From: Peter Spiegel [mailto:pspiegel@ozemail.com.au] Sent: Tuesday, 21 November 2017 12:48 PM To: Council Subject: Submission

Please find attached a copy of the report from Stephen Davies, B Arts Dip. Ed., Dip. T&CP, Dip. Cons. Studies DIRECTOR (HERITAGE)

CONCLUSION AND RECOMMENDATIONS

It is acknowledged that the two remaining first-floor façades to Burwood Road and Victoria Street have some merit for their Spanish Mission detail. However, they appear out of context compared with the modified and contemporary ground-floor of the building and we do not support the building's listing as a means of promoting facadism for their retention. Having regard to the significance assessment included in Section 4.2, it is our opinion that the subject property Ely House does not meet the requisite criteria for heritage listing at the local or state level. Therefore, it is our recommendation that the subject property Ely House not be put forth for heritage listing as proposed in Burwood Council's 2015 report 'Assessment of Potential Heritage Items (Stage 1)'.

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HERITAGE ASSESSMENT AND OBJECTION REPORT 122-126 BURWOOD RD, BURWOOD NSW 2134



8 FEBRUARY 2017 SH982 FINAL PREPARED FOR EUSTON INVESTMENT PTY LTD, H.R.P.E. PTY LTD, CELERMAJER INCOME TRUST

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Job Number	SH982
	2017 02 07 Draft
Report Number	2017 02 08 Final

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TABLE OF CONTENTS

1.	Introduction 4
1.1.	Background 4
1.2.	Site Location
1.3.	Methodology 4
1.4.	Author Identification
2.	Site Description
3.	Historical Overview
3.1.	Area History
3.2.	Subject Site History
4.	Heritage Significance 10
4.1.	What is Heritage Significance?
4.2.	Significance Assessment
4.3.	Statement of Significance
5.	Heritage Listing Objection Rationale
6.	Conclusion and Recommendations 19
7.	Bibliography and References
Disclair	ner

FIGURES:

Figure 1 – Locality diagram	4
Figure 2 – Aerial Image	5
Figure 3 – Extract of heritage map	7
Figure 4 – Map showing early land grants in the Burwood area	8
Figure 5 – 1898 Concord parish map showing the location of land grants	9
Figure 6 – Extract of 1943 aerial	.10

PICTURES:

Picture 1 – View facing south east towards subject site	6
Picture 2 – View of Burwood Road frontage of the subject property	6
Picture 3 – View of the eastern elevation of the subject property	6
Picture 4 – View of the first-floor terrace	6
Picture 5 – View of the first-floor terrace	6
Picture 6 – View of the first-floor terrace	6
Picture 7 – View of the internal staircase	7
Picture 8 – View of an internal room on the first-floor	7

1. INTRODUCTION

1.1. BACKGROUND

We have been engaged by Euston Investment Pty Ltd, H.R.P.E. Pty Ltd, Celermajer Income Trust to prepare the following Heritage Assessment report to accompany an objection to a proposed heritage listing of the subject property at 122-126 Burwood Road Burwood.

At its meeting of 22 March 2016, Burwood Council considered a report on the preliminary consultation with affected property owners and resolved, in part, to undertake further investigation of four properties for potential heritage listing, including the subject property.

A peer review of the initial heritage study has been undertaken by Council by their heritage consultant, Colin Israel (trading as Heritage Advice). Detail of Colin Israel's consideration of the subject property's heritage significance is included in Section 4.2 of this report.

1.2. SITE LOCATION

The subject site is a consolidation of four (4) lots located at the south-east corner of the intersection of Victoria Road and Burwood Road in Burwood. The site is described as the whole of the land contained within Lots 1, 2, 3 and 4 in Deposited Plan 14009.

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Figure 1 – Locality diagram

Source: SIX Maps, 2017

1.3. METHODOLOGY

The heritage assessment contained in Section 4.2 of this report has been prepared in accordance with the NSW Heritage Branch guideline 'Assessing Heritage Significance' (2001). The philosophy and process adopted is that guided by the *Australia ICOMOS Burra Charter* 1999 (revised 2013).

1.4. AUTHOR IDENTIFICATION

The following report has been prepared by Ashleigh Roddan (Heritage Consultant). Stephen Davies (Director) has reviewed and endorsed its content. Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

2. SITE DESCRIPTION

The subject site is a consolidation of four (4) lots located at the south-east corner of the intersection of Victoria Road and Burwood Road in Burwood. The site is described as the whole of the land contained within Lots 1, 2, 3 and 4 in Deposited Plan 14009. Together the site is a regular shaped corner site, with a total land area of approximately 750 square metres. The natural topography of the site is generally level.

Figure 2 – Aerial Image



Source: SIX Maps 2017

Immediately surrounding development comprises a mixture of retail and commercial use buildings in a shopfront configuration along both Burwood Road and Victoria Road. Most buildings are of a two-storey height with retail / commercial operations at the ground, street-level, and residential or commercial uses above. Opposite the subject property site along Victoria Street is located the Burwood Westfield complex, which itself occupies almost an entire block. An extension of this Westfield Complex, being the Event Cinema building, is located directly east of the subject property and adjoins its eastern boundary.

The subject property comprises a two-storey mixed-use building, with five (5) retail tenancies on the ground floor, and residential accommodation above. The building is constructed of brick with areas of exaggerated stucco render, and a timber framed and tiled roof. The building has been substantially modified with the ground floor presenting as a contemporary row of retail tenancies. Only the first-floor does the building still embody elements of the Inter-War Spanish Mission style, including its semi-circle tile capped splay corner parapet and grouped arched openings to first-floor balconies.



Picture 1 – View facing south east towards subject site Source: Urbis



Picture 2 – View of Burwood Road frontage of the subject property

Source: Urbis



Picture 3 – View of the eastern elevation of the subject property

Source: Urbis



Picture 4 – View of the first-floor terrace Source: Urbis



Picture 5 – View of the first-floor terrace Source: Urbis



Picture 6 – View of the first-floor terrace Source: Urbis



Picture 7 – View of the internal staircase Source: Urbis



Picture 8 – View of an internal room on the first-floor Source: Urbis

The subject site is not a heritage listed item under the Burwood Local Environmental Plan 2012, nor is it within a Heritage Conservation Area under this legislation.



Figure 3 – Extract of heritage map

Source: Burwood Local Environmental Plan 2012, Heritage Map HER_001

3. HISTORICAL OVERVIEW

3.1. AREA HISTORY

The subject property is located in the suburb of Burwood, approximately 12 kilometres to the west of Sydney City. The history of this suburb began in 1791 with the establishment of Parramatta Road, which was originally established as a way to connect Governor Phillip's settlement at Sydney Cove and a small farming community he had established at Parramatta (then 'Rose Hill'). The construction of the road improved the accessibility of land to the west of Sydney Cove, and settlement of the area soon followed.

In 1799, a 250-acre land grant was made by Governor Hunter to Captain Thomas Rowley, also of the NSW Corps. Rowley named this land 'Burwood Farm' after his hometown of Burwood, Cornwall, and it is from this estate that the modern suburb of Burwood derives its name (Sunday Times 18 November 1928: 22).



Figure 4 – Map showing early land grants in the Burwood area

Source: Dunlop 1974: 195

The first recorded resident of Burwood was Sarah Nelson. Nelson was a free settler who established a farm in 1794 on 15 acres of land in the area now known Malvern Hill. Nelson was closely followed in that same year by James Brackenrig, a private soldier in the New South Wales Corps who was granted 25 acres of land on the southern side of Parramatta Road. In 1796, a convict named Denis Connor was granted a 30-acre parcel of land to the immediate west of Brackenrig's property, and the settlement of Burwood had begun (Pollon 1988: 41) (Figure 5).



Figure 5 - 1898 Concord parish map showing the location of land grants

Source: MAP RM 2535, Spatial Information eXchange Maps – Historical Lands Records Viewer, 2014

Rowley died in 1806, and his will stipulated that the Rowley's children, who were the trustees of his estate, were not to sell the property. Rowley's children soon after relocated to England, at which time Governor Macquarie nominated Thomas Moore as trustee. Moore then sold the property to Alexander Riley in 1812 for £520, and it was inherited by his son W.E. Riley in 1833. Upon their return from England, Rowley's heirs learned that the property had been disposed of contrary to their father's will, and instigated court action. They were ultimately awarded the estate and went on to subdivide and sell the land from 1833 onwards. A number of other land owners in the local area followed suit, and Burwood entered a period of residential growth.

Prompted by the increasing number of residents and consequent increase of traffic along Parramatta Road, Burwood began to prosper. A stagecoach began running from Burwood to Parramatta in 1814, and during the 1820s a number of inns were built at 10 kilometre intervals along the road where the coaches stopped to change horses. In 1821 the Longbottom Government Farm was established; the farm eventually grew to cover over 700 acres of land, and provided employment for over 100 men. A stone schoolhouse was opened in 1847, and St Thomas' church was established in 1848. In 1855 the railway line connecting Sydney to Parramatta was opened and Burwood railway station was constructed, furthering the growth of the suburb (The Sydney Morning Herald 2 August 1913: 8).

The Municipality of Burwood was incorporated by proclamation into the Government Gazette on 27 March 1874. At this time, the population numbered some 1,200 people. By 1900 the population had grown to 7,400, and by 1930 this number had more than doubled.

3.2. SUBJECT SITE HISTORY

The following specific site history has been drawn from the revised historical notes contained in the proposed heritage inventory sheet, included in Burwood Council's Ordinary Meeting Minutes of 22 November 2016, p.19.

The property was subdivided into its present form in 1925 by then owners George, Wilfred & Harold Bignam, who purchased the property that year. The sequence of construction is not known, but in 1929 the property was transferred to Maria and George Ely as Tenants in Common. Shortly afterwards, leases were signed with various tenants for the shops at 124 Burwood Road, including a Chemist, Motor Mechanic, Furniture Shop, Confectioners Shop and Radio Shop.

The building acquired its name from the new owners and was called 'Ely House' as displayed on the splay corner parapet. This suggests that the Ely's purchased the building as an investment from the Bignams who were most likely to have been responsible for its construction. The Bignams also sold the remaining lots from the 1925 subdivision. As the construction of the Ely building may have been staged, the date of construction is clouded, but the Ely building was certainly complete and fully tenanted by 1929.

Figure 6 – Extract of 1943 aerial



Source: SIX Maps 2017

4. HERITAGE SIGNIFICANCE

4.1. WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place; why it is important, why a statutory listing was made to protect these values.

4.2. SIGNIFICANCE ASSESSMENT

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. There are two levels of heritage significance used in NSW: state and local. The following assessment of heritage significance has been prepared in accordance with the 'Assessing Heritage Significance' (2001) guides.

Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
A - Historical Significance An item is important in the course or pattern of the local area's cultural or natural history. Guidelines for Inclusion • shows evidence of a significant human activity • is associated with a significant activity or historical phase • maintains or shows the continuity of a historical process or activity Guidelines for Exclusion • has incidental or unsubstantiated connections with historically important activities or processes that are of dubious historical importance • provides evidence of activities or processes that are of dubious historical importance	Ely House was constructed for and occupied as a mixed-use development. This use is common throughout the Burwood town centre and of itself is not a historically significant use. Ely House does not meet this criterion for heritage listing at a state or local level.	Inventory Sheet Statement Ely House has continually operated as its original intended design as a mixed use commercial and residential development since the early 1930s. As a mixed use development it accommodated both residential and commercial activities combining more life and business to the surrounding street, this importance use is continuing today. Colin Israel's Discussion Statement indicates origin and continuity of activity 1920s and 1930s – mixed use of a substantial scale. While the activity is common the evidence of continuity in a particular historical phase is substantially intact.

Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
B – Associative Significance An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.	Ely House has no known significant associations with a person or group of persons. The building was named for Maria and George Ely, who purchased the property in 1929. However, it is not clear that they were responsible for the construction of the building, nor are they considered to be of historical importance.	Nil.
Guidelines for Inclusion • shows evidence of a significant human occupation	Ely House does not meet this criterion for heritage listing at a state or local level.	
 is associated with a significant event, person, or group of persons 		
 Guidelines for Exclusion has incidental or unsubstantiated connections with historically important people or events 		
 provides evidence of people or events that are of dubious historical importance 		
 has been so altered that it can no longer provide evidence of a particular association 		

Criteria

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C – Aesthetic Significance

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

Guidelines for Inclusion

- shows or is associated with, creative or technical innovation or achievement
- is the inspiration for a creative or technical innovation or achievement
- is aesthetically distinctive
- has landmark qualities
- exemplifies a particular taste, style or technology

Guidelines for Exclusion

- is not a major work by an important designer or artist
- has lost its design or technical integrity
- its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded
- has only a loose association with a creative or technical achievement

Ely House is a greatly modified example of an Inter-War mixed use building with elements of the Spanish Mission style. The building has been so substantially altered that its street-level presence bears no resemblance to its original Spanish Mission style. The integrity of the fabric has been further eroded by the recent removal of the original Victoria Street entry door.

Urbis Significance Assessment

Whilst the first-floor facades to Burwood Road and Victoria Street retain a number of Spanish Mission elements, this fabric is in poor condition and does not present as a good example of its type as the building was of a representative design without distinction and has had half its façade altered significantly.

In particular the variations between the Victoria Street first-floor façade and Burwood Road first-floor façade support the assumption that the building was a staged development and therefore does not present as a unified, cohesive Spanish Mission example.

Internally, the integrity of the first-floor fabric has been substantially compromised by numerous modifications and is in poor aesthetic and functional condition. No original fabric remains on the ground floor internally. Being a representative example on the upper floor does not mean it meets the criterion for individual listing on aesthetic grounds. The building has not been included in previous heritage studies and there is the tendency to revisit buildings of poorer quality that do not meet he threshold.

If this was a poor example in a streetscape of excellent examples, such as a group, then it may qualify under a group listing however this is not the case. It is an isolated and much altered example of a style much better represented and recognised elsewhere.

Ely House does not meet this criterion for heritage listing at a state or local level.

Current Inventory Detail and Colin Israel Response

Inventory Sheet Statement

Ely House is a good example of the Inter-War Spanish Mission style architecture on the first floor and the access or entry stairwell on Victoria Street West. In addition, it contributes a sense of heritage character to the wider streetscape.

Colin Israel's Discussion

Spanish Mission style buildings from the Inter-War period are relatively rare in Burwood. This example exemplifies characteristic features of the style and is prominently located within Burwood Road's streetscape. Apart from the alteration of the ground floor shops, the form, materials and design retain original character and stylistic elements. Its original landmark qualities (as street corner feature) are subsumed by the scale of later surrounding development.

Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
D – Social Significance An item has strong or special association with a particula community or cultural group in the local area for social, cultural or spiritual reasons.	Ely House has no known significant social associations with a group of persons or community group. Ely House does not meet this criterion for heritage listing at a state or local level.	Nil.
Guidelines for Inclusion • is important for its associations with an identifiable group • is important to a community's sense of place		
 Guidelines for Exclusion is only important to the community for amenity reasons is retained only in preference to a proposed alternative 		

Criteria

F – Rarity

Guidelines for Inclusion

of life or process

An item possesses uncommon, rare or endangered

aspects of the local area's cultural or natural history.

provides evidence of a defunct custom, way

demonstrates a process, custom or other

• shows unusually accurate evidence of a

significant human activity

human activity that is in danger of being lost

Urbis Significance Assessment

Rarity should not be based on the local government area as these areas have been and are currently subject to potential change. The decision must rest on the rarity as an architectural type and for this example there is been no evidence of survey work done by the consultants in Burwood or surrounding local government areas or in the Sydney region. Notwithstanding that the Spanish Mission style itself is potentially rare within the Burwood region, it is evident in other significantly superior examples throughout Sydney.

The subject Ely House is a highly modified example of its type, with over 50% of its original fabric having been removed, and the ground floor level bearing no resemblance to the style at all. In heritage terms this equates to virtual demolition.

As discussed above, the first-floor facades to Burwood Road and Victoria Street are considered to have some merit for their Spanish Mission details, however, these facades are not of a high architectural integrity and do not present Ely House as a cohesive well-planned

Ely House does not meet this criterion for heritage listing at a state or local level.

Current Inventory Detail and Colin Israel Response

Inventory Sheet Statement

Ely House is a rare example of the Inter-War Spanish Mission style locally within the Burwood Municipality.

Colin Israel's Discussion

This style is rare within Burwood and is relatively rare in other Inter-War suburbs. Examples are therefore valued as part of the diversity of the Inter-War styles. Its use may also be indicative of more cosmopolitan tastes influenced by both immigration and Hollywood.

 \square • is the only example of its type · demonstrates designs or techniques of exceptional interest \square singular building. • shows rare evidence of a significant human \square activity important to a community

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 \square

Guidelines for Exclusion

- is numerous but under threat

is not rare

Criteria	Urbis Significance Assessment	Current Inventory Detail and Colin Israel Response
 G – Representative An item is important in demonstrating the principal characteristics of a class of NSW's (or the local are cultural or natural places or cultural or natural environments. <u>Guidelines for Inclusion</u> is a fine example of its type 	Ely House has some merit in it representative features of the Spanish Mission style. However, the building is substantially altered with a high degree of fabric having been removed, and as such it does not present as an intact example of the style. Ely House does not meet this criterion for heritage listing at a state or local level.	Nil.
 has the principal characteristics of an important class or group of items has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity is a significant variation to a class of items is part of a group which collectively illustrates a representative type is outstanding because of its setting, condition or size is outstanding because of its integrity or the esteem in which it is held Guidelines for Exclusion 		
 is a poor example of its type does not include or has lost the range of characteristics of a type does not represent well the characteristics that make up a significant variation of a type 		

4.3. STATEMENT OF SIGNIFICANCE

The subject Ely House is not considered to meet the threshold for heritage listing on any of the above criteria. The substantially modified condition of the building has resulted in the loss of its Spanish Mission character, and removal of a substantial degree of original fabric. It is not considered to be a fine example of its type.

5. HERITAGE LISTING OBJECTION RATIONALE

The heritage assessment contained in Section 4.2 of this report concludes that the subject Ely House does not meet the requisite threshold for heritage listing at a state or local level. We do not support the proposed listing of the subject property for the following reasons:

- Ely House was constructed for and occupied as a mixed-use development. This use is common throughout the Burwood town centre and of itself is not a historically significant use. The continuation of this use since the 1920s is evident, but the continuity of this typical use does not provide sufficient justification for the heritage listing of the property.
- The subject Ely House is a highly-modified example of its type, with over 50% of its original fabric having been removed, and the ground floor level bearing no resemblance to the style at all. The integrity of the fabric has been further eroded by the recent removal of the original Victoria Street entry door. Internally, the integrity of the first-floor fabric has been substantially compromised by numerous modifications and is in poor aesthetic and functional condition. No original fabric remains on the ground floor internally. The historical significance of the building itself and its remaining original fabric has been sufficiently degraded from the removal of most of the original fabric. The substantial alterations undertaken and limited remaining fabric of any integrity is not considered sufficient reason to warrant a heritage listing.
- Being a representative example on the upper floor does not mean it meets the criterion for individual listing on aesthetic grounds. The building has not been included in previous heritage studies and there is the tendency to revisit buildings of poorer quality that do not meet he threshold.
- The first-floor facades to Burwood Road and Victoria Street are considered to have Spanish Mission details, however, these facades are not of a high architectural integrity and do not present Ely House as a cohesive well-planned singular building. The first-floor planning without a central courtyard around small flats with poor amenity, currently in poor condition, provides accommodation which will require considerable alteration to sustain the building's viability in the Burwood Town Centre. The retention of a resultant façade to Burwood Road and to Victoria Street does not meet the criteria for individual listing. Facadism, under the guise of whole building, is not to be encouraged in this situation. Without the original ground-floor and internal fabric, the two façades remain as the only somewhat significant features, albeit demeaned by their situation. Heritage listing the building as a means of protecting the remaining elements of the first-floor façades only is not sufficient cause for the listing of the whole property.

6. CONCLUSION AND RECOMMENDATIONS

It is acknowledged that the two remaining first-floor façades to Burwood Road and Victoria Street have some merit for their Spanish Mission detail. However, they appear out of context compared with the modified and contemporary ground-floor of the building and we do not support the building's listing as a means of promoting facadism for their retention.

Having regard to the significance assessment included in Section 4.2, it is our opinion that the subject property Ely House does not meet the requisite criteria for heritage listing at the local or state level. Therefore, it is our recommendation that the subject property Ely House not be put forth for heritage listing as proposed in Burwood Council's 2015 report 'Assessment of Potential Heritage Items (Stage 1)'.

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[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]

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