schedule 5 of the Burwood LEP 2012 to heritage list (group listing) properties within the Appian Way Heritage Conservation Area

November 2022

A Planning Proposal is the first step in proposing amendments to Council's principle environmental planning instrument, known as the Burwood Local Environmental Plan (BLEP) 2012. A Planning Proposal explains the intended effect of the proposed amendment and also sets out the justification for making the change. The Planning Proposal is submitted to the NSW Department of Planning and Environment (DPE) for its consideration, referred to as the Gateway Determination, and is also made available to the public as part of the community consultation process.

Part 1 – Objectives and Intended Outcomes

The Planning Proposal (PP) proposes to heritage list, as a group listing under Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012, those dwellings within the Appian Way Heritage Conservation Area that are intact and representative Federation era dwellings and have been assessed to demonstrate heritage significance at the local level and meet the threshold of local significance for the relevant criteria.

Part 2 – Explanation of Provisions

The Burwood LEP 2012 is to be amended by:

1. Amending Schedule 5 of the Burwood LEP 2012 to amend Part 1 Heritage items to include the following properties as a group item of local significance (see Table 1 below).

Table 1: Properties included in planning proposal

Address	Lot Number	Deposited Plan Number
2 Appian Way Burwood	Lot102	DP592227
2A Appian Way Burwood	Lot40	DP12249
3 Appian Way Burwood	Lot1	DP984192
4 Appian Way Burwood	Lot18	DP12249
5 Appian Way Burwood	Lot37	DP166468
6 Appian Way Burwood	Lot1	DP953252
7 Appian Way Burwood	Lot36	DP12249
8 Appian Way Burwood	Lot20	DP12249
9 Appian Way Burwood	Lot1	DP167955
10 Appian Way Burwood	Lot21	DP12249
11 Appian Way Burwood	Lot1	DP304076
12 Appian Way Burwood	Lot22	DP12249
13 Appian Way Burwood	Lot33	DP12249
14 Appian Way Burwood	Lot1	DP945586
15 Appian Way Burwood	Lot32	DP12249
16 Appian Way Burwood	LotB	DP406214
17 Appian Way Burwood	Lot31	DP12249
18 Appian Way Burwood	Lot1	DP12249
19 Appian Way Burwood	Lot30	DP12249
21 Appian Way Burwood	Lot29	DP12249
23 Appian Way Burwood	Lot28	DP12249
25 Appian Way Burwood	Lot27	DP12249
304 Burwood Road Burwood	Lot1	DP945216
306 Burwood Road Burwood	Lot2	DP12249
308 Burwood Road Burwood	Lot3	DP12249
310 Burwood Road Burwood	Lot4	DP12249
312 Burwood Road Burwood	Lot5	DP12249
316 Burwood Road Burwood	Lot1	DP305311
318 Burwood Road Burwood	Lot8	DP12249
55 Liverpool Road Burwood	Lot43	DP12249
59 Liverpool Road Burwood	Lot15	DP12249

67 Liverpool Road Burwood	Lot12	DP12249
72 Liverpool Road Burwood Heights	Lot85	DP7371
74 Liverpool Road Burwood Heights	Lot84	DP7371
78 Liverpool Road Burwood Heights	Lot52	DP7371

The heritage listing would apply to the whole of the properties. Appendix 1 includes details of the proposed listing, which will be subject to review by Parliamentary Counsel.

- Amend the relevant Heritage Map (HER_001 & HER_002) as per Figure 1 and Figure 2 below.



Figure 1: Aerial Photograph of subject properties.
Subject properties are shown outlined in red.

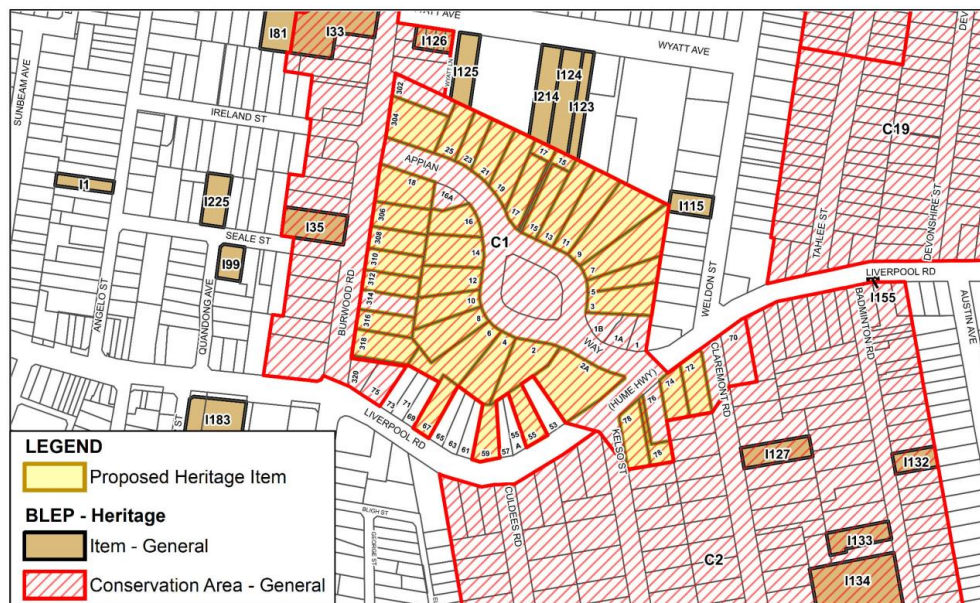


Figure 2: Existing BLEP Heritage Map of Appian Way Burwood with proposed group item.

Subject properties are shown in yellow.

Part 3 – Justification of strategic and site-specific merit

Section A – Need for the planning proposal

1. *Is the planning proposal a result of an endorsed LSPS, strategic study or report?*

This planning proposal has been prepared as a result of an assessment undertaken by Council's Heritage Advisor.

An independent external heritage consultant was not engaged to prepare a report or undertake an assessment due to these sites having previously been recognised as having heritage significance within the conservation area and the broadly known heritage significance of the Appian Way Conservation Area, its historic significance, its aesthetic significance and its rarity.

Council's Heritage Advisor has undertaken a heritage assessment of each of the properties within the existing heritage conservation area. The dwellings proposed to listed within the group listing have been assessed to demonstrate heritage significance at the local level and meet the threshold of local significance for the relevant criteria, as outlined below.

The properties were assessed against the seven criteria in the guidelines (see Table 2 below).

Each criterion has inclusions and exclusions guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and

retains the integrity of its key attributes, it can be considered to have local heritage significance.

Table 2: NSW Heritage assessment criteria summary

Criteria	
(a) Historic significance	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) Associational significance	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)
(c) Aesthetic significance	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)
(d) Social significance	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
(e) Technological significance/ research potential	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)
(f) 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)
(g) Representativeness	An item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> - 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 environment

The heritage assessment report concludes that the subject properties demonstrate heritage significance at the local level for the following reasons:

- The group of dwellings are representative of an innovative approach to residential development that contains outstanding examples of Edwardian and Federation architecture in a garden setting.
- Each dwelling which remains intact from the original subdivision (Hoskins Estate) demonstrate the early 20th Century development of Burwood through a consistent, yet elaborate architectural forms.

- Each original dwelling within the group represent the historical 'garden city' planning movement influenced by the first 'Garden Suburbs' in England, but on a smaller scale and based on local Australian Architecture.
- The dwellings are all interpretations of Federation styles by prominent industrialist George Hoskins and builder/designer William Richards.
- Dwellings located within the Austinlee Estate facing the Appian Way are historically important due to their relationship with the Hoskins Estate (Appian Way), which demonstrate a similar style.
- The group consists of rare Federation Queen Anne (sometimes referred to as Edwardian Bungalow) precinct of architectural and constructional excellence. The group of dwellings represents an almost intact, complete Federation streetscape (though not strictly in Federation style) and is a unique part of the development of Burwood, and more broadly, Sydney with exceptionally generous landscaped settings of high quality.
- The dwellings demonstrate rare significance as part of a very unusual and discrete form of garden suburb incorporating the ideas of the builder and owner where no two houses are identical, yet are consistent in their overall Federation era form.
- Each of the dwellings as an individual dwelling and as part of the group of Federation era dwellings have minimal additions or alterations from the public domain with the majority of dwellings (to Council's knowledge) retaining significant internal heritage fabric.

The detailed Heritage Assessment and draft Heritage Inventory Sheet is included at Attachment 1 and 2, respectively

Properties within the Appian Way Conservation Area which have not met this threshold have been excluded from this planning proposal, but will continue to have heritage protection as part of the conservation area. No changes will be made to the Appian Way Conservation Area.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes. The planning proposal is the only means of listing the items as a group heritage item of local significance and ensuring the protection of those individual properties within the Appian Way Heritage Conservation Area that have been assessed to demonstrate heritage significance at the local level and meet the thresholds for significance.

Section B – Relationship to the strategic planning framework

3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy?*

Yes. The proposal is consistent with metropolitan, subregional and district strategies and plans.

The State Government has prepared the *Eastern City District Plan* (applicable to the Burwood LGA) to manage growth for the next 20 years in the context of economic, social and environmental matters at a district level, to contribute towards the 20-year vision for Greater Sydney. It contains the planning priorities and actions for implementing the Greater Sydney Region Plan, *A Metropolis of Three Cities*, at a district level, and is a bridge between local and regional planning.

Objective 13 of *A Metropolis of Three Cities* states that '*environmental heritage is identified, conserved and enhanced*'. Meanwhile, Planning Priority E6 of the *Eastern City District Plan* relates to '*creating and renewing great places and local centres, and respecting the District's heritage*'. In addition, the *Eastern City District Plan* states:

Heritage and history are important components of local identity and great places. The District's rich Aboriginal, cultural and natural heritage reinforces its sense of place and identity....

Identifying, conserving, interpreting and celebrating Greater Sydney's heritage values leads to a better understanding of history and respect for the experiences of diverse communities. Heritage identification, management and interpretation are required so that heritage places and stories can be experienced by current and future generations.

By identifying the abovementioned properties as a group heritage listing of local significance, this planning proposal supports Objective 13 of the Region Plan, and Planning Priority E6 of the District Plan.

4. *Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*

Yes. Burwood's Local Strategic Planning Statement (LSPS) was endorsed by the Greater Sydney Commission (GSC) in March 2020. The vision for Burwood makes reference to '*cherished heritage conservation areas, ...well designed buildings and... neighbourhoods filled with distinct character*'. One of the LSPS's objectives include:

Preserve local character by preventing extensive redevelopment in those parts of the LGA which have heritage significance or a significant local character.

By identifying properties of local heritage significance, this planning proposal is in keeping with the vision and objectives of the LSPS.

Also, the Burwood 2036 Community Strategic Plan recognises the need to create places for people that are built around people while protecting the unique built heritage of Burwood. Community Outcome 2.1 aims to '*create an urban environment that maintains and enhances our sense of identity and place*'. Strategy 2.1.2 is to '*Protect our unique built heritage and maintain or enhance local character*'. This planning proposal is in keeping with this strategy.

5. *Is the planning proposal consistent with any other applicable State and regional studies or strategies?*

Yes. The planning proposal is consistent with the Standard Instrument – Principal Local Environmental Plan and all other applicable State Environmental Planning Policies.

6. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

Yes. There are no State Environmental Planning Policies (SEPPs) which would be contravened by the amendments proposed in the planning proposal.

All SEPPs applicable to the Burwood local government area are set out in Table 3 below, together with a comment regarding the planning proposal's consistency:

Table 3: Consistency with State Environmental Planning Policies

SEPP	Comment
Housing (2021)	Not relevant. The subject properties are not known to contain affordable housing. The heritage listing of properties may alter whether development under the former ARH SEPP may be carried out on that site, but this planning proposal would not contravene the SEPP in any way.
No 65 – Design Quality of Residential Apartment Development	Not relevant.
Planning Systems (2021)	Not relevant.
Biodiversity and Conservation (2021)	Not relevant. This SEPP contains provisions in respect to heritage trees. The heritage listing of properties may alter whether development under the SEPP may be carried out on that site, but this planning proposal would not contravene the SEPP in any way.
Resilience and Hazards (2021)	Not relevant. There is no indication that previous uses at the subject sites would trigger site remediation requirements. The subject properties are not located within the coastal areas identified by this SEPP.
Transport and Infrastructure (2021)	Not relevant.
Industry and Employment (2021)	Not relevant.
Resources and Energy (2021)	Not relevant.
Primary Production (2021)	Not relevant.
Precincts – Eastern Harbour City (2021)	Not relevant.
Precincts – Central River City (2021)	Not relevant.
Precincts – Western Parkland City (2021)	Not relevant.
Precincts – Regional	Not relevant.

Exempt and Complying Development Codes (2008)	Not relevant. The heritage listing of properties may alter whether development under the Codes SEPP may be carried out on that site, but all properties are currently included in the heritage conservation area. This planning proposal would not contravene the SEPP in any way.
Building Sustainability Index: BASIX (2004)	Consistent and not contravened.

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

Yes. Consistency with the list of Directions (under section 9.1(2) of the *Environmental Planning and Assessment Act 1979* issued by the Minister for Planning) is set out in Table 4 below.

Table 4: Consistency with Ministerial Directions

Direction		Comment
Focus area 1: Planning Systems		
1.1	Implementation of Regional Plans	Not relevant.
1.2	Development of Aboriginal Land Council	Not relevant.
1.3	Approval and Referral Requirements	The planning proposal will not contain provisions which require the concurrence, referral or consultation of other public authorities, nor identify any use as designated development.
1.4	Site Specific Provisions	Not relevant.
Focus area 1: Planning Systems – Place based		
1.5	Parramatta Road Corridor Urban Transformation Strategy	Not relevant. The subject properties are not within the Parramatta Road corridor, nor undermine the achievement of that Strategy's vision or objectives.
1.6	Implementation of North West Priority Growth Area Land Use and	Not relevant.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation	Not relevant.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and	Not relevant.
1.9	Implementation of Glenfield to Macarthur Urban Renewal	Not relevant.
1.10	Implementation of the Western Sydney Aerotropolis Plan	Not relevant.
1.11	Implementation of Bayside West	Not relevant.
1.12	Implementation of Planning Principles for the Cooks Cove	Not relevant.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	Not relevant.

ITEM NUMBER 113/22 - ATTACHMENT 1

Attachment 1 - Planning Proposal - Appian Group Listing - For Council Meeting

Direction		Comment
1.14	Implementation of Greater Macarthur	Not relevant.
1.15	Implementation of the Pyrmont Peninsula Place Strategy	Not relevant.
1.16	North West Rail Link Corridor Strategy	Not relevant.
1.17	Implementation of the Bays West Place	Not relevant.
1.18	Implementation of the Macquarie Park Innovation Precinct	Not relevant.
1.19	Implementation of the Westmead Place Strategy	Not relevant.
Focus area 2: Design and Place		
Focus area 3: Biodiversity and Conservation		
3.1	Conservation zones	Not relevant.
3.2	Heritage Conservation	Refer to discussion below
3.3	Sydney Drinking Water Catchments	Not relevant.
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North	Not relevant.
3.5	Recreation Vehicle Areas	Not relevant.
3.6	Strategic Conservation Planning	Not relevant.
Focus area 4: Resilience and Hazards		
4.1	Flooding	Not relevant.
4.2	Coastal Management	Not relevant.
4.3	Planning for Bushfire Protection	Not relevant.
4.4	Remediation of Contaminated Land	Not relevant.
4.5	Acid Sulfate Soils	The properties have been identified as Class 5 on the Acid Sulfate Soils Map, representing the lowest probability of containing Acid Sulfate Soils.
4.6	Mine Subsidence and Unstable Land	Not relevant.
Focus area 5: Transport and Infrastructure		
5.1	Integrating Land Use and Transport	The planning proposal does not alter the land zoning, and as such, would not affect travel demand or the availability of transport options.
5.2	Reserving Land for Public Purposes	Not relevant.
5.3	Development Near Regulated Airports and Defence Airfields	Not relevant.
5.4	Shooting Ranges	Not relevant.
Focus area 6: Housing		
6.1	Residential Zones	The properties are zoned R2 – Low Density Residential. The planning proposal does not seek to amend the zoning or range of permissible uses on the sites. The sensitive development of heritage properties is supported by Council's Development Control Plan (DCP).
6.2	Caravan Parks and Manufactured Home	Not relevant.
Focus area 7: Industry and Employment		
7.1	Business and Industrial Zones	Not relevant.
7.2	Reduction in non-hosted short-term rental	Not relevant.

Direction		Comment
7.3	Commercial and Retail Development along the Pacific Highway, North	Not relevant.
Focus area 8: Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	Not relevant.
Focus area 9: Primary Production		
9.1	Rural Zones	Not relevant.
9.2	Rural Lands	Not relevant.
9.3	Oyster Aquaculture	Not relevant.
9.4	Farmland of State and Regional Significance on the NSW Far North	Not relevant.

3.2 Heritage Conservation

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance. This Direction applies when a relevant planning authority prepares a planning proposal (see Table 5 below).

Table 5: Heritage Conservation Direction Assessment

Direction Requirement	Assessment
1) A planning proposal must contain provisions that facilitate the conservation of:	
a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area	<p>The accompanying assessment report prepared by Council's Heritage Advisor has examined each of the properties within the existing Appian Way Heritage Conservation Area and has identified 35 properties within the existing HCA that should be listed as heritage items, as part of the proposed group listing</p> <p>This PP seeks to list these properties as new items local heritage significance, as part of a group listing. Once listed the provisions of Clause 5.10 Heritage Conservation of the Burwood LEP would apply to these sites. The provisions of Clause 5.10 of the Burwood LEP seek to conserve the environmental heritage of Burwood.</p>
b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and	N/A.
c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an	The assessment report prepared by Council's Heritage Advisor does not address Aboriginal cultural heritage values.

Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.	
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The planning proposal is consistent with this direction

Section C – Environmental, Social and Economic Impact

8. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*

No. There is no known critical habitat or threatened species, populations or ecological communities, or their habitats affected by the planning proposal.

9. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

No. There are no other likely environmental effects as a result of the planning proposal, such as flooding, landslip, bushfire hazard and the like.

10. *How has the planning proposal adequately addressed any social and economic effects?*

The Planning Proposal is considered to have positive social effect for the community.

This will have positive social effects for the community as it will ensure the protection and retention of local heritage and that appropriate development controls and/or restrictions are in place to guide any future development. This will ensure best practice urban design and development that retains character and is sympathetic to adjoining heritage and/or the HCA.

Social heritage are the non-physical aspects of our culture in our society. By retaining items of cultural significance this has positive effects on restoring the social effects of heritage. The Planning Proposal is considered to have positive economic effect for the community. Amending the LEP to include new heritage items will have a positive effect on the community as it ensures that cultural heritage and local character will be protected.

The planning proposal is not expected to have any adverse social or economic effects.

Section D – Infrastructure (Local, State and Commonwealth)

11. *Is there adequate public infrastructure for the planning proposal?*

The proposal seeks to list new heritage items, as a group listing in Schedule 5 of the Burwood LEP 2012 and therefore does not have the potential to increase the current demand on public infrastructure.

Section E – State and Commonwealth Interests

12. *What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?*

Pre Gateway consultation

The proposal is minor in nature and as such, no State or Commonwealth authorities have been consulted as part of the preparation of this Planning Proposal.

Post Gateway consultation

Following the receipt of any Gateway Determination, Council proposes to seek the views of the following state and federal public authorities and government agencies:

- Heritage NSW

Part 4 – Maps

The planning proposal seeks to amend the following LEP Maps:

- Heritage Maps
 - Sheet HER_001
 - Sheet HER_002

The planning proposal does not seek to alter the zoning, height of buildings, floor space ratio, or any other BLEP maps.

Part 5 – Community Consultation

Burwood Council has not consulted with the affected property owners ahead of preparing this Planning Proposal. The properties are already identified within the Appian Way Heritage Conservation Area and this Planning Proposal is seeking to list the significant and intact buildings as part of a group listed heritage item, with the aim of ensuring that those buildings and their curtilage have greater protection.

It is proposed that affected and adjoining property owners will be consulted during the exhibition of the planning proposal in accordance with the timeframes identified in any Gateway Determination. The public exhibition will include:

- Electronic copy of all relevant information on Council's Participate Burwood page, as well as the DPE Planning Proposal tracker
- Letters to affected/neighbouring land owners
- Letters to relevant State agencies and other authorities/agencies nominated by the DPE as part of the Gateway Determination.

Part 6 – Project Timeline

The timeframe for the Planning Proposal is that, from date of Gateway determination to date of submission to the Department of Planning & Environment (DPE), to finalise the LEP is a period of 9 months.

Table 6: Project Timeframe

Submit to DPE seeking a Gateway Determination	December 2022
Receive Gateway Determination	January 2023
Consult with State/commonwealth agencies	February-March 2023
Timeframe for government agency consultation	February-March 2023
Commencement and completion dates for the public exhibition period	February-March 2023
Dates for public hearing	Not applicable
Review of Public Submissions and preparation of report to Council	April 2023
Report to Council for final endorsement	May 2023
Seek Parliamentary Counsel Office's (PCO) opinion	June 2023
Submit maps for DPE review	June 2023
Gazettal of LEP amendment	July 2023

Appendix One

- Proposed Amendment to Schedule 5

Appendix Two

- Delegation Checklist

Supporting Documentation

- List of supporting documents that are provided under separate cover.

Links to Supporting Material

- Links to Council meeting reports and resolutions to be added later.

Appendix One

Proposed Amendment to Schedule 5

The proposed heritage item would be inserted into Schedule 5 of the BLEP 2012. The proposed Item No will be confirmed by Parliamentary Counsel at the finalisation stage of the LEP amendment.

For the avoidance of doubt, the following table sets out the proposed new Schedule 5 text.

Suburb	Item name	Address	Property description	Significance	Item no
Burwood, Burwood Heights	Federation houses associated with the Appian Way Conservation Area	2, 2A, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 23, 25 Appian Way Burwood, 304, 306, 308, 310, 312, 316, 318 Burwood Road Burwood, 55, 59, 67 Liverpool Road Burwood, 72, 74, 78 Liverpool Road Burwood Heights.	Lot 102, DP 592227; Lots, 1, 2, 3, 4, 5, 8, 12, 15, 18, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 36, 40, 43, DP 12249; Lot 1, DP 984192; Lot 37, DP 166468; Lot 1, DP 953252; Lot 1, DP 167955; Lot 1, DP 304076; Lot 1, DP 945586; Lot B, DP406214; Lot 1, DP 945216; Lot 1, DP 305311; Lots, 52, 84, 85, DP 7371.	Local	

The wording of any BLEP provisions will be subject to possible revision by the Parliamentary Counsel's Office.

Appendix Two

Delegation Checklist and Evaluation Criteria

Checklist for the review of a request for delegation of plan making functions to councils
Local Government Area:
Burwood.
Name of draft LEP:
Amendment of Schedule 5 of the Burwood LEP 2012 to heritage list (group listing) properties within the Appian Way Heritage Conservation Area
Address of Land (if applicable):
2, 2A, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 23, 25 Appian Way Burwood, 304, 306, 308, 310, 312, 316, 318 Burwood Road Burwood, 55, 59, 67 Liverpool Road Burwood, 72, 74, 78 Liverpool Road Burwood Heights.
Intent of draft LEP:
Group heritage listing of the subject properties.
Additional Supporting Points/Information:
Please refer to the PP.

Evaluation criteria for the issuing of an Authorisation				
(NOTE - where the matter is identified as relevant and the requirement has not been met, council is attach information to explain why the matter has not been addressed)	Council response		Department assessment	
	Y/N	Not relevant	Agree	Not agree
Is the planning proposal consistent with the Standard Instrument Order, 2006?	Y			
Does the planning proposal contain an adequate explanation of the intent, objectives, and intended outcome of the proposed amendment?	Y			
Are appropriate maps included to identify the location of the site and the intent of the amendment?	Y			
Does the planning proposal contain details related to proposed consultation?	Y			
Is the planning proposal compatible with an endorsed regional or sub-regional planning strategy or a local strategy endorsed by the Director-General?	Y			
Does the planning proposal adequately address any consistency with all relevant S117 Planning Directions?	Y			
Is the planning proposal consistent with all relevant State Environmental Planning Policies (SEPPs)?	Y			
Minor Mapping Error Amendments	Y/N			
Does the planning proposal seek to address a minor mapping error and contain all appropriate maps that clearly identify the error and the manner in which the error will be addressed?	N			
Heritage LEPs	Y/N			
Does the planning proposal seek to add or remove a local heritage item and is it supported by a strategy/study endorsed by the Heritage Office?	Y*			
Does the planning proposal include another form of endorsement or support from the Heritage Office if there is no supporting strategy/study?		N/A		
Does the planning proposal potentially impact on an item of State Heritage Significance and if so, have the views of the Heritage Office been obtained?		N/A		
Reclassifications	Y/N			
Is there an associated spot rezoning with the reclassification?		N/A		
If yes to the above, is the rezoning consistent with an endorsed Plan of Management (POM) or strategy?		N/A		
Is the planning proposal proposed to rectify an anomaly in a classification?		N/A		
Will the planning proposal be consistent with an adopted POM or other strategy related to the site?		N/A		
Will the draft LEP discharge any interests in public land under section 30 of the <i>Local Government Act, 1993</i> ?		N/A		

* It is proposed that the PP be submitted to the Heritage NSW during the consultation stage. Heritage assessments have been carried out in accordance with Heritage NSW guidelines.

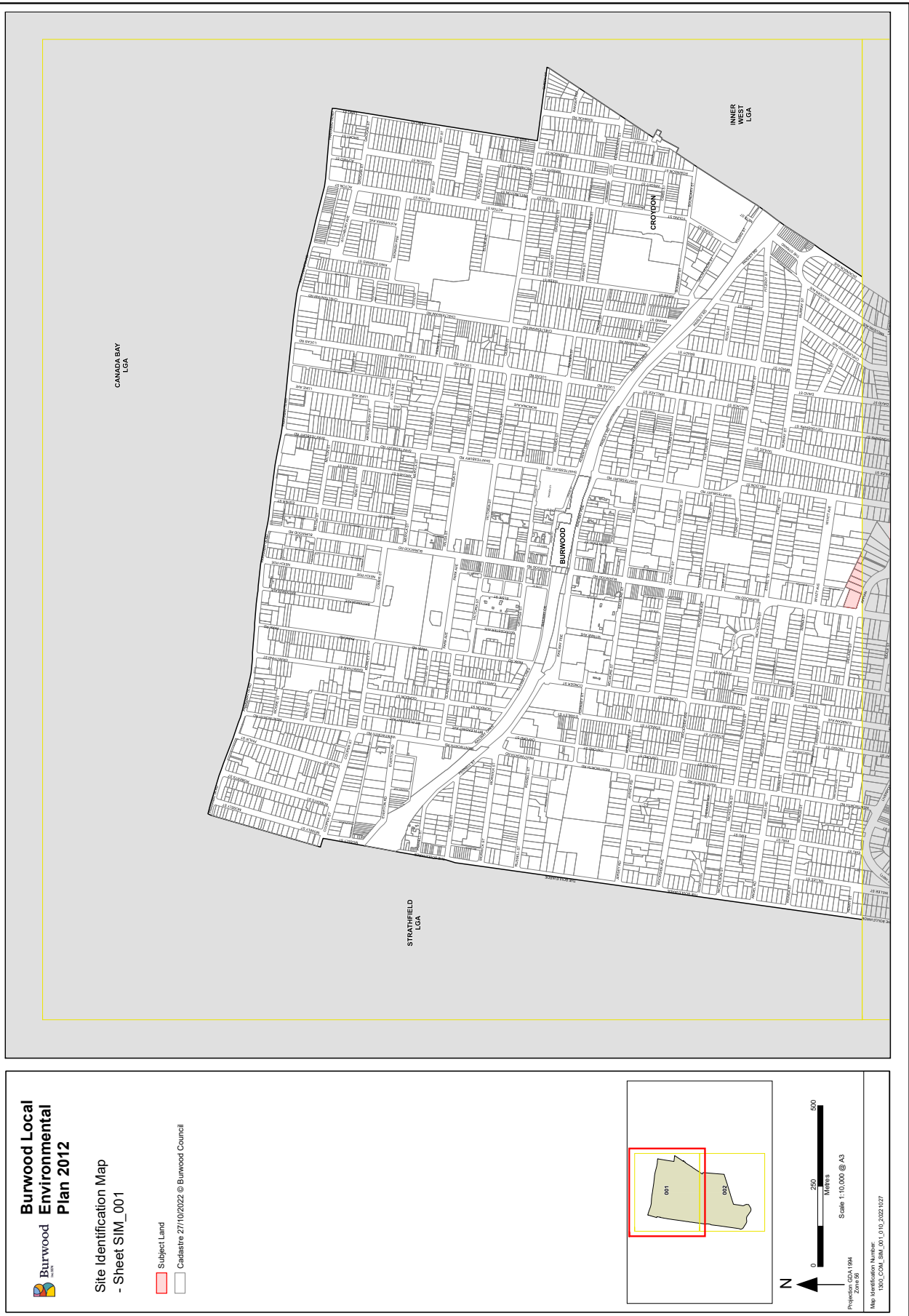
If so, has council identified all interests; whether any rights or interests will be extinguished; any trusts and covenants relevant to the site; and, included a copy of the title with the planning proposal?		N/A		
Has the council identified that it will exhibit the planning proposal in accordance with the department's Practice Note (PN 09-003) <i>Classification and reclassification of public land through a local environmental plan and Best Practice Guideline for LEPs and Council Land</i> ?		N/A		
Has council acknowledged in its planning proposal that a Public Hearing will be required and agreed to hold one as part of its documentation?		N/A		
Spot Rezoning	Y/N			
Will the proposal result in a loss of development potential for the site (ie reduced FSR or building height) that is not supported by an endorsed strategy?	N			
Is the rezoning intended to address an anomaly that has been identified following the conversion of a principal LEP into a Standard Instrument LEP format?	N			
Will the planning proposal deal with a previously deferred matter in an existing LEP and if so, does it provide enough information to explain how the issue that lead to the deferral has been addressed?	N			
If yes, does the planning proposal contain sufficient documented justification to enable the matter to proceed?		N/A		
Does the planning proposal create an exception to a mapped development standard?		N/A		
Section 73A matters				
Does the proposed instrument a. correct an obvious error in the principal instrument consisting of a misdescription, the inconsistent numbering of provisions, a wrong cross-reference, a spelling error, a grammatical mistake, the insertion of obviously missing words, the removal of obviously unnecessary words or a formatting error?; b. address matters in the principal instrument that are of a consequential, transitional, machinery or other minor nature?; or c. deal with matters that do not warrant compliance with the conditions precedent for the making of the instrument because they will not have any significant adverse impact on the environment or adjoining land? (NOTE - the Minister (or Delegate) will need to form an Opinion under section 73(A)(1)(c) of the Act in order for a matter in this category to proceed).		N/A		
NOTES <ul style="list-style-type: none"> Where a council responds 'yes' or can demonstrate that the matter is 'not relevant', in most cases, the planning proposal will routinely be delegated to council to finalise as a matter of local planning significance. Endorsed strategy means a regional strategy, sub-regional strategy, or any other local strategic planning document that is endorsed by the Director-General of the department. 				

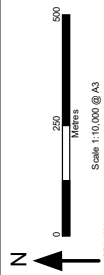
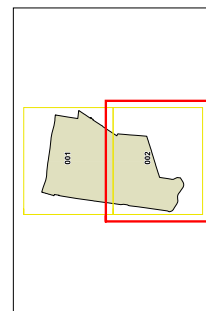
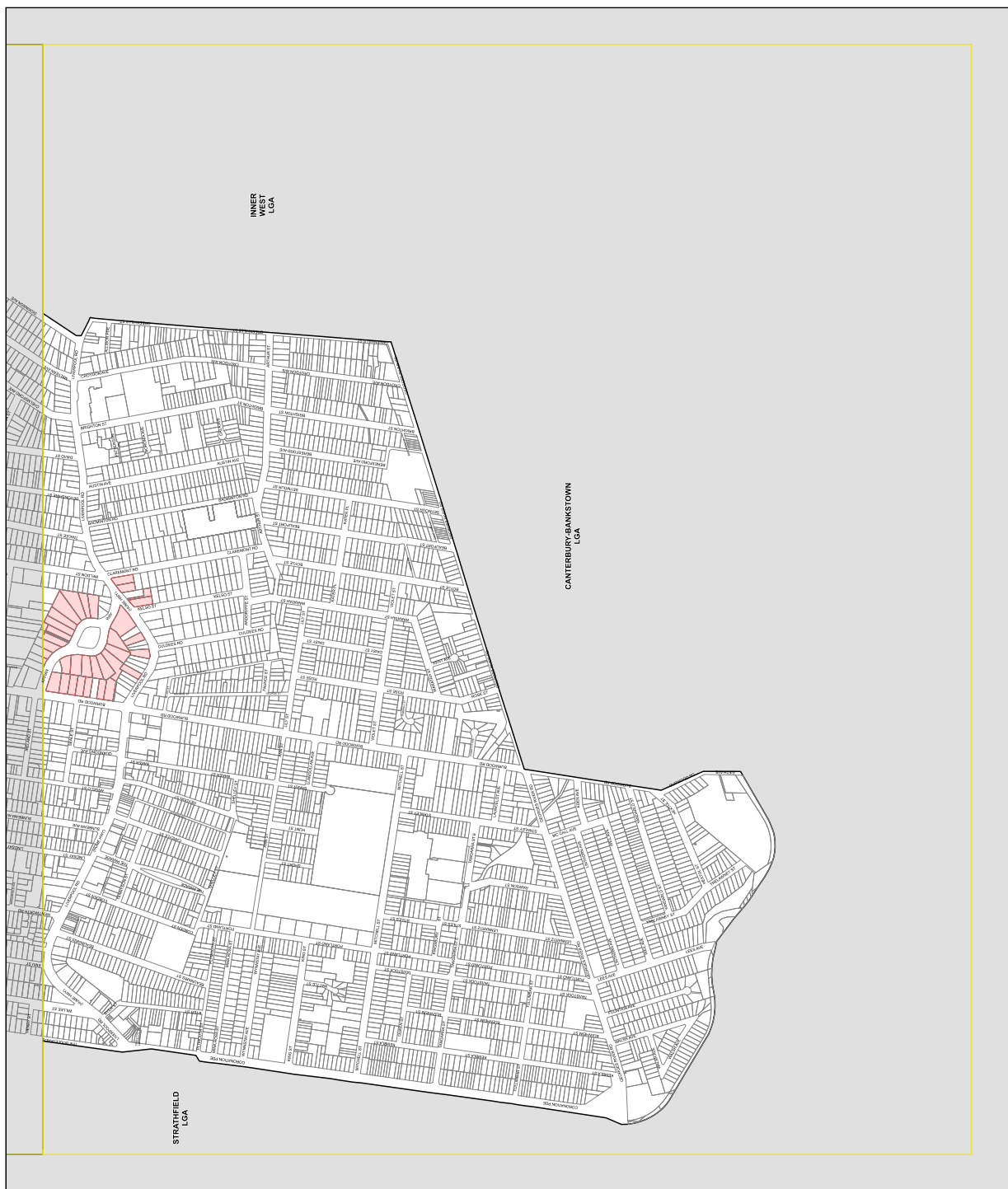
Supporting Documentation

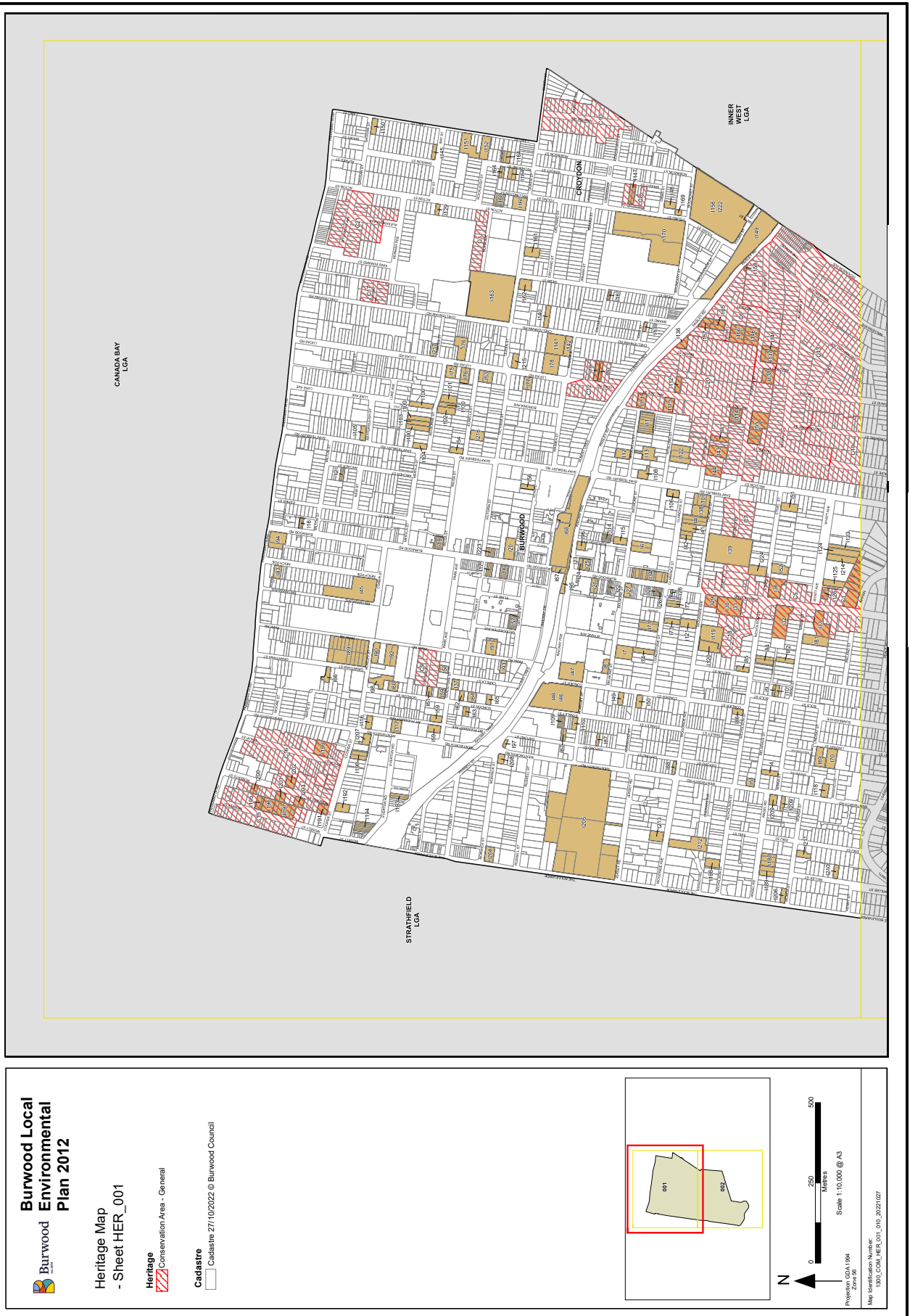
Heritage assessments and other supporting documents are provided
under separate cover

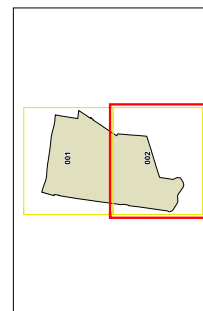
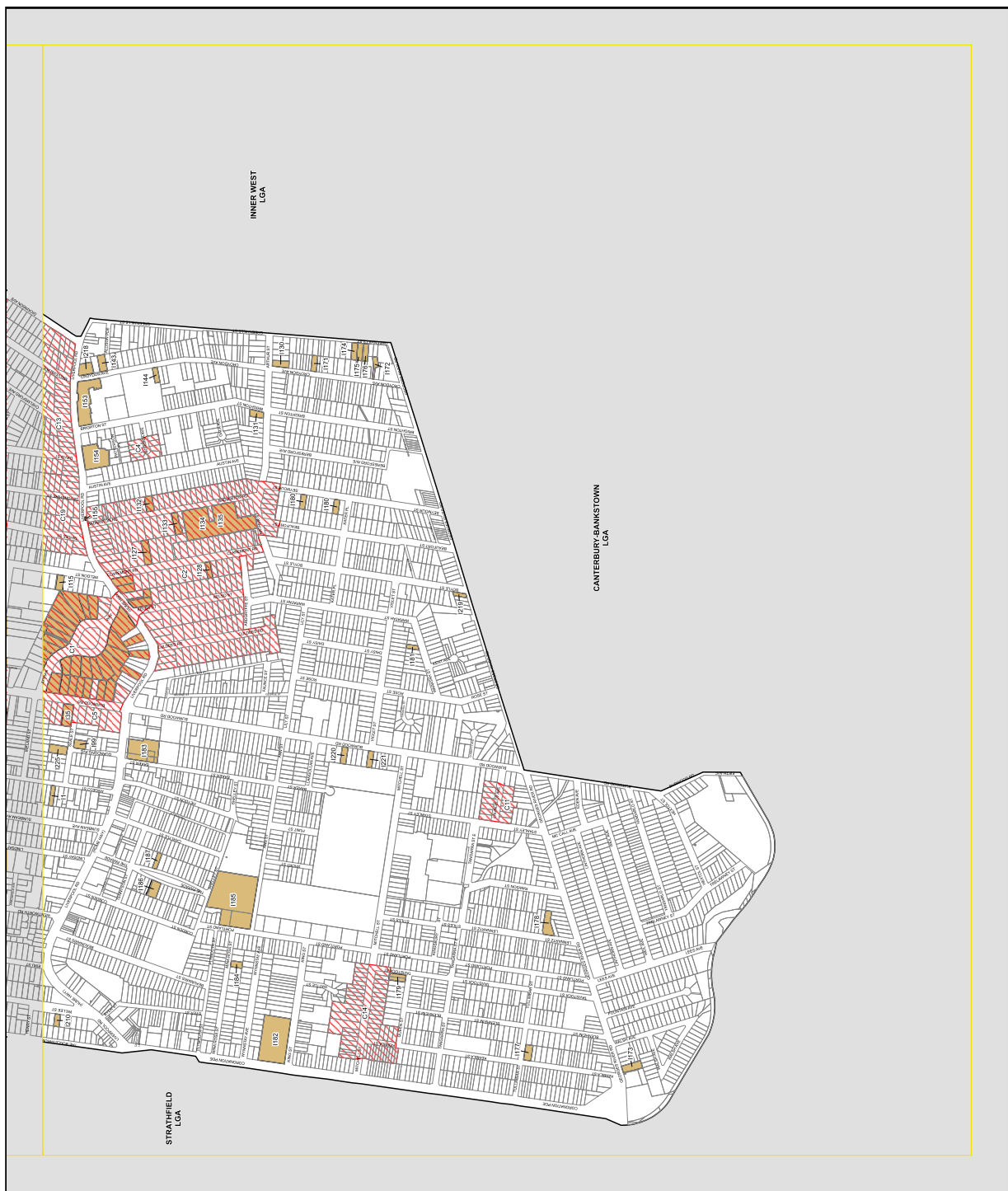
Enclosure No.	Description
1	Heritage Assessment of the Appian Way Conservation Area, undertaken by Council's Heritage Advisor in October 2022.
2	Draft Inventory Sheet.

Mapping











BURWOOD COUNCIL – FEDERATION DWELLINGS WITHIN THE APPIAN WAY HCA

HERITAGE ASSESSMENT

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1 Introduction

1.1 Scope

As part of Council's review of heritage items and heritage conservation areas, this report conducts a heritage significance assessment on the built heritage of the Federation era dwellings located within the existing Appian Way Heritage Conservation Area (HCA). The scope includes an assessment of each dwelling on its heritage merits to be included within a group heritage item listing. The basis behind this assessment is to ensure that dwellings within The Appian Way Conservation Area are adequately protected where they also meet the heritage significance criteria as items. This is particularly important as Council looks to introduce different levels of heritage controls within upcoming Development Control Plan (DCP) reviews.

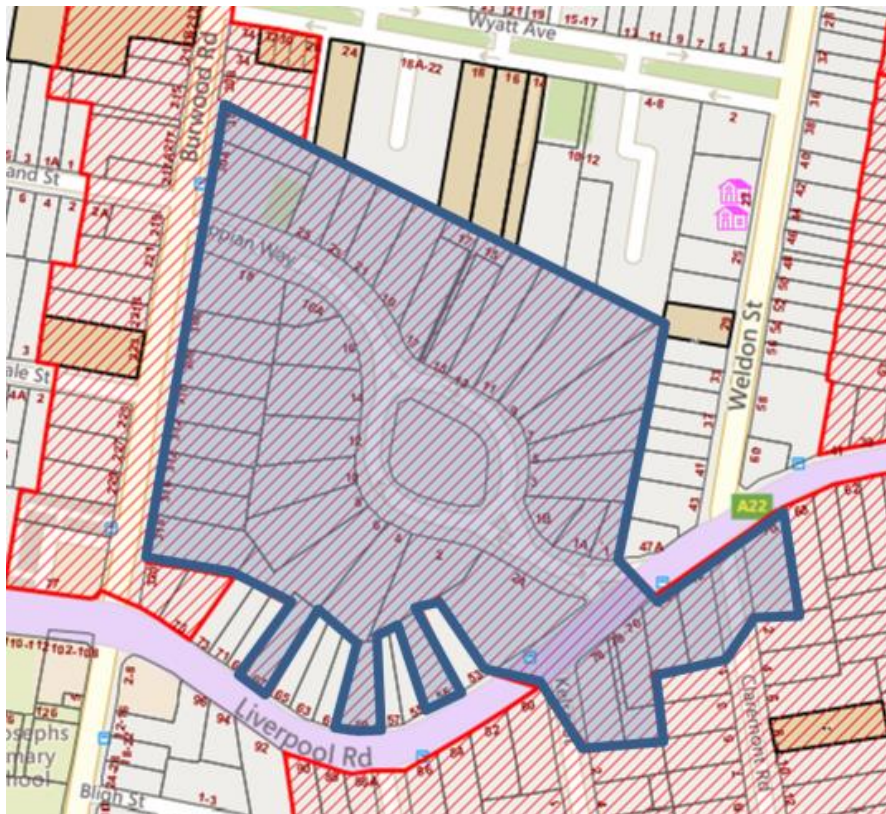


Figure 1 - The subject site/s – the Appian Way Conservation Area outlined in blue.

1.2 Author

This report was prepared by Burwood Council staff, Gavin Patton (Heritage Advisor) and Ryan King (Strategic Planner) and reviewed by Rita Vella (Manager City Planning).

Gavin is an experienced heritage professional, holds qualifications in planning and heritage from the University of Sydney and has worked in the heritage industry (both private and government) for approximately 7 years. Gavin has acted as an Expert Witness for Council in Land and Environment Court matters. Gavin is a full member of ICOMOS Australia.

1.3 Methodology

This review has been prepared in accordance with the heritage significance assessment guidelines published by Heritage NSW in 2001 and *Investigating Heritage Significance (2021)*. It is also consistent with the relevant principles and guidelines of the Australian ICOMOs *Charter for Places of Cultural Significance 2013* (the Burra Charter).


An independent external heritage consultant was not engaged for this assessment due to these sites having previously been recognised as holding heritage significance within the conservation area and the broadly known heritage significance of the Appian Way HCA, its historic significance, its aesthetic significance and its rarity.



1.4 Limitations



No sites' internal areas were accessible for the purposes of a site inspection. The report does not include any Aboriginal or archaeological assessment.



2 The Dwellings



Table 1 – Individual Dwellings Included in this Assessment



Address/ Name	Estate	Images
1 Appian Way Burwood Formerly Brindisi	Hoskins Estate Formerly	
<p>1 Appian Way, "Brindisi" was demolished in 1966 and the land was subdivided into three lots. Modern split level houses have been erected. (<i>Appian Way Conservation Area Environmental Study Page 18</i>).</p> <p>Note - This dwelling will not be included in the group listing as it does not meet the threshold of significance on any heritage criteria.</p>		



1A Appian Way Burwood Formerly Brindisi	Hoskins Estate Formerly	
<p>1A Appian Way, "Brindisi" was demolished and in 1966 and the land was subdivided into three lots. Modern split level houses have been erected. (<i>Appian Way Conservation Area Environmental Study Page 18</i>). This dwelling was constructed c.2009.</p> <p>Note - This dwelling will not be included in the group listing as it does not meet the threshold of significance on any heritage criteria.</p>		
1B Appian Way Burwood Formerly Brindisi	Hoskins Estate Formerly	
<p>1B Appian Way, "Brindisi" was demolished and in 1966 and the land was subdivided into three lots. Modern split level houses have been erected. (<i>Appian Way Conservation Area Environmental Study Page 18</i>).</p> <p>Note - This dwelling will not be included in the group listing as it does not meet the threshold of significance on any heritage criteria.</p>		



2 Appian Way Burwood Amalfi	Hoskins Estate	
<p>2 Appian Way Burwood is an elegant example of Federation Queen Anne style dwelling. Aerial imagery comparison between 1943 and 2022 shows some rear alterations, however largely intact.</p> <p>Several gardens included private tennis courts such as at "Colonna" and "Amalfi". (<i>The Development of Hoskins Estate Burwood 1978. Clements. (red book) Page 30.</i> The gardens remain well-maintained. No evidence of existing tennis court. Most likely removed.</p>		
2A Appian Way Burwood	Hoskins Estate	
<p>2A Appian Way Burwood is a landmark Federation Queen Anne style dwelling located at the eastern entrance to The Appian Way. It is the most decorative dwelling within the street and features a second storey turret tower, attic space and lynch gate. The dwelling is sited on the largest allotment within the Hoskins Estate. This large allotment is important in understanding the graduer associated with this dwelling and is important in demonstrating its heritage significance.</p>		



3 Appian Way Burwood Brianza	Hoskins Estate	
3 Appian Way Burwood is a Federation era dwelling which incorporates elements of Arts and Crafts and Queen Anne styles. It is the only dwelling that is two full storeys. (<i>Appian Way Conservation Area Environmental Study Page 11</i>).		
4 Appian Way Burwood Alba Longa	Hoskins Estate	
4 Appian Way Burwood is an elegant example of Federation Queen Anne style dwelling. Aerial imagery comparison between 1943 and 2022 shows some rear alterations, however largely intact. Well-maintained gardens. Dwelling features turret (also referred to as a candle snuffer).		



5 Appian Way Burwood St Ellero	Hoskins Estate	
5 Appian Way is a Federation era dwelling incorporating Federation Queen Anne and Federation Arts and Crafts elements. It is unusual for its sandstone front bay window within The Appian Way. It has a well maintained garden and has had some minor rear additions which are minimally visible from the public domain (historical aerial imagery comparison).		
6 Appian Way Burwood Olevanus	Hoskins Estate	
6 Appian Way is a handsome example of Federation Queen Anne style dwelling. Aerial imagery comparison between 1943 and 2022 shows some minor rear alterations, however largely intact. Garden is well-maintained.		



7 Appian Way Burwood Mevania	Hoskins Estate	
7 Appian Way Burwood is a handsome example of Federation era dwelling, with Queen Anne and Federation Bungalow elements. It has a decorative timber valance on its front verandah and well maintained garden. The dwelling has had rear additions which are minimally visible from the public domain (historical aerial imagery comparison).		
8 Appian Way Burwood Cadua	Hoskins Estate	
8 Appian Way is a more modest example of a Federation era dwelling from the streetscape with some Queen Anne elements and some Federation Bungalow elements. The dwelling, like others in the estate, is quite expansive. The garden is well-maintained.		



<p>9 Appian Way Burwood</p> <p>Del Osa</p>	<p>Hoskins Estate</p>	
<p>9 Appian Way Burwood is a handsome example of Federation Bungalow elements and well maintained garden. The dwelling has had rear additions which are minimally visible from the public domain (historical aerial imagery comparison).</p>		
<p>10 Appian Way Burwood</p> <p>Ariccia</p>	<p>Hoskins Estate</p>	
<p>10 Appian Way is a more modest example of a Federation era dwelling from the streetscape with some Queen Anne elements and some Federation Bungalow elements. The dwelling, like others in the estate, is quite expansive. The garden is well-maintained. Aerial imagery comparison between 1943 and 2022 shows some minor rear alterations.</p>		



11 Appian Way Burwood Toscanna	Hoskins Estate	
11 Appian Way Burwood is a handsome example of Federation Bungalow elements. It has a well maintained garden. The dwelling has had rear additions which are minimally visible from the public domain (historical aerial imagery comparison).		
12 Appian Way Burwood Aventine	Hoskins Estate	
12 Appian Way is an elegant example of Federation Queen Anne style dwelling. Aerial imagery comparison between 1943 and 2022 shows some rear alterations, however largely intact. Well-maintained gardens. Timber veranda valance adds an additional degree of elegance.		



13 Appian Way Burwood Ravenna	Hoskins Estate	
<p>13 Appian Way Burwood is a handsome example of a Federation era dwelling featuring elements of Queen Anne and Federation Bungalow style. It has had considerable alterations to the rear, along with uncharacteristic basement portal.</p> <p>Alterations taken place as a result of Land and Environment Court approval. Basement parking added with entry/ramp highly visible from public domain.</p>		
14 Appian Way Burwood Cassa Tasso	Hoskins Estate	
<p>14 Appian Way is an elegant example of Federation Queen Anne style dwelling. Aerial imagery comparison between 1943 and 2022 shows some rear alterations, however largely intact. Well-maintained gardens. Timber veranda valance adds an additional degree of elegance.</p> <p>The dwelling retains its original timber stables which included shelter for horse and coach, storeroom for feed and harnessware, and a pigeon loft. (<i>The Development of Hoskins Estate Burwood 1978. Clements. (red book). Page 29.</i> It is understood the stable remains, although it is unclear if unsympathetic alterations have occurred.</p>		



15 Appian Way Burwood Brescia	Hoskins Estate	
15 Appian Way Burwood is a Federation Bungalow style dwelling. It has a complex roof form and an existing rear addition which is soon to be replaced with a larger rear wing – this will have minimal visibility from the public domain.		
16 Appian Way Burwood Ostia	Hoskins Estate	
16 Appian Way is a handsome Federation Bungalow style dwelling. A corner, triangular shaped allotment was subdivided from number 16 in 1957. A red brick bungalow was erected. (<i>Appian Way Conservation Area Environmental Study Page 18</i>).		



16A Appian Way Burwood	Hoskins Estate	
Land former Ostia		
<p>16A Appian Way is a corner, triangular shaped allotment was subdivided from number 16 in 1957. A red brick bungalow was erected. (<i>Appian Way Conservation Area Environmental Study Page 18</i>).</p> <p>Note - This dwelling will not be included in the group listing as it does not meet the threshold of significance on any heritage criteria.</p>		
17 Appian Way Burwood	Hoskins Estate	
Casa Nuoya		
<p>17 Appian Way Burwood is an expansive Federation Bungalow style dwelling. The roof features of slate and ridge capping have been removed. The picket fence has been replaced like-for-like after an earlier unsympathetic brick fence had been installed. The garden is well maintained. Rear additions appear to have taken place.</p>		



18 Appian Way Burwood Roma	Hoskins Estate	
<p>Number 18 Appian Way is a Federation era dwelling which would have original had Queen Anne style features. It has had alterations and extensions which have changed the appearance of the house – variegated roof tiles, aluminium windows, remodelled verandah with Federation details removed. (<i>Appian Way Conservation Area Environmental Study Page 11</i>).</p> <p>While the dwelling has had unsympathetic alterations, it remains readily legible as an original Federation era house. It was one of the first dwellings constructed in the Hoskins Estate and serves as a ‘gateway’ dwelling. While original features have been removed, many could be reinstated/reconstructed to allow the dwelling to better reflect its origins.</p>		
19 Appian Way Burwood Yallambrosa	Hoskins Estate	
<p>19 Appian Way Burwood is an elegant Federation era dwelling which incorporates Queen Anne and Arts and Crafts elements. Has an ornamental and very decorative turret and roughcast render as feature elements (<i>Appian Way Conservation Area Environmental Study Page 11</i>). It has well-maintained gardens.</p>		



21 Appian Way Burwood Erica	Hoskins Estate	
<p>21 Appian Way Burwood is an elegant example of a Federation Arts and Crafts dwelling. This dwelling is well known and appears as an example of Arts and Crafts in architectural reference texts including <i>Identifying Australian Architecture</i> (Apperly, Irving and Reynolds). It appears to have had some rear additions since 1943 (aerial imagey comparison), including a small second storey attic added to the rear which is minimally visable from the public domain.</p> <p>Roughcast render has also been used (<i>Appian Way Conservation Area Environmental Study Page 12</i>).</p>		
23 Appian Way Burwood Capri	Hoskins Estate	
<p>23 Appian Way Burwood a handsome example of Federation era dwelling, with Queen Anne and Federation Bungalow elements. Has had a rear small second storey addition, which has minimal visibility from the public domain.</p> <p>Has an ornamental turret (<i>Appian Way Conservation Area Environmental Study Page 11</i>).</p>		



25 Appian Way Burwood Atella	Hoskins Estate	
<p>25 Appian Way Burwood is a Federation Bungalow style dwelling. It has modest gardens which are maintained. It does not appear to have had any significant external alterations since 1943.</p> <p>Number 25 Appian Way "Atella" was remodelled during the 1920's, although it is in keeping with the rest of the streetscape. (<i>Appian Way Conservation Area Environmental Study Page 18</i>).</p>		
302 Burwood Road Burwood Formerly Lulworth	Hoskins Estate	
<p>302 Burwood Road Burwood was demolished and replaced by a large 2 storey house in the prior to 1943. This dwelling is in the 'Streamline Moderne' style. (<i>Appian Way Conservation Area Environmental Study Page 18</i>).</p> <p>While this dwelling meets a number of the heritage criteria, it is not a Federation era dwelling and therefore cannot be included the group listing for Federation era houses associated with The Appian Way. It is recommended that this dwelling be considered on its own merits in future heritage studies.</p>		


304 Burwood Road/27 Appian Way Burwood Colonna	Hoskins Estate	
304 Burwood Road/27 Appian Way Burwood is a more modest example of a Federation era dwelling with some Queen Ann style elements. Several gardens within the Appian Way included private tennis courts such as at "Colonna" and "Amalfi". (<i>The Development of Hoskins Estate Burwood 1978. Clements. (red book) Page 30.</i> A comparison of aerial imagery demonstrates that the tennis court remains in its original form and location. The tennis court, given it is original and one of the few remaining is part of the heritage curtilage and is a significant element of the house and the broader group listing.		
306 Burwood Road Burwood Talofa	Hoskins Estate	
306 Burwood Road Burwood is a handsome Federation era dwelling with Queen Anne and Federation Bungalow features. The dwelling has an ornamental turret (<i>Appian Way Conservation Area Environmental Study Page 11</i>). Some unsympathetic changes have occurred, including the hardstand parking areas. It is likely that internal alterations have occurred overtime as it is noted it is (or was) a boarding house. Some rear additions have also occurred since 1943.		



308 Burwood Road Burwood Dimora	Hoskins Estate	
<p>308 Burwood Road Burwood is an elegant example of the Federation Queen Anne style dwelling, which has lost some of its original character through unsympathetic changes.</p> <p>Has been rendered externally though it is still in character. (<i>Appian Way Conservation Area Environmental Study Page 18</i>).</p>		
310 Burwood Road Burwood Torcello	Hoskins Estate	
<p>310 Burwood Road Burwood is a handsome Federation era dwelling, which incorporated Federation Bungalow and some elements of Federation Queen Anne. It appears to have had minimal external alterations since 1943 (historic aerial imagery comparison).</p> <p><i>Appian Way Conservation Area Environmental Study Page 14</i> mentions it is a flat conversion with two flats.</p>		



312 Burwood Road Burwood Ravenscroft	Hoskins Estate	
<p>312 Burwood Road Burwood is a Federation Bungalow. It has previously had minor rear additions and is currently approved for a larger rear addition which will remain minimally visible from the public domain. The dwelling has had some internal reconfiguration and changes yet retains its overall form and features. Some unsympathetic inclusions in the photo above have been approved for removal and replacement with sympathetic detailing (this includes the screen door and the window coverings).</p> <p><i>Appian Way Conservation Area Environmental Study Page 14</i> mentions it is a flat conversion with two flats.</p>		
314 Burwood Road Burwood Cordova	Hoskins Estate	
<p>314 Burwood Road Burwood has been “defaced” with cream brickwork. (<i>Appian Way Conservation Area Environmental Study Page 18</i>). The extensive unsympathetic layers of additions to this dwelling has reduced its heritage integrity. While some elements remain legible as a Federation dwelling (roof form and tiles), the extensive alterations are not readily reversible in any way.</p> <p>314 Burwood Road Burwood. Mentioned in <i>Appian Way Conservation Area Environmental Study Page 14</i> that it is (or was) a boarding house.</p> <p>Note - This dwelling will not be included in the group listing as it does not meet the threshold of significance on any heritage criteria.</p>		

316 Burwood Road Burwood Langlo	Hoskins Estate	
316 Burwood Road Burwood is a more modest Federation Bungalow dwelling. It retains many original features and is unusual for having a large roughcast rendered gable with decorative motif.		
318 Burwood Road Burwood Mounterey	Hoskins Estate	
318 Burwood Road Burwood is an expansive Federation era dwelling with Federation Bungalow and Federation Arts and Crafts elements. It appears to have had some rear additions completed since 1943, however these are minimally visable from the public domain. <i>Appian Way Conservation Area Environmental Study Page 14</i> mentions it is (or was) a doctors' surgery and residence. Once had a garden dominated by tall palms. (<i>The Development of Hoskins Estate Burwood 1978. Clements. (red book)). Page 30.</i>		

55 Liverpool Road Burwood Winton	Hoskins Estate	
55 Liverpool Road Burwood is a Federation era dwelling with elements of Federation Queen Anne and Federation Bungalow. It appears to be in fair condition, however unsympathetic hardstand parking detracts somewhat from the aesthetic of the dwelling. Historical aerial imagery shows that it does not appear any significant external alterations have occurred since 1943.		
59 Liverpool Road Burwood Lavinia	Hoskins Estate	
59 Liverpool Road Burwood is a Federation Bungalow style dwelling which appears to have had minimal changes externally since 1943 (historical aerial imagery comparison).		

67 Liverpool Road Burwood Iwanora	Hoskins Estate	
67 Liverpool Road Burwood is modest Federation era dwelling incorporating Federation Bungalow along with some minor elements of Arts and Crafts. It appears to have had some relatively minor rear additions added since 1943. The dwelling appears very intact.		
70 Liverpool Road Burwood Heights	Austinlee Estate	
<p>70 Liverpool Road Burwood Heights is a Federation era dwelling which features elements of Federation Bungalow, however it does not present these elements strongly from the public domain. It is also not closely related to the architectural forms within The Appian Way.</p> <p>Not part of the original Hoskins Estate, but the Austinlee Estate, subdivided in 1913.</p> <p>The dwelling appears to be in poor condition with considerable amounts of rubbish within the yard and verandah.</p> <p>Some houses, including 70 Liverpool Road, have less decorative fretwork, and show influences of the later Californian Bungalow style. From the <i>Appian Way Conservation Area Environmental Study</i> Page 12.</p> <p>It is noted that this dwelling does not meet the threshold to be included in the group listing but remains a contributory dwelling within the HCA.</p>		

72 Liverpool Road Burwood Heights	Austinlee Estate	
		<p>72 Liverpool Road Burwood Heights is a Federation era dwelling influenced by Federation Bungalow and Federation Arts and Crafts. Not part of the original Hoskins Estate, but the Austinlee Estate, subdivided in 1913. It appears to have had minimal external alterations since 1943 (historic aerial image comparison). It includes landmark qualities given the prominent front gable, sandstone verandah supports and well-maintained gardens. The allotments of these Austinlee Estate dwellings remain large in reference to the elegance of these large and elegant dwellings.</p> <p>The architecture is similar to the Hoskins Estate, however, the elements in common include verandahs, high pitched roofs, broken roofline with ridge capping, narrow windows and use of shingles. <i>Appian Way Conservation Area Environmental Study Page 12.</i></p>
74 Liverpool Road Burwood Heights	Austinlee Estate	
		<p>74 Liverpool Road Burwood is a striking Federation era dwelling which incorporates elements of Federation Bungalow, with early Inter-War bungalow style influences. It features a prominent front turret tower. Comparison of historic aerial images demonstrates that the dwelling has had a rear addition which appears minimally visible from the public domain.</p> <p>Not part of the original Hoskins Estate, but the Austinlee Estate, subdivided in 1913. The allotments of these Austinlee Estate dwellings remain large in reference to the elegance of these large and elegant dwellings.</p>

76 Liverpool Road Burwood Heights	Austinlee Estate	
		<p>76 Liverpool Road Burwood Heights. Not part of the original Hoskins Estate, but the Austinlee Estate, subdivided in 1913.</p> <p>The houses have less decorative fretwork, and show influences of the later Californian Bungalow style. <i>Appian Way Conservation Area Environmental Study Page 12.</i></p> <p>Some houses, including 76 Liverpool Road, have less decorative fretwork, and show influences of the later Californian Bungalow style. <i>Appian Way Conservation Area Environmental Study Page 12.</i></p> <p>It is noted that this dwelling does not meet the threshold to be included in the group listing due to its indistinctive style (in comparison to dwellings within the Hoskins Estate) but remains a contributory dwelling within the HCA.</p>
78 Liverpool Road Burwood Heights	Austinlee Estate	
		<p>78 Liverpool Road Burwood Heights incorporates strong cues from the Appian Way dwellings. It is a mixture of Federation Queen Anne styles and Federation Bungalow. Its original front fence has been replaced.</p> <p>Not part of the original Hoskins Estate, but the Austinlee Estate, subdivided in 1913. The allotments of these Austinlee Estate dwellings remain large in reference to the elegance of these large and elegant dwellings.</p>

3 History

3.1 Pre-Contact

The following Pre-Contact history has been extracted from the Burwood Council website.

The story of Burwood commences with the original owners of our island nation – the Aboriginal people. Long before the convict history and early European settlers, Aboriginals lived in complete harmony with nature. Archaeological evidence suggests that Aboriginal people occupied the area in and around Sydney at least 11,000 years ago and they may well have been there much longer.

The Aboriginals in Sydney belonged to two tribes; the 'Kuringal' or 'Eora' tribe who were coastal dwellers, and the 'Dharug' tribe who lived further inland to the foothills of the Great Dividing Range. Within these two tribes were specific clans or extended family groups.

The Aboriginals who lived in our neighbourhood, were known as the Wangal people. The Aboriginal leader Bennelong was a member of the Wangal clan.

Although the Wangal travelled about to trade and search for food, their territory was the land on the southern bank of the Parramatta River. Their boundaries extended to the west of Iron Cove to as far as Homebush Bay, with a southern boundary along the watershed between Cooks River and Sydney Harbour

The British First Lieutenant William Bradley writes in his journal about seeing a number of Wangal people along the banks of the river around Mortlake in 1788. When his exploration party stopped for breakfast on the opposite bank, a group of seven Wangals came over in canoes to meet them. "They left their spears in the canoes and came to us" wrote Lieutenant Bradley. When the Europeans had left, the Wangal people used the Europeans' fire to cook mussels they had gathered from surrounding rocks.

European invasion forced the retreat of the Wangal into alien territory, depriving them both of their source of food and spiritual connection with their country.

3.2 Development of Burwood

The following historical information has been extracted from the Heritage Impact Statement for 15 Appian Way by John Oultram in September 2021 – with Burwood Council edits. All references are contained in the original document.

The land which now includes The Appian Way, is sited within that part of Sydney granted to William Faithful in 1808. Faithful (1774-1847) was a private in the New South Wales Corps who had arrived in the penal colony in 1792. When discharged in 1799 he became the estate manager for Captain Foveaux. The new road to Liverpool (the Hume Highway) was put through Faithful's grant in 1815. At that time the 200 acres to the north of the road was purchased by Alexander Riley, and the land to the south of the road was regranted to Simeon Lord.

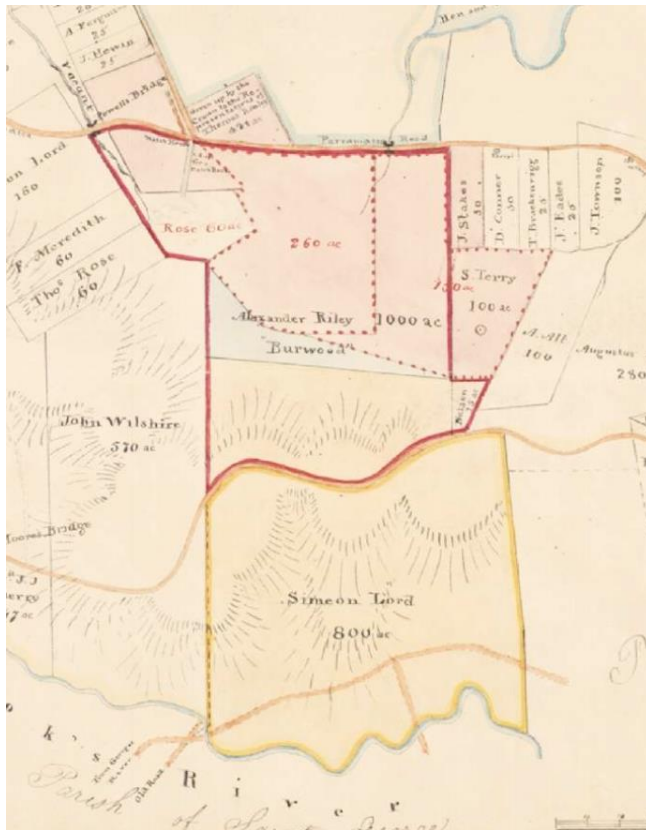


Figure 2 - This sketch survey was drawn in 1840 to show the various exchanges of land at Burwood. It recorded Faithfull's grant in yellow tint showing where Simeon Lord acquired the area south of Liverpool Road, and the area to its north now being Riley's Burwood. SLNSW

Riley (1778–1833) had arrived in Sydney in 1804 and was one of the first of the free settlers with capital to migrate to the colony. By 1809 he had settled on his grant beyond Liverpool named Raby and developed a pastoral industry there based on wool. Riley had purchased the late Captain Thomas Rowley' Burwood estate, then comprising 750 acres, in 1812. At Burwood Riley erected around 1812 a bungalow near the Parramatta Road boundary of his estate. The bungalow (demolished in 1937) and its timbered setting were depicted in the well-known painting by Joseph Lycett published in London in 1825. This vast estate with its extensive tree cover developed into something of a resort for Sydney's bushrangers in the mid-1820s, striking at travellers on the main roads to Liverpool and Parramatta and then retreating into the bush to evade capture.



Figure 3 - Joseph Lycett's painting of Riley's Burwood Villa, published in London in 1825. NLA

Following Riley's death in 1833, Rowley's children successfully claimed entitlement to the aforementioned 750 acres. That estate was divided then between Thomas Rowley (junior), John Rowley, John Lucas (the husband of Mary Rowley), and Henry Sparrow Briggs (the husband of Eliza Rowley), while the 200 acres formerly of Faithful's grant was shared equally between them.¹

Over the 1830s and 1840s small areas of Burwood were released for sale by the Rowley descendants. These sales were mainly along the arterial roads leading to Liverpool and Parramatta and the purchasers in many instances were involved in trade associated with the road, such as coaching inns and other licensed premises. The bulk of the Rowleys' Burwood was subdivided in 1854 with the release of the Burwood Estate and Cheltenham Estate, with present day Appian Way being located within the Burwood Estate land release.

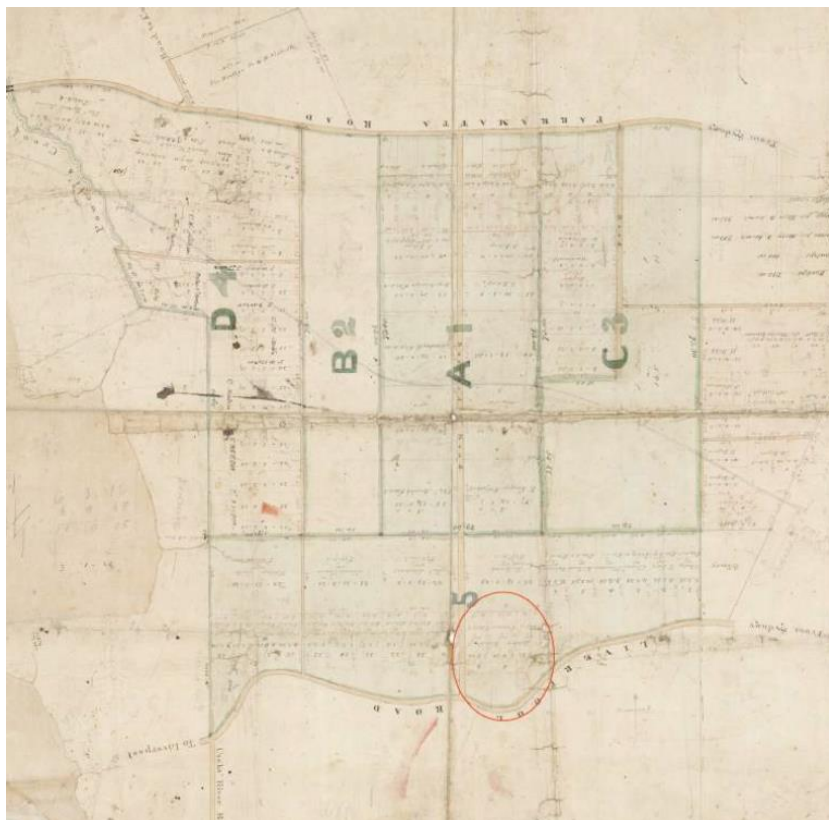


Figure 4 - This survey is of the Burwood Estate as subdivided. Not dated, after 1854. Marked-up to show the area of the future Hoskins Estate. Image reorientated for reproduction. SLNSW

These land releases were made in anticipation of the opening of the railway station at Burwood, which opened in September 1855 on the line between Sydney and Parramatta; with Burwood being one of four (Newtown, Ashfield, and Homebush) immediate stations at the time of the opening. Prior to the development of the suburban network of railways (and tramways) the population of Sydney was largely confined to the city and surrounding villages.

The population in the city rose markedly in the 1850s owing to the Gold Rush and migration; between 1851 and 1856 the population in the city wards increased by twenty per cent while the number of new houses completed over the same period was twelve per cent.²

The railway provided the means for people to live in suburbs and commute to the city to work.

The allotments in these Burwood land releases were large at between four to 10 acres and intended more for farmlets or subsistence farming. Re-subdivision of these blocks into suburban allotments commenced soon after: in 1858 in the area beside the railway station.³

One outcome of this closer settlement was the incorporation of the district as Burwood Council in 1874 after some five years of debate.

Around the railway station and along Burwood Road a commercial and civic nexus soon developed. Being private land releases no reserves were made for civic services and these developed where they could. The site for St Paul's Anglican Church for example was purchased by the parish in 1872. The local public school, opened in 1871 after a false start in 1858, was located some distance to the west. A local post office opened in 1861, Burwood Park was acquired in 1878, etc.

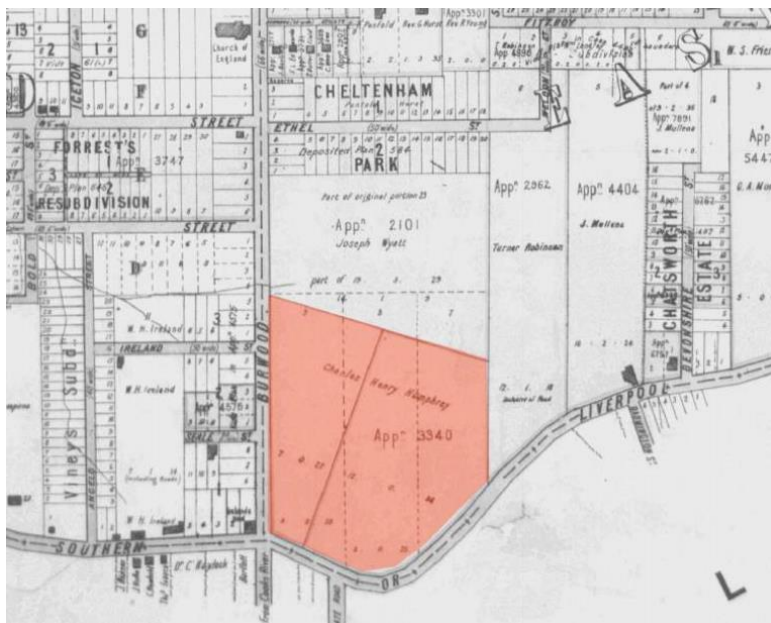
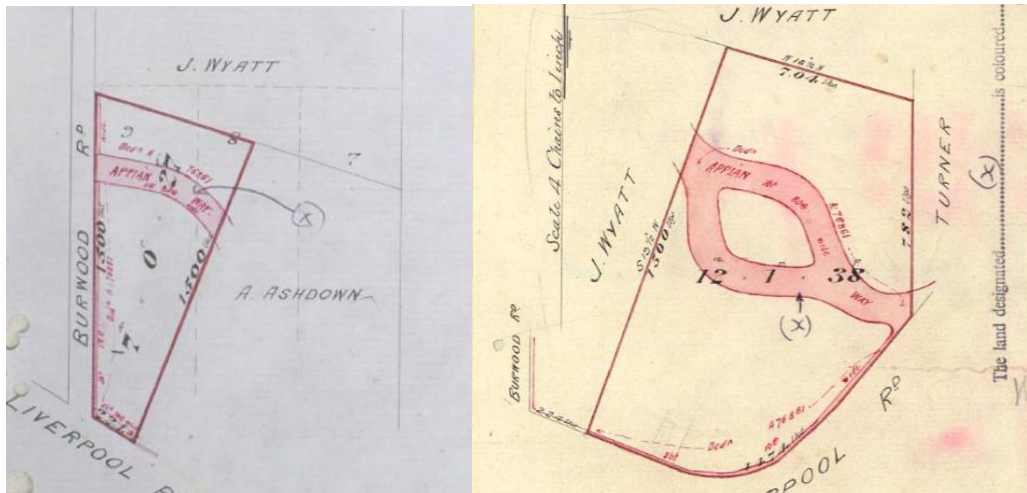


Figure 5 - Detail from Higginbotham and Robinson's 'Map of the Municipality of Burwood' published in 1893. SLNSW

The map above records the extensive re-subdivision that had occurred following the mid-1850s land releases. However, at the southeast corner of the municipality little development had occurred, and it was in this area that Hoskins developed his model estate. Marked up to show the extent of the Hoskins Estate comprising about 19&12 acres

3.3 Hoskin's Estate/The Appian Way

The developer of this estate, which comprises Appian Way and the original 39 houses, was George John Hoskins. These houses are situated within the 19&12 acres Hoskins purchased in 1903 from the executors of the late Charles Henry Humphrey.⁴



Plans of the two parcels of land Hoskins purchased in 1903 from the Humphrey family. The total area was about 19&1/2 acres. At a later date the public road of Appian Way was delineated. NSW LRS.

Humphrey (1817-1898) and his family had lived in Burwood since the late 1860s and resided at Luscombe (12 Livingstone Street). His background prior to coming to Burwood and the source of his income have not been reported. He was an alderman for Burwood from its inception in 1874 and was the mayor for 1875. He was also was a founder of the Burwood School of Arts, benefactor of numerous charitable institutions, and a local magistrate.

George John Hoskins (1847-1926) was in partnership with his brother Charles Henry (1851-1926) who were manufacturing engineers that commenced trading in 1876 in Ultimo. A move to Blackwattle Bay was made in 1889 and the brothers commenced production of steel pipes. In 1908 the brothers purchased William Sandford's ironworks at Eskbank. After, Charles pursued the business of iron production trading as Hoskins Iron and Steel Co Ltd from 1920, which was developed by his sons in the mid-1920s with a new plant at Port Kembla, and it became a subsidiary of BHP in 1935. George from 1908 pursued other business interests.

Hoskins purchased Humphrey's land with the intention of developing a model housing estate, and he informed Burwood Council of this in June 1903.⁵ By that date a plan had been prepared that has not survived, but by newspaper accounts it depicted an estate comprising 39 houses set within half acre blocks.⁶

By September 1903 the Council had approved Hoskins' scheme and it took on the construction of Appian Way, its connection with Burwood and Liverpool-roads, and laying on the drainage.⁷

There was also a communal space incorporating a tennis court at the centre available for use by local occupiers, much in the manner of a private housing estate in London.

The construction of the houses was staged. By August 1908 a number of cottages had been completed,⁸ which were available for lease from 104 pounds per annum⁹ (\$16,694 adjusted for inflation). By April 1905 some 15 cottages had been completed.¹⁰

The full suite of cottages seems to have been completed by 1909.¹¹

In keeping with the imagery generated by the name Appian Way, each of these houses was named after a town in Italy see image below.

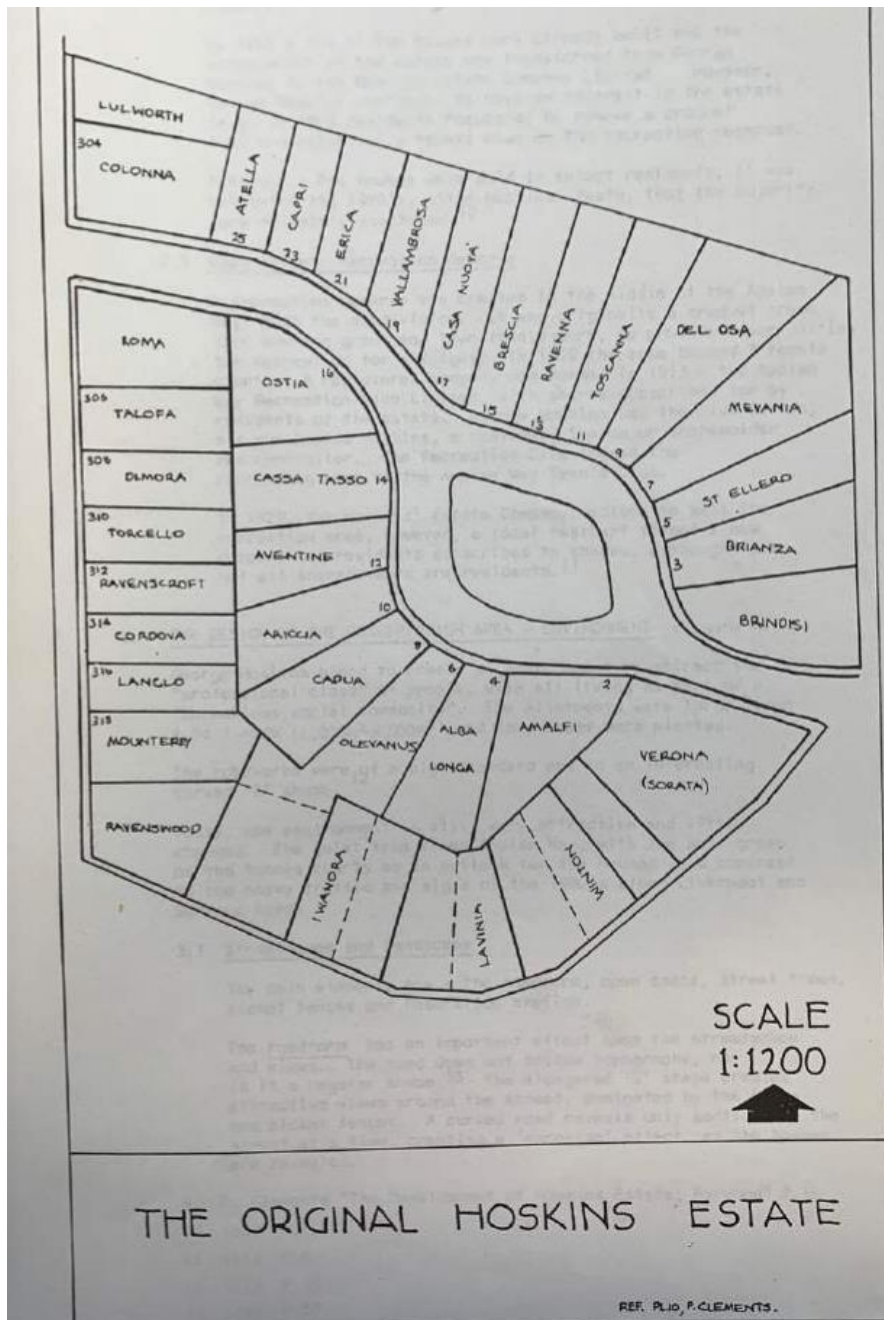


Figure 7 - Layout of Appian Way and original house names.

The builder of these houses was William Richards (?1854-?1944), who also acted as Hoskins on the ground agent. Richards (?1854-?1944) worked for other clients, an example being houses in Strathfield designed by architects Morrow and De Putron in 1909,12 and alterations to one of the Hordern houses at Darling Point also for Morrow and De Putron in 1909.13 It has been stated that Richards also designed these houses, however architects Slatyer and Cosh (soon after becoming Spain and Cosh) were involved in some aspect of the development it would seem.14

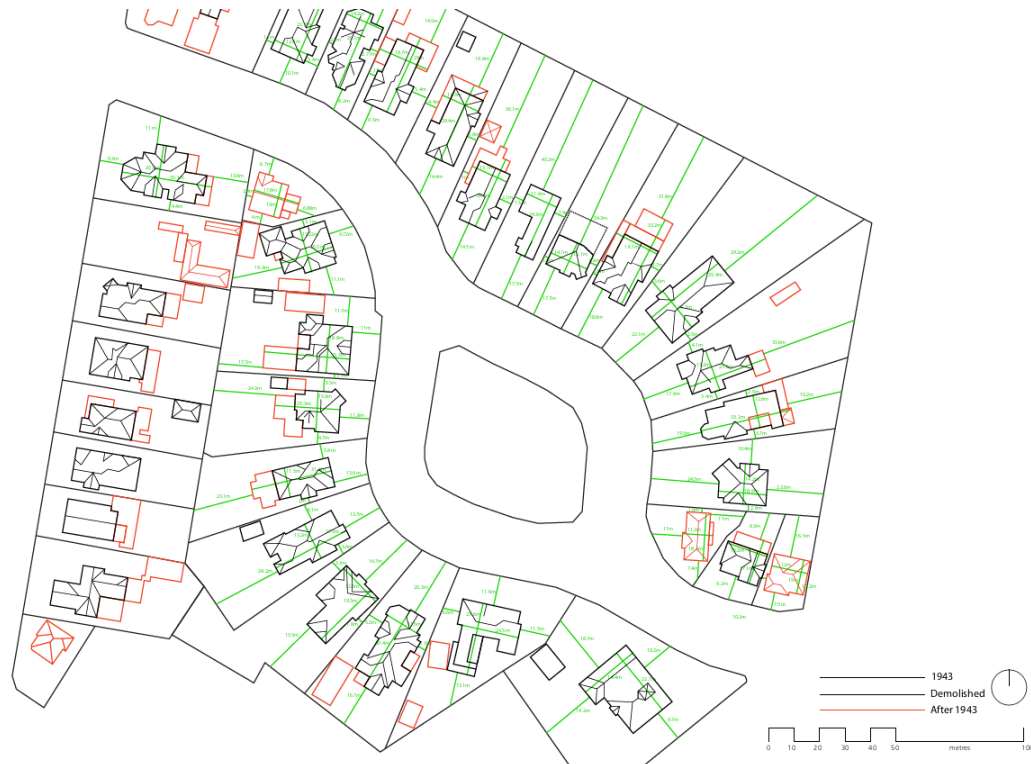


Figure 8 – Diagram showing original (or early building footprints) with alterations since 1943. Demonstrating the highly intact group of dwellings. Jennifer Hill.

3.4 Austinlee Estate

The Austinlee Estate was initially surveyed for subdivision in 1910 and registered as DP 6473 in February 1911. The area of the dwellings which this assessment relates, was incorporated in to the Austinlee Estate in October 1913.

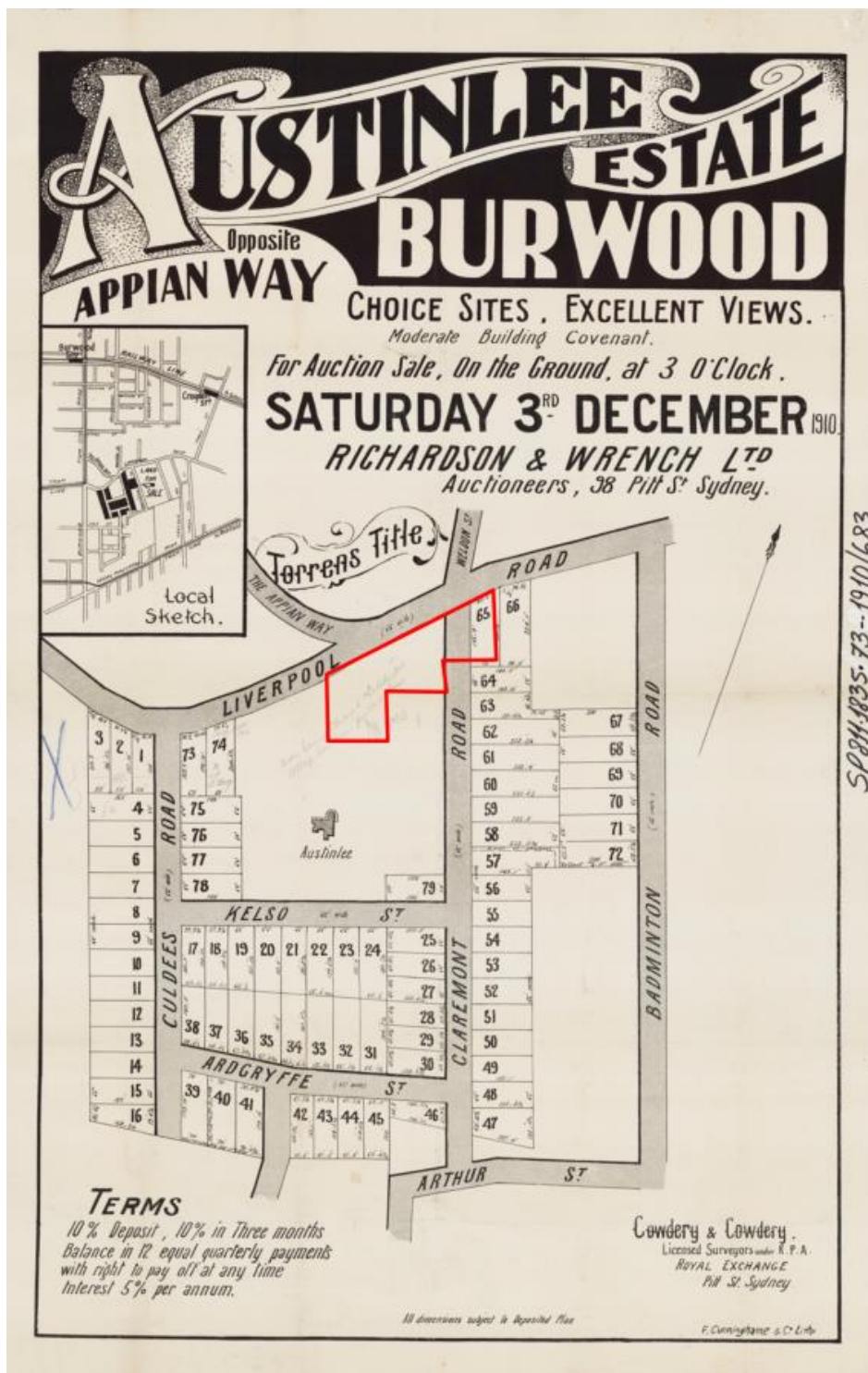


Figure 9 – 1910 Subdivision Plan prior to relevant Appian HCA allotments being added between Claremont and the new Kelso Street.

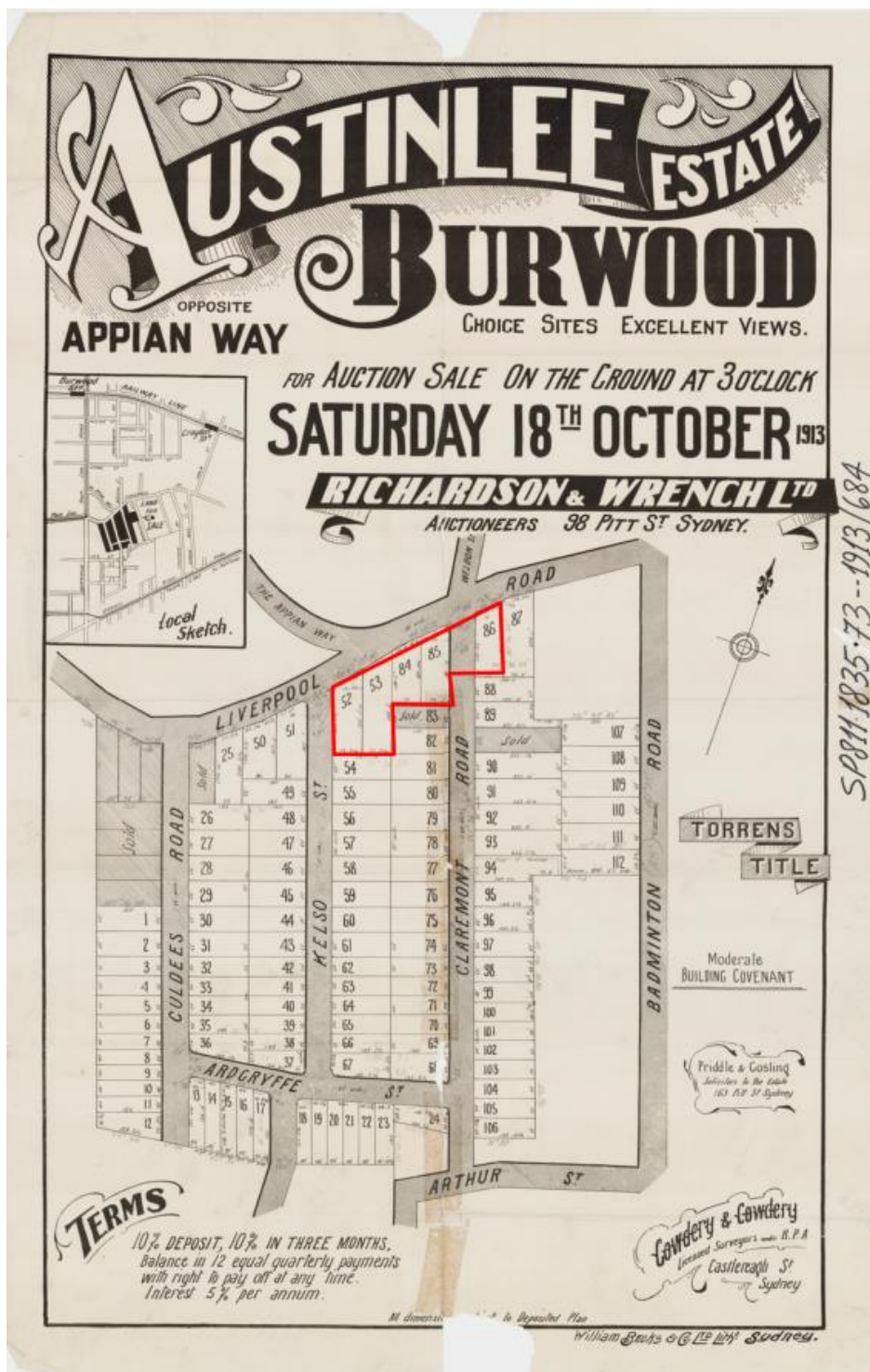


Figure 10 – 1913 Subdivision Plan showing the relevant Appian Way HCA allotments now within the “Austinlee” Estate.

4 Existing Statutory Heritage Context

The area for this study is all currently included with The Appian Way Heritage Conservation Area/Precinct, identified as C1 within Schedule 5 of the *Burwood LEP 2012*. Currently, the conservation area does not contain any heritage items.

There are heritage items within the vicinity, however these are not part of this assessment.

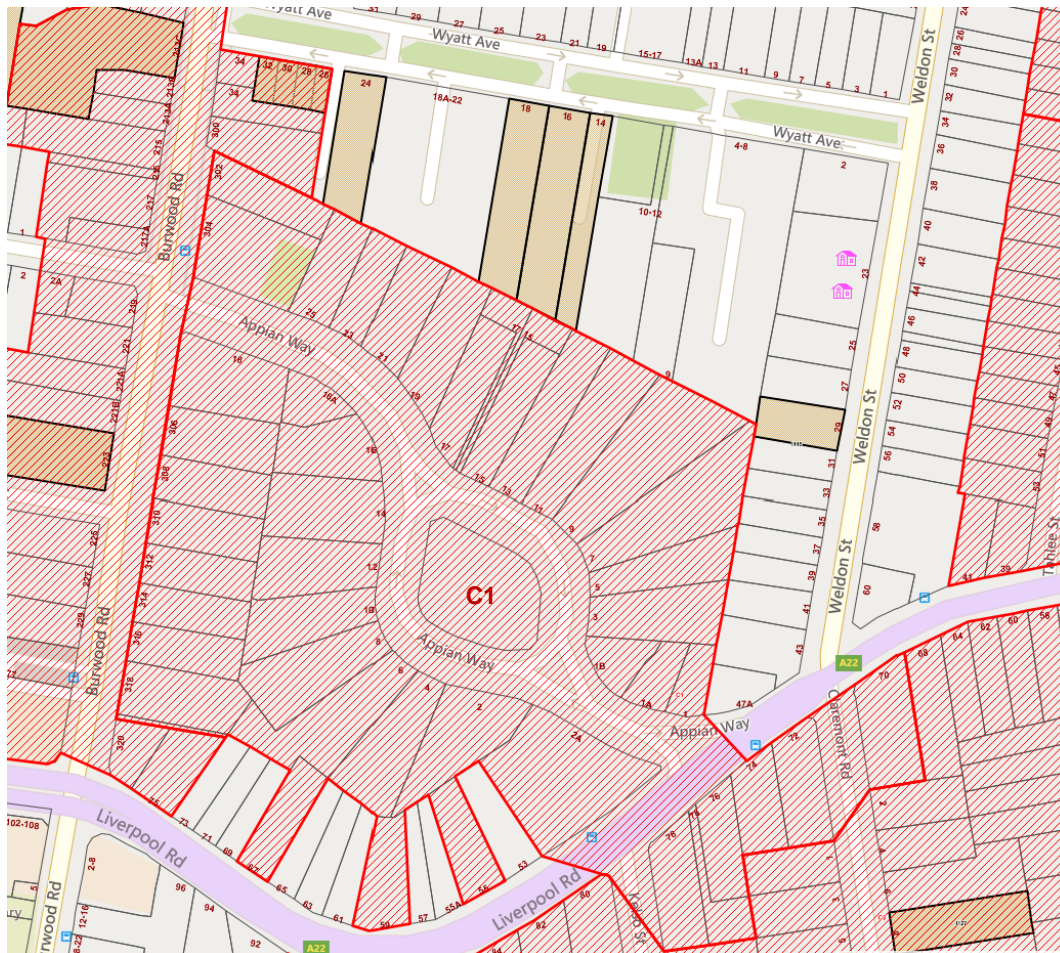


Figure 11 – The Appian Way Heritage Conservation Area/Precinct.

5 Heritage Assessment – Grouped Item

Table 2 – Summary Heritage Significance – Grouped Item

Address/ Name	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative
The Appian Way and Associated Federation Dwellings	✓	✓	✓	✗	✗	✓	✓

Table 3 – Grouped Item Heritage Assessment

NSW Heritage Criteria	Assessment
Historical <ul style="list-style-type: none"> important in the course, or pattern, of Burwood's cultural or natural history 	<p>It is a personal and individual interpretation of the architectural styles of the early 1900's by George Hoskins and builder/designer William Richards within the confines of a 'garden city' style suburb within a suburb. Each dwelling which remains intact from the original subdivision demonstrate the early 20th Century development of Burwood through a consistent, yet elaborate architectural forms.</p> <p>Each original dwelling within the group represent the historical 'garden city' planning movement, but unusually on a smaller scale (as opposed to Haberfield and Daceyville).</p> <p>Likely influences have been the first 'Garden Suburbs' in England at Bedford Park 1876 and in Bournemouth. Ebenezer Howard published a book "Garden Cities for tomorrow" in 1897 promoting integration of recreational and residential areas. Hoskins inclusion of a recreational area may be an idea taken from the Haberfield Estate development of R.Stanton with its provision of recreational facilities including lawns and a community meeting pavilion.</p> <p>There was no regulation regarding sub-divisions in New South Wales until 1906. Although William Richards had migrated from England the designs in the Appian Way are said to be based mainly on local Australian Architecture.</p> <p>The dwellings located within the Austinlee Estate are historically important due to their relationship with the early subdivision. These particular allotments and dwellings demonstrate a similar style to the dwellings located within the Hoskins Estate itself</p> <p>Where a dwelling is indicated to have met this criterion in Table 4 below, it means it is an original dwelling which remains relatively intact from the streetscape, that is readable as an original dwelling and <u>therefore meets the threshold for Historical Significance.</u></p>
Associative <ul style="list-style-type: none"> has strong or special association with the life or works of a person, or group of persons, of importance in Burwood's cultural or natural history 	<p>Each dwelling and allotment identified in Table 4 below as having associative significance are associated with George Hoskins who was instrumental in developing the steel industry in New South Wales.</p> <p>In 1903 George Hoskins who was founder of Australian Iron and Steel Industries, purchased 8ha of land at the intersection of Liverpool Road and Burwood Road. He conceived a design for a model suburban estate. The design included large houses on expansive grounds arranged around a centre recreation reserve. Mr. Hoskins, from 1893, resided in St. Cloud, No.223 Burwood Road, which overlooked the Appian Way.</p> <p><u>Therefore, the dwellings identified meet the threshold for Associative Significance.</u></p>
Aesthetic or Technical	The group consists of rare Federation Queen Anne (sometimes referred to as Edwardian Bungalow) precinct of architectural and

<ul style="list-style-type: none"> important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in Burwood 	<p>constructional excellence. The group of dwellings represents an almost intact, complete Federation streetscape (though not strictly in Federation style) and is a unique part of the development of Burwood, and more broadly, Sydney with exceptionally generous landscaped settings of high quality. The ideas that influenced Richards' design of Hoskins Estate Houses were those of the Federation Queen Anne Style popular from the early 1890's to the start of World War One.</p> <p>The essential character of the houses of the estate are related to intersecting gabled roofs, verandahs integrated with the house under the same roofline and turned timber verandah posts.</p> <p>Generally, the houses are of complex, asymmetrical form, being dominated by extensive verandahs and prominent, irregular rooflines. The verandahs often have a corner emphasis and as the houses are placed on wide allotments, they tend to feature carefully designed and executed side elevations as well as street facades.</p> <p>The trees and shrubs used in the gardens have changed over the years, but original planting were probably a combination of Australian natives and exotic species.</p> <p>Dwellings identified in Table 4 below as having Aesthetic significance <u>have met the threshold for aesthetic significance as an individual dwelling as part of the group listing.</u></p>
<p>Social</p> <ul style="list-style-type: none"> strong or special association with a particular community or cultural group in Burwood (social, cultural or spiritual reasons) 	<p>While there is social significance within the conservation area as a rare 'garden city' estate whose early residents were likely to have been regular tennis players and/or users of the recreational space.</p> <p>The grouped dwelling listing focuses on the dwellings themselves and therefore <u>no individual dwellings or as part of a group meet the threshold for Social significance.</u></p>
<p>Research Potential</p> <ul style="list-style-type: none"> potential to yield information that will contribute to an understanding of Burwood's cultural or natural history 	<p>While there is research potential within the conservation area as a rare 'garden city' estate.</p> <p>The grouped dwelling listing focuses on the dwellings and therefore <u>no individual dwellings or as part of a group meet the threshold for Research Potential.</u></p>
<p>Rarity</p> <ul style="list-style-type: none"> possesses uncommon, rare or endangered aspects of Burwood's cultural or natural history 	<p>The group of dwellings comprises a very unusual and discrete form of garden suburb incorporating the ideas of the builder and owner, in particular the idea of leasing the houses to maintain control over the area.</p> <p>It is rare because no two allotments are same shape or size, with complex free standing designs quite different from the average urban street. No two houses are identical, yet are consistent in their overall Federation era form. While Federation dwellings are not rare within the LGA, the uniqueness of each dwelling, their setting within a 'garden suburb' and as a group of dwellings is rare.</p>

	Dwellings identified in Table 4 below as being rare <u>have met the threshold for as an individual dwelling as part of the group listing.</u>
Representative <ul style="list-style-type: none"> important in demonstrating the principal characteristics of a class of Burwood's cultural or natural places, or cultural or natural environments 	<p>It is a representative of an innovative approach to residential development that contains outstanding examples of Edwardian and Federation architecture in a garden setting.</p> <p>Each of the dwellings identified in Table 4 below as having Representative significance does so as an individual dwelling and as part of the group of Federation era dwellings. Each dwelling identified has minimal additions or alterations from the public domain (unless mentioned in Table 4). Council records also demonstrate that the majority of dwellings retain significant internal heritage fabric. Therefore, the dwellings are considered to have met the <u>threshold for representative significance.</u></p>

5.1 Statement of Significance

A rare Edwardian 'garden city' bungalow precinct with excellent Federation Queen Anne and at least one Federation Arts and Crafts architectural and landscape detail, largely intact streetscape, around an unusual and beautifully landscaped oval, containing a resident-owned recreational and sporting facility.

The design and construction of the estate was based on a vision of suburban utopia of its owner George Hoskins who was instrumental in developing the steel industry in NSW.

The concept for the design was based on 'Garden City' ideas being developed in England and USA at the time, for example, "Riverside" in Chicago by Frederick Law Olmstead and Vaux and "Bedford Park", "Port Sunlight" and "Letchworth" in England designed by Barry Parker and Raymond Unwin springing from the 'Picturesque Landscaping Movement' of the 18th Century in England.

The group of Federation era houses associated with the Appian Way HCA, have local significance for their ability to demonstrate early and unique subdivision pattern within Burwood, their unique yet consistent Federation aesthetic, their rarity as a group of dwellings within a garden city suburb, for their association with George Hoskins and for their representative value as fine examples of their type, most with minimal alterations from the public domain.

6 Summary Significance Matrix

Table 4 – Individual Dwellings Summary Heritage Assessment

Address/ Name	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative	Meets Heritage Significance Threshold?
1 Appian Way Burwood	✗	✗	✗	✗	✗	✗	✗	No, this dwelling was constructed post 1960.
Formerly Brindisi								

ITEM NUMBER 113/22 - ATTACHMENT 2

Attachment 2 - Heritage Assessment Report - Appian Group Listing - For Council Meeting

Address/ Name	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative	Meets Heritage Significance Threshold?
1A Appian Way Burwood Formerly Brindisi	✗	✗	✗	✗	✗	✗	✗	No, this dwelling was constructed post 1960.
1B Appian Way Burwood Formerly Brindisi	✗	✗	✗	✗	✗	✗	✗	No, this dwelling was constructed post 1960.
2 Appian Way Burwood Amalfi	✓	✓	✓	✗	✗	✓	✓	Yes
2A Appian Way Burwood	✓	✗	✓	✗	✗	✓	✓	Yes
3 Appian Way Burwood Brianza	✓	✓	✓	✗	✗	✓	✓	Yes
4 Appian Way Burwood Alba Longa	✓	✓	✓	✗	✗	✓	✓	Yes
5 Appian Way Burwood St Ellero	✓	✓	✓	✗	✗	✓	✓	Yes
6 Appian Way Burwood Olevanus	✓	✓	✓	✗	✗	✓	✓	Yes
7 Appian Way Burwood Mevania	✓	✓	✓	✗	✗	✓	✓	Yes
8 Appian Way Burwood Cadua	✓	✓	✓	✗	✗	✓	✓	Yes

ITEM NUMBER 113/22 - ATTACHMENT 2

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Address/ Name	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative	Meets Heritage Significance Threshold?
9 Appian Way Burwood Del Osa	✓	✓	✓	✗	✗	✓	✓	Yes
10 Appian Way Burwood Ariccia	✓	✓	✓	✗	✗	✓	✓	Yes
11 Appian Way Burwood Toscanna	✓	✓	✓	✗	✗	✓	✓	Yes
12 Appian Way Burwood Aventine	✓	✓	✓	✗	✗	✓	✓	Yes
13 Appian Way Burwood Ravenna	✓	✓	✓	✗	✗	✓	✓	Yes
14 Appian Way Burwood Cassa Tasso	✓	✓	✓	✗	✗	✓	✓	Yes
15 Appian Way Burwood Brescia	✓	✓	✓	✗	✗	✓	✓	Yes
16 Appian Way Burwood Ostia	✓	✓	✓	✗	✗	✓	✓	Yes
16A Appian Way Burwood Land former Ostia	✗	✗	✗	✗	✗	✗	✗	No, this dwelling was constructed post 1960.
17 Appian Way Burwood	✓	✓	✓	✗	✗	✓	✓	Yes

ITEM NUMBER 113/22 - ATTACHMENT 2

Attachment 2 - Heritage Assessment Report - Appian Group Listing - For Council Meeting

Address/ Name	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative	Meets Heritage Significance Threshold?
Casa Nuoya								
18 Appian Way Burwood Roma	✓	✓	✗	✗	✗	✓	✗	Yes This dwelling, while containing some unsympathetic layers, remains readily readable as an original dwelling. It is also one of the first dwellings constructed and is a 'gateway' to The Appian Way. Many of the alterations are recoverable.
19 Appian Way Burwood Yallambrosa	✓	✓	✓	✗	✗	✓	✓	Yes
21 Appian Way Burwood Erica	✓	✓	✓	✗	✗	✓	✓	Yes
23 Appian Way Burwood Capri	✓	✓	✓	✗	✗	✓	✓	Yes
25 Appian Way Burwood Atella	✓	✓	✓	✗	✗	✓	✓	Yes
302 Burwood Road Burwood Lulworth	✓	✗	✓	✗	✗	✓	✓	While this property does meet the threshold for heritage listing. It cannot be included in the group listing associated with Federation era houses. It remains a contributory dwelling within the HCA with a recommendation for it to be included in follow-up heritage study.
304 Burwood Road/27	✓	✓	✓	✗	✗	✓	✓	Yes

ITEM NUMBER 113/22 - ATTACHMENT 2

Attachment 2 - Heritage Assessment Report - Appian Group Listing - For Council Meeting

Address/ Name	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative	Meets Heritage Significance Threshold?
Appian Way Burwood								
Colonna								
306 Burwood Road Burwood	✓	✓	✓	✗	✗	✓	✓	Yes
Talofa								
308 Burwood Road Burwood	✓	✓	✓	✗	✗	✓	✗	Yes
Dimora								
310 Burwood Road Burwood	✓	✓	✓	✗	✗	✗	✓	Yes
Torcello								
312 Burwood Road Burwood	✓	✓	✓	✗	✗	✓	✗	Yes
Ravenscroft								
314 Burwood Road Burwood	✗	✗	✗	✗	✗	✗	✗	Elements of this dwelling are readable as an original dwelling (form), however layers of unsympathetic alterations and additions have removed the dwellings heritage integrity. These layers are not readily reversible.
Cordova								
316 Burwood Road Burwood	✓	✓	✓	✗	✗	✓	✗	Yes
Langlo								
318 Burwood Road Burwood	✓	✓	✓	✗	✗	✓	✓	Yes
Mounterey								

ITEM NUMBER 113/22 - ATTACHMENT 2

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Address/ Name	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative	Meets Heritage Significance Threshold?
55 Liverpool Road Burwood Winton	✓	✓	✓	✗	✗	✓	✓	Yes
59 Liverpool Road Burwood Lavinia	✓	✓	✓	✗	✗	✓	✓	Yes
67 Liverpool Road Burwood Iwanora	✓	✓	✓	✗	✗	✓	✓	Yes
70 Liverpool Road Burwood Heights	✗	✗	✗	✗	✗	✗	✗	No Does not possess the same level of detailing, styling and form as the majority of the dwellings. This dwelling does not meet the threshold for individual or group listing for any of the criteria, however remains as a contributory dwelling with the HCA.
72 Liverpool Road Burwood Heights	✓	✗	✓	✗	✗	✓	✓	Yes As this dwelling is outside the Hoskins Estate it does not meet Associative Significance.
74 Liverpool Road Burwood Heights	✓	✗	✓	✗	✗	✓	✓	Yes As this dwelling is outside the Hoskins Estate it does not meet Associative Significance.
76 Liverpool Road Burwood Heights	✗	✗	✗	✗	✗	✗	✗	No Does not possess the same level of detailing, styling and form as the majority of the dwellings.

Address/ Name	Historical	Associative	Aesthetic or Technical	Social	Research Potential	Rarity	Representative	Meets Heritage Significance Threshold?
								This dwelling does not meet the threshold for individual or group listing for any of the criteria, however remains as a contributory dwelling with the HCA.
78 Liverpool Road Burwood Heights	✓	✗	✓	✗	✗	✓	✓	Yes As this dwelling is outside the Hoskins Estate it does not meet Associative Significance.

7 Conclusions and Recommendations

Of the 43 dwellings which are located in the existing Appian Way Heritage Conservation Area, this assessment has found that 35 dwellings meet the threshold for a group listing as heritage items of like Federation era dwellings. While not all of these 35 dwellings meet the same heritage significance criteria, they all meet at least 4 of the criteria, importantly, they all meet Historical Significance and Associative Significance which link all 35 dwellings together, along with their aesthetic or representative values.

There are 8 dwellings that do not meet the threshold for inclusion in the group listing. These are

- 1 Appian Way Burwood – Built post 1960.
- 1A Appian Way Burwood - Built post 1960.
- 1B Appian Way Burwood - Built post 1960.
- 16A Appian Way Burwood - Built post 1960.
- 302 Burwood Road Burwood – is not a Federation era dwelling. Has potential heritage significance as a separate item.
- 314 Burwood Road Burwood – has had layers of unsympathetic alterations which have removed most traces of its heritage integrity.
- 70 Liverpool Road Burwood Heights – does not possess the same level of detailing, styling and form as the majority of the dwellings.
- 76 Liverpool Road Burwood Heights – does not possess the same level of detailing, styling and form as the majority of the dwellings.

It is recommended that the following dwellings be included in Schedule 5 of the *Burwood Local Environmental Plan 2012* as a grouped heritage item. The Inventory Sheet will include descriptions of each dwelling (as included above) and identify the heritage curtilage applies to each allotment and includes internal areas which contain significant heritage fabric.

- 2 Appian Way Burwood - Lot102 - DP592227
- 2A Appian Way Burwood - Lot40 - DP12249
- 3 Appian Way Burwood - Lot1 - DP984192
- 4 Appian Way Burwood - Lot18 - DP12249
- 5 Appian Way Burwood - Lot37 - DP166468
- 6 Appian Way Burwood - Lot1 - DP953252
- 7 Appian Way Burwood - Lot36 - DP12249

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- 8 Appian Way Burwood - Lot20 - DP12249
 - 9 Appian Way Burwood - Lot1 - DP167955
 - 10 Appian Way Burwood - Lot21 - DP12249
 - 11 Appian Way Burwood - Lot1 - DP304076
 - 12 Appian Way Burwood - Lot22 - DP12249
 - 13 Appian Way Burwood - Lot33 - DP12249
 - 14 Appian Way Burwood - Lot1 - DP945586
 - 15 Appian Way Burwood - Lot32 - DP12249
 - 16 Appian Way Burwood – Lot B - DP406214
 - 17 Appian Way Burwood - Lot31 - DP12249
 - 18 Appian Way Burwood - Lot1 - DP12249
 - 19 Appian Way Burwood - Lot30 - DP12249
 - 21 Appian Way Burwood - Lot29 - DP12249
 - 23 Appian Way Burwood - Lot28 - DP12249
 - 25 Appian Way Burwood - Lot27 - DP12249
 - 304 Burwood Road Burwood - Lot1 - DP945216
 - 306 Burwood Road Burwood - Lot2 - DP12249
 - 308 Burwood Road Burwood - Lot3 - DP12249
 - 310 Burwood Road Burwood - Lot4 - DP12249
 - 312 Burwood Road Burwood - Lot5 - DP12249
 - 316 Burwood Road Burwood - Lot1 - DP305311
 - 318 Burwood Road Burwood - Lot8 - DP12249
 - 55 Liverpool Road Burwood - Lot43 - DP12249
 - 59 Liverpool Road Burwood - Lot15 - DP12249
 - 67 Liverpool Road Burwood - Lot12 - DP12249
 - 72 Liverpool Road Burwood Heights - Lot85 - DP7371
 - 74 Liverpool Road Burwood Heights - Lot84 - DP7371
 - 78 Liverpool Road Burwood Heights - Lot52 - DP7371