

# Planning Proposal for the Group Heritage Listing - Appian Way Federation Dwellings

**FACT SHEET**

## Frequently Asked Questions - FAQ

### Why are we doing this?

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).*

The properties currently have heritage protection afforded by the Appian Way Conservation Area, where the streetscape character is protected under Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012.

Council resolved at its meeting on 22 November 2022 to submit a Planning Proposal to give greater strength to the preservation of the original dwellings and integrity of the Appian Way Conservation Area. We aim to do this by giving the significant intact dwellings an additional layer of protection through the group heritage listing.

You can view the Planning Proposal and background study at: <https://participate.burwood.nsw.gov.au/planning-proposal-group-heritage-listing-appian-way>

### What are the benefits of my property being heritage listed?

The group heritage listing will give additional protection to owners by ensuring heritage properties are consistently managed and any future works or alterations remain consistent with the heritage values of the Appian Way Conservation Area.

This Planning Proposal provides an additional layer of protection with respect to the heritage curtilage of the dwellings.

Additions and alterations are still permitted to properties affected by a heritage listing. However, listing triggers a process for assessing changes to ensure that any alterations, upgrades or modifications can be undertaken in a way that is sympathetic to the existing heritage values.

In general, the goal for changes to heritage listed properties is to preserve the original heritage features of the property and ensure that new works are sympathetic to and do not overwhelm the old. This maintains the authenticity of heritage listed places that make them special or distinct.

- § Additional protection and recognition to the properties enabling these properties to have a higher level of protection in line with their special heritage significance.

- § Stronger statutory controls to manage the integrity of the conservation area and ensure any future alterations or changes remain sympathetic to the properties.
- § Listing on the State Heritage Register makes owners eligible to apply for funding under the NSW Heritage Grants Program and other funding opportunities.

## How was the heritage investigation of the Appian Way Conservation Area undertaken?

A heritage assessment was undertaken by Council which included a site visit to the Appian Way Conservation Area in October 2022. All dwellings were observed from the public domain and were visually assessed against the Heritage NSW standard assessment criteria. Photos were taken of every dwelling and characteristics were noted for consideration.

A case review of heritage resources, databases and Council records was completed. The results of this investigation provided the justification to move forward with the Planning Proposal. This information is contained within the Planning Proposal.

## Why a group listing and not individually listed items?

The heritage significance of the Appian Way Conservation Area is well known as the properties are already identified as heritage as part of the Appian Way Conservation Area.

The dwellings within the Appian Way Conservation Area are largely of the same architectural style and time period with similar design qualities and features. Consistent with the Heritage NSW guidelines, dwellings with similar characteristics in close proximity are best suited to a group listing.

## Will this impact the current Appian Way Heritage Conservation Area?

No – this Planning Proposal will not change the Appian Way Conservation Area. Your property will still be identified within the Appian Way Conservation Area.

## Why haven't we included all properties in the Appian Way Heritage Conservation Area as a group heritage item?

The heritage assessment has sought to identify those dwellings which might be considered as original to the Appian Way Heritage Conservation Area. This included consideration of the extent to which a dwelling remains original or intact or whether it is representative of Federation era dwellings. These considerations, and others, have been used to determine whether a dwelling meets the threshold of local heritage significance.

Those properties that have been assessed as having unsympathetic alterations or that are architecturally different from the majority of dwellings in the Appian Way Conservation Area have been excluded from the group heritage listing. These dwellings have also been assessed against the Heritage NSW assessment criteria and would not be supported for inclusion by the Department of Planning and Environment (DPE).

## How long will the heritage listing take?

Approximately 9 months.

## What if I want to provide feedback on my property to Council?

Once Council receives the Gateway Determination from the DPE, Council will be undertaking consultation with the affected property owners. We anticipate that this consultation will occur in early 2023 and will include a statutory public exhibition period when formal representations can be made on

the proposed amendments. In the meantime, we encourage you to review the report and Planning Proposal.

## Can I make improvements or alterations to my property?

Additions and alterations are still permitted to properties affected by a heritage listing. However, listing triggers a process for assessing changes to ensure that any alterations, upgrades or modifications can be undertaken in a way that is sympathetic to the existing heritage values.

In general, the goal for changes to heritage listed properties is to preserve the original heritage features of the property and ensure that new works are sympathetic to and do not overwhelm the old. This maintains the authenticity of heritage listed places that make them special or distinct.

## General FAQs

### What is a Planning Proposal?

A Planning Proposal is a proposed amendment to a Local Environmental Plan (LEP). An amendment may constitute a change to the land use zoning, maximum height of building, floor space ratio (FSR) and heritage listing.

More information is available on the [Department of Planning and Environment website](#).

### What is a Local Environmental Plan?

A Local Environmental Plan (also known as the LEP) is a legal instrument to guide planning decisions. This is made up of a written statutory instrument and supporting maps.

All heritage items and conservation areas are listed in Schedule 5 of the Local Environmental Plan and highlighted on the Burwood LEP 2012 heritage maps.

The Heritage provisions are in Section 5.10 Heritage Conservation.

Burwood LEP 2012 is available on the [NSW Legislation website](#).

### What is a heritage item?

Burwood is unique and rich with many items that contribute to the heritage significance of the Local Government Area (LGA). Heritage significance means buildings and places that have special historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

Heritage sites are classified as either a heritage item or a heritage conservation area (HCA). If land has been identified as either containing a heritage item or located within a HCA, then special heritage planning controls will apply to all development on that land.

Burwood has two classifications of heritage:

- § Local Heritage — listed in Schedule 5 of the Burwood Local Environmental Plan (BLEP). There are two types, Part 1 Heritage items and Part 2 Heritage conservation areas.
- § State Heritage — listed on the State Heritage Register (SHR).

Appian Way is currently a heritage conservation area locally listed in Schedule 5 of the Burwood LEP. Council is seeking further advice as to the process for nominating for State heritage listing of the Appian Way Conservation Area.