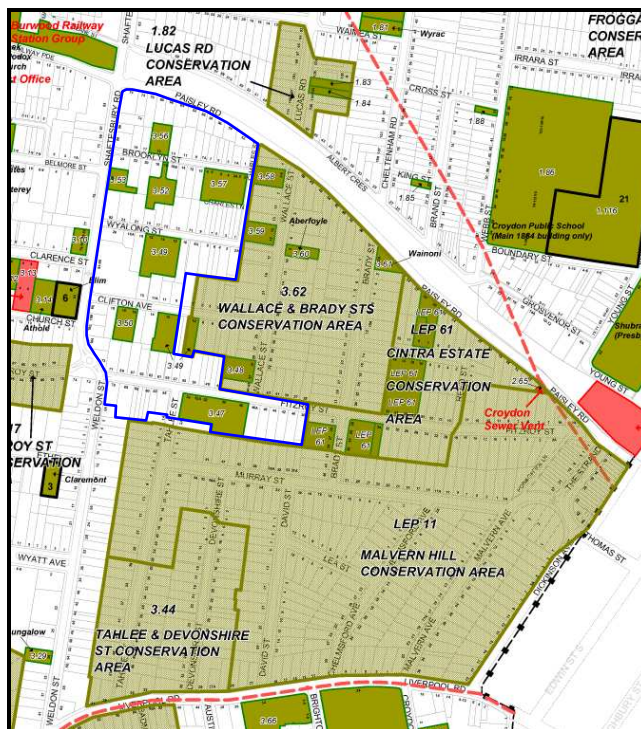


REVIEW
of
“Shaftesbury East Heritage Study”
for
BURWOOD COUNCIL



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REVIEW OF SHAFTESBURY EAST HERITAGE STUDY FOR BURWOOD COUNCIL

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1 EXECUTIVE SUMMARY

1.1 Conclusion

This 'Review' examines "The Shaftesbury East Heritage Study". It identifies and analyses internal inconsistencies in the 'Study'. It includes additional investigation and analysis, particularly of streetscape values and has provided further opportunities for community consultation.¹

The finding of this Review is that the "Shaftesbury East Heritage Study" is in error and understates the heritage values of the Shaftesbury East Study Area when it concluded that the Study Area was "not of sufficient value to warrant listing as a heritage conservation area".

The area should be protected as a heritage conservation area for its values as stated in the following Revised Statement of Cultural Significance:

"The Shaftesbury East Study Area is of moderate local significance to Burwood as a representative collection of houses demonstrating a continuous and largely intact record of housing styles and tastes in a middleclass precinct incrementally developed from the 1870s to the 1970s.

It is contiguous with and compliments adjacent conservation areas and the Burwood's collection of conservation areas. It shows, in a single precinct, how the transition from Victorian mansions to suburban houses was influenced by the "Garden City" principles including the subsequent mid-20th Century bungalow forms.

It has the ability to demonstrate several associations with prominent families important to the social development of Burwood including the Reeds and Greggs whose members served as Mayors of Burwood during the Federation and Interwar periods.

Its consistency of scale, materials and forms, the containment of vistas within its street pattern and the definition of its boundary at Shaftesbury Road reinforces its separate character and provides a strong sense of identity. This is strongly supportive of adjacent and contiguous conservation areas and helps to make it a special area within Burwood, worthy of conservation."

¹ In this document "The Shaftesbury East Heritage Study" is referred to as "the Study". To distinguish it, this document is referred to as "this Review".

The values identified in this Revised Statement of Cultural Significance would warrant listing of the East Shaftesbury Study Area as a Conservation Area in Burwood's Local Environmental Plan.

Before proceeding with the listing of properties proposed as Local heritage items in the Study, additional inspections would be required of the interiors of those properties to verify the integrity of each is sufficient to warrant the individual listing as a Local heritage item.

Tables 1 & 2 in this Review categorise the heritage items into the following groups:

- Existing Items to be retained as they are.
- Existing Items to be reviewed by internal inspection.
- Proposed Items, whether identified in the Study; in submissions or in consultations, which should be reviewed by internal inspection.
- Proposed Items, whether identified in the Study; in submissions or in consultations, which should not be listed.

The boundary of the new conservation area should exclude parts of the Burwood RSL's properties and follow a logical line of separation along Shaftesbury Road and Paisley Road.

A decision to list the study area as a conservation area would reduce the number of additional individual items while providing a reasonable level of protection through development controls relevant to a conservation area.

This would include reclassification of some existing heritage items as contributory to the conservation area but removing them from listing as Local heritage items. This would apply to those items originally listed in groups, subject to internal inspections.

It would be desirable for individual listings of Local heritage items within the Study Area to be based on a broad comparative survey of Burwood's heritage items rather than on the limited sample within the Study.

1.2 Recommendations

ONE: That Council Resolve To List Shaftesbury East as a Heritage Conservation Area

That Council resolve to proceed with the LEP process for listing of the Shaftesbury East Study Area, excluding only the present site of the Burwood RSL Club Building property.

Properties would be listed as having “contributory”; “neutral” or “intrusive” contributions as summarised in Table 3 and Figure 16 of this Review.

It would be desirable to combine contiguous conservation areas as indicated in Figure 31 of this Review and to prepare revised LEP & DCP controls for the conservation area retaining those provisions applicable to each precinct.

TWO: That Council adopts the Revised Shaftesbury East Heritage Study (SEHS)

That Council adopts a revised version of the “Shaftesbury East Heritage Study – 2008” which includes the additional analysis and the “Revised Statement of Cultural Significance” contained in this Review.

Notes: This generally involves:

- Accept Parts 1,2,3 & 4 of the SEHS but excluding its conclusions.
- Replace Sections 5, 6 , 7 & 8 with revised text reflecting the findings of this Review.
- Add or append content from the Review to correct errors and omissions in the original diagrams 9, 12 & 13.
- To adopt Figure 14 and Table 3 from this Review to identify which properties are Contributory; Neutral or Intrusive.
- To include a diagram based on Figure 15 and text from Section 3.2 of this Review analysing streetscape and townscape values, including the relationship of the study area to adjacent Conservation Areas.
- Revise the Inventory Sheets to include minor corrections identified in the Review, based on the marked copy provided to Council Officers.

THREE: To Internally Inspect Potential Heritage Items & make listing recommendations

- (a) That Council resolve to further investigate the issue of which present or proposed heritage items should be added or removed from the LEP heritage listings by conducting an internal inspection of each as recommended in Tables 1 & 2.
- (b) That Council resolve to proceed with internal inspections and comparative analysis against Burwood's present Local Heritage Items to provide a sound basis for the LEP listing process for listing any additional Local Heritage Items.

FOUR: To Invest in a Thematic History of Burwood

That Council resolve to prepare a comprehensive Thematic History of Burwood and seek assistance from the NSW Heritage Office for funding to that purpose.

Notes:

An appropriate timescale for completion from this resolution should be set as "within three years" or as Council determines.

The Study should aim to have a useful currency of between 20 to 25 years.

1.3 Background

Burwood Council's adopted Vision Document proposed a study of the area to the east of Shaftesbury Road for possible consolidation into a single conservation precinct. This was intended to address 'gap' or unprotected potential heritage areas around the Malvern Hill(LEP 11); Tahlee & Devonshire Street (3.44); Cintra Estate(LEP 61) and the Wallace & Brady Streets (3.62) Heritage Conservation Areas.

Council's brief to the consultants for the Study required the consultants to "*Undertake a heritage analysis via a Heritage Study in accordance with heritage best practice and NSW Heritage Office guidelines.*"

The consultants based their assessment on the "*Burra Charter*" and "*Assessing Heritage Significance*" a guideline published by the NSW Heritage Office.

While these are appropriate for assessment of heritage values generally and for assessment of Local heritage items in particular, they do not specifically address the assessment of urban conservation areas.

The Heritage Office guideline *“Conservation Areas – Guidelines for managing change in heritage conservation areas”* was available and relevant but was not cited as a reference. This in part states:

“Heritage areas include such elements as street and subdivision layout; pattern of development; parks and gardens; buildings of various styles, forms, types and functional uses; historical or symbolic sites; streetscapes and skylines, details and furniture; urban spaces; landmarks; and internal and external views.”²

“Best Practice” currently in the assessment of urban conservation areas is to be found in publications like English Heritage’s *“Guidance on conservation area appraisals”*. Among the considerations it stipulates are streetscape and spatial analysis, character analysis, views and vistas and problems, pressures and the capacity for change.

1.4 Objectives of the Peer Review

Burwood Council’s adopted Vision Document proposed that the area to the east of Shaftesbury Road be studied for possible consolidation into a single conservation precinct. This was intended to address ‘gap’ or unprotected heritage areas around the Malvern Hill HCA. The main ‘gap’ area near Malvern Hill HCA was identified as “The Shaftesbury East Study Area”.

The firm of Clive Lucas, Stapleton & Partners Pty Ltd was commissioned to examine the study area. They recommended against listing the Shaftesbury East Study Area as a Heritage Conservation Area but did recommend listing nine additional properties as Local heritage items. Two properties in Fitzroy Street were recommended for inclusion in the adjacent conservation area.

Burwood Council at its meeting on 21/11/06 resolved:

‘That Council staff investigate the option of having the Shaftesbury East Study Area Heritage Study peer reviewed by a suitably qualified heritage consultant with the Mayor, to determine a suitable and appropriate course of action for this matter’.

Colin Israel – heritage solutions³ was engaged by Council to provide a Peer Review of the Study including a detailed examination of the document; additional streetscape analysis and additional public consultations.

² Heritage Office and DUAP – *“Conservation Areas – Guidelines for managing change in heritage conservation areas”* - p 4

³ (Now trading as “Colin Israel- Heritage Advice”)

1.5 Detailed Findings of this Review

1.5.1 Main Deficiencies

The main deficiencies contained in the Shaftesbury East Heritage Study relate to:

- The analysis of streetscapes particularly in the continuity of streetscape character across existing boundaries with adjacent conservation areas.
- The lack of systematic analysis of views and vistas into and out of the study area.
- The lack of analysis of urban character relative to the existing adjacent conservation areas;
- The evolution of street and subdivision patterns and their contribution to the heritage character of the area.
- Lack of consideration of boundary conditions.
- Lack of analysis of the affects of individual listings on properties “*in the vicinity*” of a heritage item.
- Lack of consideration of particular intrusions like the Burwood RSL site and the capacity for change.

In part the Study errs because the historical component is derivative and reliant on studies which are considerably out of date both in terms of methodology and content. This shows particularly in the limited application of local historical themes and the lack of identification of significant associations of historical figures and families important in the development of Burwood.

Minor deficiencies relate to contradictions within the Study:

- In the application of concepts of *intactness* and *condition*
- Lack of clarity in determining levels of contribution particularly in resolving conflicts between *poor condition* and *historical values* of items or potential items.
- Confusion between the values of existing and potential heritage items as analysed against the values of the study area generally
- Emphasis on the identification of potential heritage items to the detriment of identification of the character and values of the study area generally.

Indigenous heritage is noted as excluded by the Shaftesbury East Heritage Study. Archaeology is not specifically noted but is reasonably taken to be beyond the scope of the Study.

1.5.2 Findings: Adequacy of Community Consultations

The Study refers to some consultations in acknowledgements but does not detail contributions or issues raised. In this Review written submissions were received and considered as summarised in Appendix 1. Two consultations were examined further in interviews with the proponents, one representing

those opposed and one representing those in favour of listing as a conservation area.⁴

A number of submissions contain considerable detail with involvement from community members with expertise in heritage assessment who supported the concept of a conservation area. Several submissions opposed both the conservation area and individual proposals to list additional heritage items.

Based on submissions to this Review, it is considered that the Shaftesbury East Heritage Study does not adequately reflect the local community's concerns whether in support of or in opposition to the conservation area proposal. Nor does it sufficiently articulate the likely affects that listing of additional properties would have either on the property owners directly affected or on owners of property "in the vicinity" of the existing or proposed heritage items.

This Review indicates diagrammatically in Figure 15 the indirect effects on properties in the vicinity of both the existing heritage items and the nine potential heritage items identified in the Study.

1.5.3 Contribution of the Shaftesbury East Heritage Study Inventory

Overall the Shaftesbury East Heritage Study makes a valuable contribution to the understanding of heritage values in the study area mainly through its thorough detailed inventory process. This exceeds the level of detail previously available from earlier heritage studies of Burwood.

While recognising this contribution, this Review finds that the Study overemphasises the identification of potential heritage items. In terms of the resources available this may have been at the expense of a more detailed and thorough analysis of the potential conservation area values.

1.5.4 The Study's Proposed "Summary Statement of Cultural Significance" for the East Shaftesbury Conservation Area

The deficits in the breadth of analysis of the overall values of the study area are not balanced by the additional detail and thoroughness of the Inventory Sheets. This imbalance results in an understatement of the heritage significance of the study area.

⁴ Telephone Interview on April 23 2007 with Mr George Ravellos representing Brooklyn Street Petitioners; Personal interview with Mr Simon Bromage representing Burwood Residents Action Group (BRAG) held on April 29 2007.

1.6 NSW Heritage Office Guidelines

Council's brief to the consultants for the Study required the consultants to "Undertake a heritage analysis via a Heritage Study in accordance with heritage best practice and NSW Heritage Office guidelines."

The Consultants in their Study state:

"The methodology of this report follows the general guidelines for heritage assessments as outlined in the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter), and the NSW Heritage Office and Planning NSW's publication Heritage Manual".⁵

The consultants also refer to "Assessing Heritage Significance" a guideline published by the NSW Heritage Office, part of their "Heritage Manual" series.

The references quoted are appropriate for assessment of heritage values generally and for assessment of Local heritage items in particular. But they are neither sufficient nor specific in regard to the assessment of urban conservation areas.

James Kerr in the sixth edition of his "Conservation Plan" states that:

"Like its progenitor, the Venice Charter, which deals with the conservation of 'monuments and sites', the Burra Charter was not drafted with urban conservation in mind, although the principles are similar."⁶

Kerr notes that an intended charter document for urban conservation by Australia ICOMOS did not eventuate.⁷ The 1999 revision of the Burra Charter retained a broad definition of "place" but still does not specifically address the assessment of urban conservation areas.

The NSW Heritage Office is responsible under the Heritage Act for setting the criteria for assessment of heritage values in this state. It also prepares and reviews guidelines for use in heritage management. The guideline "Assessing Heritage Significance" was revised in 2001. Apart from the general introduction in Part 1 and one illustrative example the guideline concentrates on the assessment of heritage *items* and not specifically on conservation areas.

While it is true that the criteria used for assessing a conservation area are the same ones used for assessing a heritage item, the assessment of a conservation area requires an analysis of a wider range of characteristics. The Heritage Office guideline "Conservation Areas – Guidelines for managing change in heritage conservation areas" was last revised in 1996 but remains relevant to the assessment of the heritage values of urban areas.

⁵ Clive Lucas, Stapleton and Partners Pty. Ltd. – "Shaftesbury East Heritage Study" Rev. 29-09-06 p 1

⁶ James Semple Kerr – "The Sixth Edition Conservation Plan" p 35

⁷ Kerr – "Conservation Plan" p 35

It notes that:

“Heritage areas include such elements as street and subdivision layout; pattern of development; parks and gardens; buildings of various styles, forms, types and functional uses; historical or symbolic sites; streetscapes and skylines, details and furniture; urban spaces; landmarks; and internal and external views.”⁸

For the purposes of this Review, key points from this guideline have been summarised below:

“The NSW Heritage Manual provides a framework for the assessment of the built environment.

A combination of some of the following values is used to assess the heritage significance of an area.

1. *Historic Significance underlies most of the other values listed below. An area might reveal the cultural, political or economic development of a precinct, a suburb, a region, the state or the nation....*
2. *Aesthetic significance is one of the most familiar aspects of heritage area identification. It is also often closely related to the quality of environmental amenity. A heritage area may have architectural significance as a notable, rare, representational or early example of a particular style, age, detailing, interior design, layout, finish, construction technique or use of materials.....*
3. *Social Significance is found in places that provide a focus of identity for groups or for the community as a whole.....*
4. *Technical/research significance relates to an area’s potential to provide information vital for research, or suitable for interpretation and education. The rarity or Representativeness of the data will affect the place’s degree of significance.....*

Representative values can only be established by comparing a particular area with other heritage areas to establish whether it is a good example of its type, a seminal or optimal development of its type, or a significant variation of a type.

Some heritage areas are rare surviving examples of something widespread but now scarce...

The degree to which an area retains the particular values and character that were an integral part of its original design or historical development must also be carefully considered. Its integrity may be evident in the retention of original materials or setting, or the maintenance of its associations. Alterations do not necessarily mean the compromise of integrity – indeed the alteration can become as significant as the original fabric.”⁹

⁸ Heritage Office and DUAP – “Conservation Areas – Guidelines for managing change in heritage conservation areas” - p 4

⁹ HO & DUAP – “Conservation Areas” – pp 8-11.

1.7 “Best Practice”

While the Heritage Office guideline “*Conservation Areas*” is a more specific reference than “*Assessing Heritage Significance*” and offers an outline methodology, a more recent and clearer document was produced by English Heritage called “*Guidance on conservation area appraisals*”.

While this example is not a guideline issued by the Heritage Office of NSW it does represent a high order of practice in relation to the assessment of Heritage Conservation Areas and reinforces in a structured way the more general statements of the Heritage Office’s guideline “*Conservation Areas*”. This review draws on both sources in analysing the consultants Study.

“Where the character of an area is composite in this way and the phases of growth are clear, it will often be worth identifying and analysing the character areas separately, looking at, for example, characteristics current and past land use orientation archaeological and historic sites geological and topographical mapping density and types of buildings place names and earliest references communication types and patterns;

In many, especially urban, areas, rebuilding may have taken place many times over the same sites, resulting in overlays of building forms and styles which are often contained within an ancient framework. The richness of an area today may reflect the build-up of successive historic periods.

3.8

Defining character or special interest, involves more than simply recording the appearance of the area, its individual buildings and other heritage assets, and documenting its historical development. It includes understanding (describing and analysing) and assessing the values and significance of the area, both in its parts and as a whole. Taking account of the values attached to the area by the local community and all those with a legitimate interest in it will be a vital element of that process.”¹⁰

¹⁰ English Heritage - “*Guidance on conservation area appraisals*”. pp 9-20

English Heritage proposes that conservation area appraisals take note of characteristics under the following headings:

“ASSESSING SPECIAL INTEREST

LOCATION AND SETTING

- *Location and context*
- *General character and plan form*
- *Landscape setting*

HISTORIC DEVELOPMENT AND ARCHAEOLOGY

- *The origins and historic development of the area*
- *Archaeology, including scheduled monuments*

SPATIAL ANALYSIS

- *The character and interrelationship of spaces within the area*
- *Key views and vistas*

CHARACTER ANALYSIS

- *Definition of character areas or zones*
- *Activity and prevailing or former uses and their influence on the plan form and buildings*
- *The qualities of the buildings and their contribution to the area*
- *Contribution of Unlisted buildings*
- *Local details*
- *Prevalent and traditional building materials and the public realm*
- *An audit of heritage assets*
- *The contribution made to the character of the area by green spaces; and its biodiversity value*
- *The extent of intrusion or damage,(negative factors)*
- *The existence of any neutral areas*
- *General condition*
- *Problems, pressures and capacity for change*

COMMUNITY INVOLVEMENT

SUGGESTED BOUNDARY CHANGES”¹¹

1.8 Summary Statement of Methodology used for this Review

This Review examines the Shaftesbury East Heritage Study in terms of the NSW Heritage Office Guideline “*Conservation Areas – Guidelines for managing change in heritage conservation areas*”.

Where an aspect of assessment is not covered sufficiently by this HO guideline, this Review makes reference to English Heritage’s “*Guidance on conservation area appraisals*”.

¹¹ English Heritage - “*Guidance on conservation area appraisals*”.(Headings) pp 9-20

2 COMMENTS ON STUDY METHODOLOGY

2.1 Study Structure

The Study adopts a common structure for a heritage area study. It provides a historical context, there is a physical description and reference to themes identified in the Burwood Heritage Study, dating from 1989. The evolution in terms of subdivisions is covered and summarised in Diagrams 7 & 8.

2.2 Comparative Analysis

Section 4 dealing with Analysis of Evidence makes some comparisons with other conservation areas including the adjacent Malvern Hill Conservation Area and the Wallace and Brady Streets Conservation Area.

It finds Shaftesbury East to be of substantially different character to Malvern Hill. While it notes the similarity with Wallace & Brady in terms of “its diverse architectural character and (it) illustrates the subdivision pattern of the larger estates.” The Study draws the distinction that Shaftesbury East does not have street planting as substantial as that in Wallace & Brady.

The Study also consults the original listing proposals first made in the early 1980’s by the National Trust (NSW) and reviewed by them in the mid 1990’s. The Study’s argument that the character of the study area differs so markedly from that of the National Trust listing that it should be discounted is substantially undermined by the submission made by Scott Robertson through BRAG. Mr Robertson prepared both the original and revised listing for the National Trust which relates to all of eastern Burwood. He refutes the argument that the Shaftesbury East Study Area is inferior in heritage quality to the adjacent Conservation Areas.¹²

2.3 Deficiencies in Content

A clear deficiency in the Study is the lack of systematic analysis of streetscapes. While each street is inventoried and the text provides some observations, there is little spatial analysis and insufficient character analysis.

2.4 Use of Diagrammatic Summaries

The Study collates information on several diagrams.

- Figure 1 shows the study area
- Figures 2 to 6 are historical subdivision and property plans dated at 1854; 1868; 1880; 1884 and 1885.
- Figure 7 is a diagram summarising survey information from Sydney Water in 1890¹³.

¹² See Appendix A – Consultations & Submissions

¹³ The Sydney Water Plans should be included as appendices to the study at a legible scale together with the other primary resources. Archival material may contain other information relevant at a later date and should be included for reference.

- Figure 8 is a diagram summarising houses present in the study area by 1927.

Together these give an overview of the early evolution of the area but with a considerable gap between 1927 and the present (discussed further below).

Analysis in the Study is summarised in a further series of diagrams:

- Figure 9 shows the Study's assessment of "house styles/historic periods"
- Figure 10 shows the "condition of properties"
- Figure 11 shows the "relative intactness"
- Figure 12 shows the "contribution of items within the study area"

Conclusions are summarised in Figure 13: "existing and recommended individually listed heritage items" Figure 14 shows a "summary of conclusions"

Examination of these diagrams reveals inconsistencies which, taken together, contradict the main findings and recommendations of the Study.

Diagrams 7 – 14 have been reviewed on the following pages and annotations added. For the purposes of this Review, the original Figure numbers relating to diagrams in the Shaftesbury East Heritage Study have been retained to facilitate comparison.

*(NOTE: Figure Numbers: "Figure 1, Figure 2; Figure 3; Figure 4; Figure 5; Figure 6 & Figure 7" have **not been used** in this Review, so that figures numbered 8 to 15 would correspond to those in the Study).*

3 REVIEW OF CONTENT - DIAGRAMS

3.1 Historical Diagrams

The evolution in terms of subdivisions is summarised broadly in Diagrams 7 & 8 which are referenced to 1890 and 1927 respectively. There is a large gap in the timescale between Diagram 9 and Diagram 10 which deals with surviving styles of housing. The intervening evolution (between the early Interwar period (1927) and the present) omits major steps between including *Red Texture Brick* and *Modern* infill and substantial mid 20th Century subdivision of *Modern & Late Bungalow*. This does not reflect the patterning evident in Figure 10 of the Study which indicates two phases of infill along Paisley Road of *Modern* and *Late Bungalow* groupings and a *Late 20th Century* grouping on Shaftesbury between Clifton and Fitzroy. This is noted in the text but not fully analysed.

As noted on the review comments added to Figures 8 & 9 :

- 23 of the 30 houses present in the study area in 1890 have survived to the present day. One other survives as a remnant incorporated in a large Federation Mansion.
- 70 houses within the study area were built before 1927 of these 24 Victorian period houses survived and none have subsequently been demolished. At that stage 1/3 of houses were of Victorian character.
- very few existing houses required the demolition of another house.

In terms of Historical criteria, the area is highly intact as it contains mainly houses which are the first to occupy their respective plots. Other aspects such as intactness and condition are considered in comments attached to each diagram.



REVIEW COMMENTS:

Of 30 houses present in the survey of 1890 six have been demolished and 24 have survived to the present day.

The orange shaded mansion dates from the Federation period but was built over an earlier Victorian villa part of which remains identifiable at the rear leaving a total of 23 intact Victorian houses.

Figure 8 in Study: Diagram showing houses present in the study area by 1890.
(Source: PWD 662.1544, PWD 848.1544, Sydney Water Plan Room)

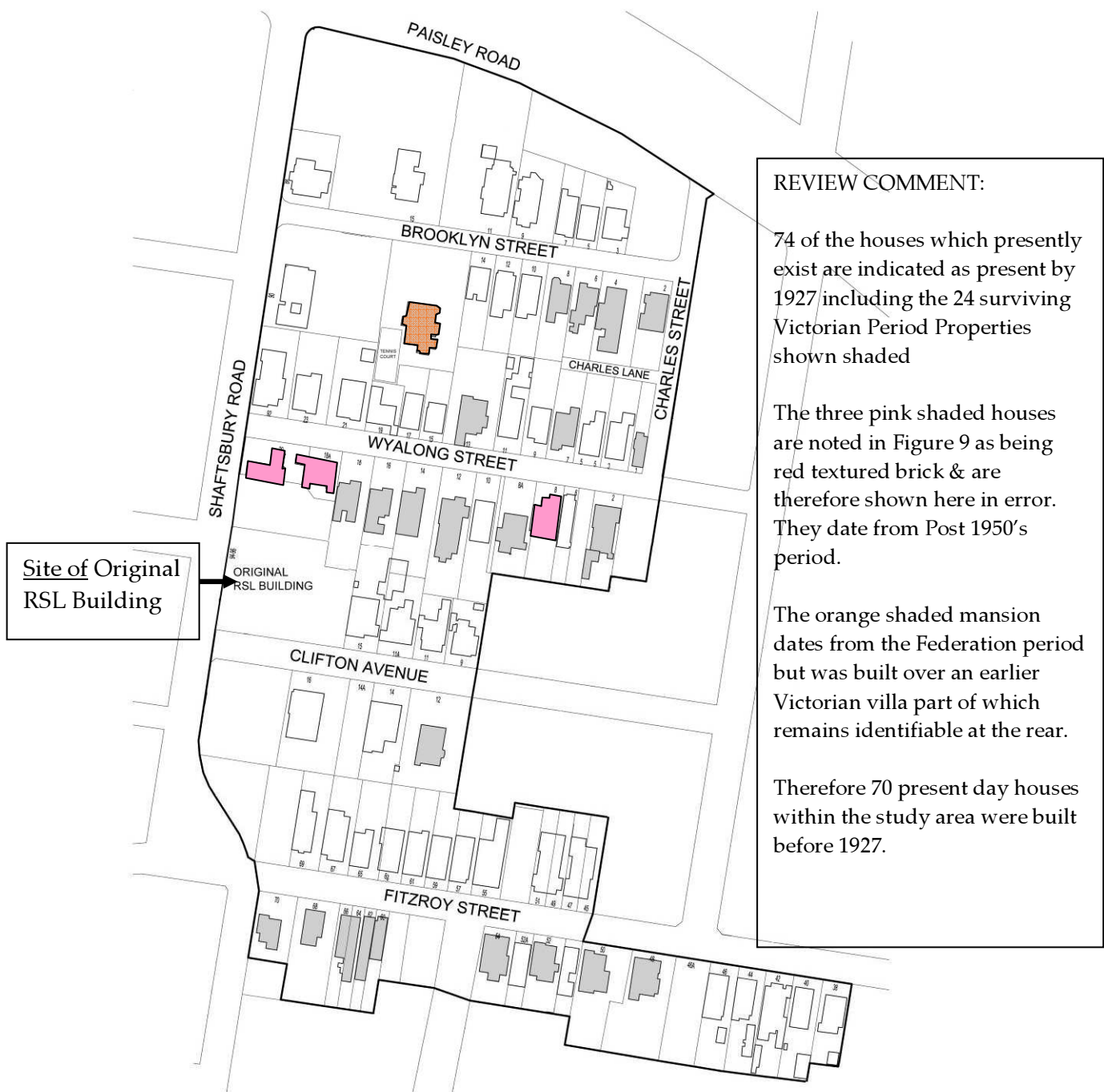


Figure 9 in Study: **Diagram showing houses present in the study area by 1927. Houses which were present by 1890 (see Figure 8) are shown shaded.**

(Source: DS 855, BW211, Sydney Water Plan Room)



Figure 10 in Study: Diagram showing the house styles/historic periods represented in the Shaftesbury East Study Area.



Figure 11 in Study: *Diagram showing condition of properties within the Shaftesbury East Study Area. (Note: 10 Wyalong is not visible from the street and therefore no condition is identified for it.)*



REVIEW COMMENTS

The Study does not define intactness as it relates to the conservation area values.

Intactness is easy to determine in relation to a heritage item as it relates to the retention of significant fabric.

In terms of Historical criteria, the area is highly intact as it contains mainly houses which are the first to occupy their respective plots.

Apart from the demolished Victorian period houses shown in Figure 7, it appears that very few existing houses required the demolition of another house which previously occupied its site.

The extent to which houses have been altered in a manner which removed substantial original fabric or detail seems to be the basis of this diagram.

Figure 12 in Study: *Diagram showing the relative intactness of properties in the Shaftesbury East Study Area. (Note, 10 Wyalong Street is not visible from the street and no determination of its intactness has been made.)*

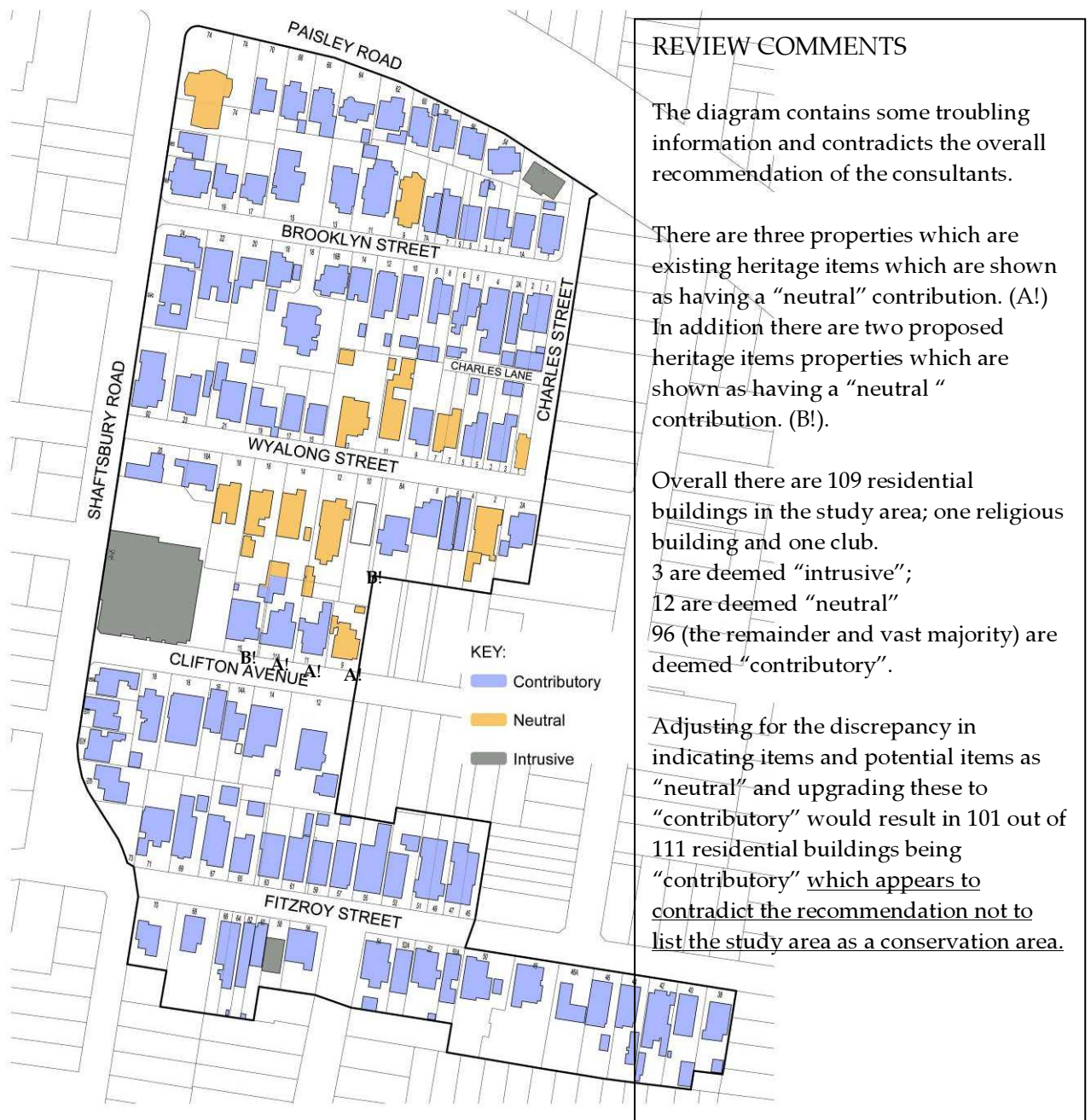


Figure 13 in Study: *Identification of how individual items within the study area contribute to the significance of the area.*



REVIEW COMMENTS

This diagram adjusts levels of contribution based on a review of comments received in consultations and submissions against inspections undertaken for this review. It incorporates the comments contained in this review including comments and corrections on diagrams from the original study as marked. (See Pages 18 -23 above).

This diagram resolves known anomalies based on the revised Statement of Cultural Significance in Section 6 of this Review.

- Properties whose contribution changes from that contained in the Study are outlined in RED.
- The blue outline indicates the boundary for the proposed Conservation Area.
- In Summary:
Overall there are 114 residential buildings in the study area; one religious building and one club.
4 are deemed "intrusive";
14 are deemed "neutral"
96 (the remainder and vast majority) are deemed "contributory".

Figure 14 in Study (REVISED): Identification of how individual properties within the study area contribute to the significance of the area & Proposed Conservation Area Boundary.

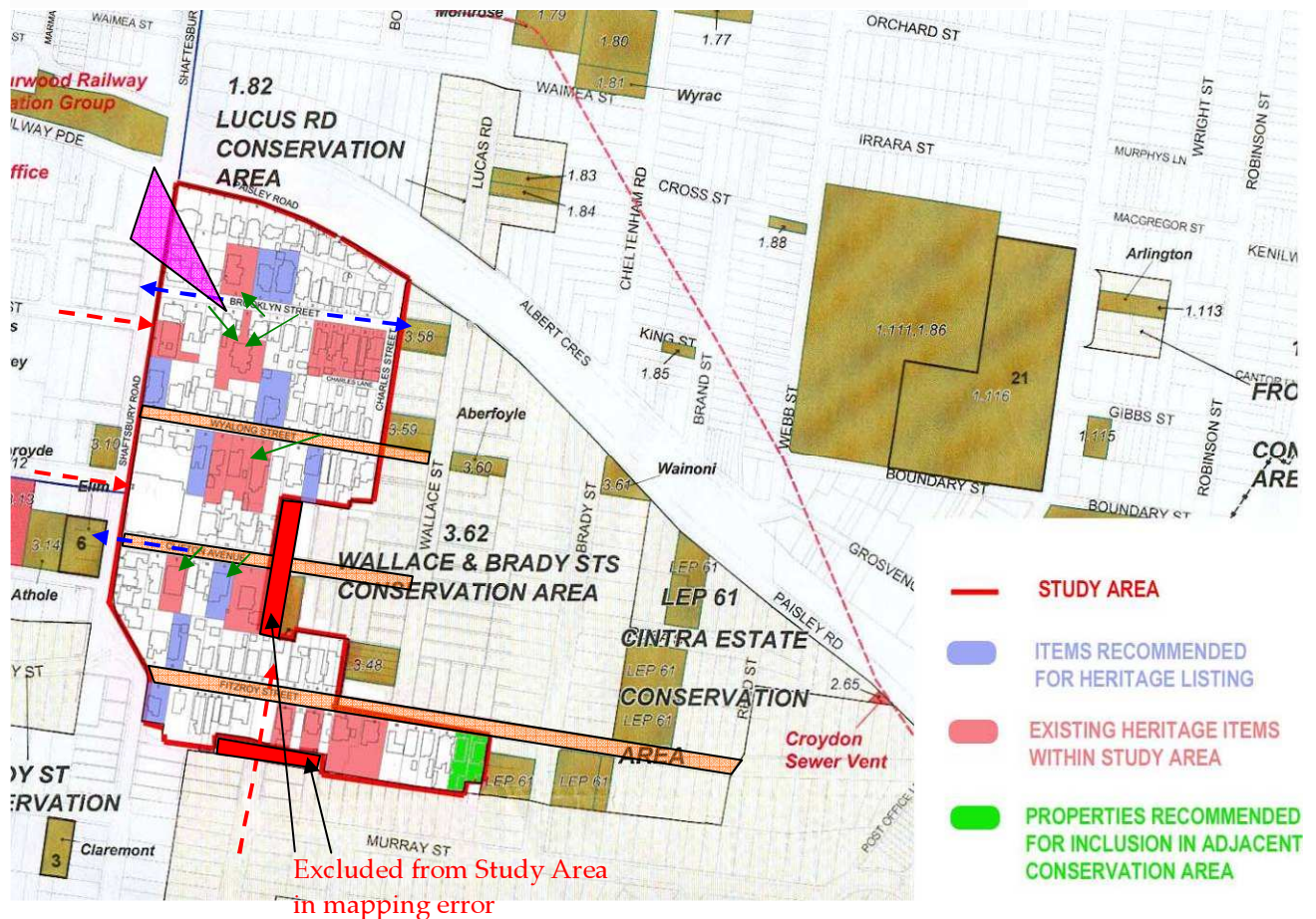


Figure 15 in Study: *Summary of conclusions*

Review comments are provided in the following text Section 3.2 to 3.4 below. This is the only diagram which shows the adjacent conservation areas and it contains no analysis of these relationships.

3.2 Visual & Spatial Qualities

The added arrows indicate street connections- vistas and their terminations looking in are shown in red; Vistas and their termination looking out are shown in blue. Local prominences are indicated by green arrows. Streets interconnection with and through adjacent conservation areas include Wyalong, Clifton & Fitzroy.

An intrusive effect on the skyline is experienced from Brooklyn Street towards the Flats at the corner of Railway Parade and Shaftesbury (shown with purple view cone).

3.3 Boundaries and Visual Catchment

The consistent termination of views from the study area looking west across Shaftesbury (ie at “T” intersections) reinforces the identity and character of the Study area as a discrete and separate area from the Burwood civic precinct. At the same time the vistas towards the east from streets in the study area terminate inside the Wallace and Brady Conservation Area and reinforce the connection with this area. Similar effects occur at Fitzroy Street.

The study area is visually interconnected with the adjacent Conservation Areas but visually discrete from development west of Shaftesbury, partly due to the “T” intersection street pattern. Shaftesbury is therefore a natural boundary for all the conservation areas to its east including the study area.

3.4 Potential visual impact of development.

There is minimal control in the present LEP and DCPs for the broader visual values of the Study Area identified in this review. While there is de facto constraint due to application of provisions relating to development “in the vicinity” of heritage items, lack of precise definition would result in uncertainty in the development application process and possibly to a greater degree of subjectivity in the assessment process. Overall the likely result would be a piecemeal approach with higher levels of disputation. An erosion of visual quality is likely over time. This would have some spill-over effects into adjacent contiguous conservation areas.

3.5 Use of Assessment Criteria – Inventory Sheets

The Heritage Office assessment criteria have been applied in the inventory sheets analysis. The Study adopts the practice of indicating only those criteria seen as applicable by the consultants. For those properties which the consultants’ indicate warrant listing as individual items, a comment is applied to each criteria. There are occasional errors both clerical and factual. In particular there are references to historical associations with particular families or individuals listed in the historical notes which do not translate into the assessment against the “Historical Associations” criterion. For example, No 15 Brooklyn Street has a historical note regarding Sir Norman Gregg who was a paediatric ophthalmologist who first recognised Rubella in pregnancy caused cataracts in newborn. This should translate to recognition under the “Historical Associations” criterion.

A general comment which appears frequently indicates houses which make a contribution to the study area. This is contradicted on occasion by an assessment under the criterion heading indicating there is “no contribution” to Aesthetic Significance.



Figure 16: Effects of being "In the Vicinity of" Existing and recommended individually listed heritage items within the Shaftesbury East Study Area.

The Inventory sheets include a list of studies as references. Both Sands Directories and Rates Books have been consulted as well as State and Burwood Library collections of maps and sub-division plans. However these resources appear to have been applied on a priority basis with more attention paid to potential heritage items. One standard secondary source noted is Eric Dunlop's "Harvest of the Years" a commemorative history of Burwood. This contains an index and a number of appendices. Well organised information has been missed. For instance: two of the properties have associations with prominent Mayors of Burwood. One of the properties is associated with a family prominent at the time as proprietor of a large bakery.

Despite these errors and omissions, the inventory listings for the individual properties meet reasonable standards of completeness, given the scope of the Study. Generally, for those properties identified as potential heritage items, the inventory provides sufficient information to demonstrate their case, noting in passing that none of the properties appears to have been inspected internally. Lack of internal inspections to verify the level of intactness leaves some question as to the completeness of the assessment for purposes of listing as a heritage item.

Of greater concern is the inventory sheet provided for each Street. Generally one would expect these to assess the streetscape values including physical components. While the descriptions of each street are reasonably complete in terms of its components, there is minimal analysis of the streetscape qualities overall.

Where comments occur indicating a prominent building or trees, some evaluation could be expected as to the contribution to the streetscape qualities. One would also expect some description of the vistas and views along each street and the manner in which these are terminated.

While the elements such as trees are listed, their contribution to the qualities of the streetscape is not discussed or is summarised in a single sentence. Some key details are overlooked, the general consistency of the materials, scale and expression of the front fences, for instance. In particular the historical notes in the inventory sheets do not reflect the relationship between the historical period and the original and subsequent sub-division patterns.

3.6 Comparative Values: Adjacent Conservation Areas in Burwood

Given that some of the streets continue into adjacent heritage conservation areas, a crucial analysis for this study area is the question of whether the study area is discrete and separate in terms of character from the adjoining conservation areas.

Some of the questions we need to answer to determine this are:

- Does the character change across the boundary between the study area and the conservation area?
- Is this an abrupt or gradual transition?
- Does it reflect an entirely different style of period from one area to another?

Neither the analysis in Section 4 of the Study nor the inventory sheets for each street provide this level of analysis.

Admittedly these patterns are complex. Rather than reflecting a single large sub-division they reflect a process of sub-division and infill, with several periods of where interstitial development occurs between earlier, more substantial houses.

While this is sometimes referred to in terms of “layers” it is characteristic of this study area that relatively little demolition has occurred over the evolutionary phase lasting over a century. Consequently the study area presents as a mixed collection of periods and styles in which several shifts on taste and circumstance are easily apparent. There are clear groupings responding to the development during major periods of Victorian, Federation and Interwar, there are also infill developments between Victorian and Victorian and between Victorian and Federation and so on. Apart from the destruction of a proportion of the larger Victorian period homes and occasional later homes, the patterning is coherent and largely intact.

While this may not have the same appeal as say a homogenous Federation (garden suburbs) development its diversity does not rely on the introduction of artificial variations to break down an otherwise overly rigid and regimented uniformity. This superimposed variety of floor plans, roof forms and details is exactly what was done in the Federation suburbs. The Appian Way, for instance, provided variations of style and materials even interspersing slate and terracotta roofs to reinforce the individual character and identity of the houses.

The same level of character differentiation occurs in the Shaftesbury East Study Area, only not through a conscious aesthetic intention but through a

more gradual and even process of evolution. In some ways the degree of variety and diversity is enhanced by the mixture of styles and periods, punctuated as it is by more dramatic groupings of Victorian or Federation or even Interwar houses.

What is less apparent is the comfortable way in which this mixture enables the area as a whole to integrate with the adjacent conservation areas. There is no sense of discontinuity to the pattern of houses going along Paisley Road, for instance. Here the study area group of Modern style houses from Nos 60 – 72 is followed by a group of earlier bungalows and to the east of Charles Street within an existing conservation area are groups of Federation Bungalows, yet there is no discernable diminishing of pattern or quality.

The same can be said for the transition along Fitzroy Street, where a pair of Federation Bungalows at 67 & 69 is followed to the east by a series of six Californian Bungalows an intrusive Late 20th Century house and another two Californians before integrating with the more consistently Federation character further along Fitzroy. Here, despite the interruption of an intrusive style, the streetscape along the study area links more or less seamlessly with the adjacent Fitzroy Street section of the Malvern Hill Conservation Area.

These transitions occur more or less “naturally” due to an underlying coherence arising from a consistency of scale, materials, forms, set backs and streetscape elements such as front fences. Admittedly this is a consistency within a broader range for each characteristic than occurs within other conservation areas within Burwood. While not necessarily “rare” it demonstrates a consistency of community values as expressed in the evolution of a discrete suburban precinct over a century or more.

There are many other points to be made in the debate as to whether to list or not to list this study area, but this seamless integration would appear to be one the stronger arguments for including the Study area in a broader Conservation Area context.

3.7 Character

In some ways the remarkable characteristic of the study area is the overall integrity of the evolved pattern of development. Despite the differences in style, and the range of variations in materials and scale of the houses a process of de- facto conservation appears to have been occurring by a process of consensus. Infill houses on smaller scale blocks adjacent to larger homes are nearly always of a more modest scale; they are set back equally or further in the street; they use similar materials, through perhaps of differing colour or texture; the front fences are of low brick with piers and iron grille gates. In the same street, later houses on medium sized blocks adjacent to similar blocks from earlier periods, adopt a similar set-back but may have two stories, still of slightly subservient scale.

It is as if the development has been guided by an unstated set of development controls which reflect an overall consensus which leans towards conservation at each stage of the process.

If there is any deficiency in the consultants' Study it a failure to articulate the underlying pattern and order. Admittedly this is a complex example of patterning. The consultants in their diagrams, inventories and text appear to have identified many components which constitute the character of the area but without arriving at a complimentary analysis. Perhaps with more time, resources or a more searching consultative process, these aspects may have emerged and their conclusions may have been different.

These aspects of the character of the study area will emerge in the following pages as the internal contradictions of the Study are examined.

3.8 Streetscape Values

Figures 17-28 below offer additional analysis of the streetscape values of the study area in the form of annotations to a series of panoramic views.



Figure 17: Composite panorama of Fitzroy Street opposite the intersection of Brady Street showing consistency of scale, materials and character between the study area and the existing Conservation Area.



Figure 18: View of Paisley Road showing existing Conservation Area character. The study area which adjoins to the west (left of picture) is consistent in terms of scale, materials and form with expressions in Late Bungalow and Modern styles.



Figure 19: Streetscape along Brooklyn Street at the intersection of Shaftesbury Road. The vista is terminated at a group of two storey residential flat buildings of the Interwar period. These are consistent in materials, toning and character with the Shaftesbury East Study Area. The Late 20th Century multi-storey apartment building at the corner of Railway Parade and Shaftesbury intrudes in terms of mass, scale and colour tone, as do the buildings in the background generally. Although of different periods, front fences are consistent in scale and materials.



Figure 20: Streetscape along Brooklyn Street close to the intersection of Shaftesbury Road. The visual intrusion of the Late 20th Century multi-storey apartment building at the corner of Railway Parade and Shaftesbury is more apparent closer to the intersection. Potential redevelopment of the two storey Interwar flats would affect the character at the Shaftesbury Road boundary. It is likely to result in a hard edged boundary. Specific development controls would be required to ensure the termination of the Brooklyn Street vista retained the presently sympathetic character.



Figure 21: Looking west along Brooklyn Street from the intersection of Shaftesbury Road. The road is relatively narrow and rises gently. The vista is framed by trees providing a sense of separation and affording some privacy. The two Canary Island Palms denote corners of the earlier Victorian property, later subdivided. Despite the intrusion in style of a Late 20th Century house at the RH corner, the street retains a consistent scale and character.



Figure 22: The Vista along Clifton Avenue looking west terminates as 'Elim' a heritage item with landmark qualities. Despite difference in scale and lack of setback the street retains a cohesive scale and character.



Figure 23: Clifton Street looking west. Taken from a distance within the existing conservation area, this view shows the consistency of streetscape character across the boundary between the study area and adjacent conservation areas.



Figure 24: Clifton Avenue looking east. There are relatively more intrusive elements like the white painted front fence, yet there is no obvious change in character overall. This section is wholly within the existing conservation area. The area generally allows a gradual transition from urban to wholly suburban character from east to west.



Figure 25 The eastern entry to Clifton Street is dominated by the mass and scale of the Burwood RSL Club. Though of different mass and scale, the potential impacts of the Club Building have been moderated by façade articulation, a mixture of materials and colours and a layering of elements such as the colonnaded entry screen. The repetition of pitched roof forms draws form the Victorian character of mansions in Wyalong Street. The corner is accentuated with a single bay repeating these forms with a mixed sandstone and render wall with a fountain and planting providing interest and visual relief.



Figure 26: Approaching from the south along Shaftesbury Road, 'Elim' presents a landmark in an eclectic asymmetrical Free Federation style by Architect Sir John Sulman. Outside the study area, this example informs and influences the architecture of the Late 20th Century eclectic asymmetrical Post Modern RSL Club building which echoes its roof form at the corner. This provides an equivalent landmark statement reinforcing the corner and it would represent a fine solution were it not for the lack of setback along the boundary of Clifton Avenue.



Figure 27: Seen as a gateway element and with its landmark presence accentuated by the curve in Shaftesbury Road, 'Elim' comfortably dominates the surrounding more suburban expression of late 20th century houses within the study area. The open character of widened road verges and planting masks an anomaly in the historic road pattern at the intersection of Fitzroy.



Figure 28: The panoramic view of the eastern side of Shaftesbury between Clifton and Fitzroy. The later housing fits comfortably into the mixed pattern and scale of the study area generally.

3.9 Similar Urban Conservation Areas in comparable Sydney Suburbs

Other conservation or potential conservation areas in Burwood tend to be more cohesive and relate particularly to the Federation period with Appian Way and Malvern Hill conservation areas being excellent examples of suburban development inspired by the “Garden Suburb” movement.

The Study correctly determines that the study area is not comparable to these examples which have a high degree of cohesion but the Study does not examine this distinction other than to conclude that: “the area is not of sufficient heritage significance to warrant designation as a Heritage Conservation Area.”

Elsewhere within Sydney there are comparable areas where successive mixed development has occurred. Within the expanded City of Sydney itself there are several:

- East Sydney Conservation Area and The Darlinghurst (CA18)
- Bourke Street North (CA 6) and Bourke Street South Conservation Areas (CA7)
- Chippendale Heritage Conservation Area (CA 12 City of Sydney)
- Ultimo Heritage Conservation Area (REP 26-CA)
- Pyrmont Heritage Conservation Area (REP 26-CA)
- Reservoir Street & Fosterville Heritage Conservation Area (CA 44)
- Hereford & Forest Lodge Conservation Area

While these is different each demonstrates a process of evolution with layering of styles and periods which together build a distinct character. A conservation area does not require strict homogeneity, although some display this characteristic.

Within Burwood itself, the Burwood Road Conservation Area demonstrates a range of periods and styles with added complexity through the mixed use character over the years.

The Study’s comparison with the adjacent conservation area has also been specifically refuted in an email note from the author of the National Trust NSW listing sheet provided during the Review.

3.10 Use of Historical Sources & Historical Themes.

Documents cited in the Study rely heavily on secondary sources to set the historical context. While the list of references includes a number of more recent secondary sources, the main sources for the majority of the information

appears to have been a combination of the “Burwood Heritage Study (1989)”¹⁴ and “Harvest of the Years by Eric Dunlop (1974)”¹⁵.

In terms of both content and historical method, neither source would meet the present standards expected of a “Thematic History” in the terms intended by NSW Heritage Office Guidelines. Consequently the Study has relied on historical themes which are adapted from the earlier references with little attempt at a historical review. The themes indicated in the Study are limited to “Period/Style” themes. The Heritage Office lists “NSW Historical Themes” as they relate to National and Local levels. In this case relevant Local themes not included would be:

“Building Settlements, Towns and Cities – Towns, Suburbs & Villages –
Sub-themes: Town Plan; Streetscape; Sub-division Pattern;”

The use primarily of

“Building Settlements, Towns and Cities – Accommodation –
Sub theme: Housing Types (Periods and Styles) may reflect the Study’s findings but could equally artificially confine the outcome.¹⁶

There have been considerable changes in Burwood. This, together with the tendency for historical material to emerge over time, suggests that it would have been beneficial to the Study to provide a broader historical context. Primary sources have been used to support the detailed histories of the existing and proposed heritage items and these are an improvement on the previous “Burwood Historical Study” inventory sheets. In fairness, it would not be reasonable to expect a study for a section of Burwood to produce a complete thematic history of Burwood. Equally a theme relevant to the study area should have received attention.

“Harvest of the Years” has proved a valuable reference over the intervening years but is now past its ‘use-by-date’ when used as the principal historical reference for wide ranging studies. Heritage in Burwood is now best served by a commitment to preparing a review of the historical data, updated to cover changes in demographics and cultural development up at least to the beginning of the present Century.¹⁷

The suggested timescale for this should be not more than five years. It should be a professionally conducted historical study, preferably with input from a historical archaeologist. It should canvass community involvement on a broad scale and be prepared to publication standards and intended to inform heritage studies of Burwood for two decades.

¹⁴ The Burwood Heritage Study is listed twice, once under Burwood Council and once under Fox & Associates, the consultants.

¹⁵ Eric Dunlop: “The Harvest Of The Years – The Story Of Burwood 1794-1974’ - Municipality Of Burwood 1974

¹⁶ <http://www.heritage.nsw.gov.au/docs/themes2006.pdf>

¹⁷ http://www.heritage.nsw.gov.au/docs/info_historicalresearch.pdf

Sources of funding, briefing criteria and an expert review should be canvassed with the Heritage Council of NSW.

Such a work would be an essential prerequisite to any further review of heritage within Burwood.

3.11 Assessment against Heritage Office Criteria

Apart from the overall issues with historical sources and the identification of historical themes, a number of other issues arise from the application of the Heritage Office assessment criteria.

3.11.1 Additional Historical Associations

Under Criterion (b) – Historical Associations the Study states that there are no historical associations identified at the present time which meaningfully relate to the study area as a whole. In the course of this review there would appear to be some associations which have a bearing on the history of Burwood, in the presence of two prominent families, living in Brooklyn Street and Shaftesbury Road respectively.

As noted in the inventory sheets, the Reed family lived in No 90 Shaftesbury in a fine Arts & Crafts style residence possibly designed by Halligan & Wilton. 20 Brooklyn Street was later built for one of their sons and No 24 Brooklyn Street was subdivided from the original property at No 90 Shaftesbury but leaving two Canary Island Palms to mark the boundaries of the original holding. The Appendix to *“Harvest of the Years”*¹⁸ identifies Frederick Reed as Mayor of Burwood for the years 1915; 1920 & 1921 while his son F.H. Reed held the same office from 1936 to 1938. Listed only in the Study as being proprietors of a bakery, the Reeds evidently contributed to the history of Burwood through public services as well. F. H. Reed is noted as having “the remarkable record of 43 years of unbroken service on the Council, including three terms as Mayor” bettering his father’s record of a mere 20 years. As he succeeded to Council on the death of his father, their combined career as aldermen spanned 63 years.¹⁹

James Gregg, who lived around the corner at “Glenayr”, No 15 Brooklyn Street was more than the Auctioneer listed in the inventory sheets, serving as Mayor of Burwood from 1905 to 1908. His son was Sir Norman Gregg, mentioned previously and his daughter married Mr Fisher and lived at “Lugar Brae” at no 11 Brooklyn Street.

¹⁸ Eric Dunlop – *“Harvest of the Years”* p 181

¹⁹ Eric Dunlop – *“Harvest of the Years”* p 178-9

The house at 13 Wyalong Street was designed by Sheerin & Hennessy Architects and 90 Shaftesbury Road was designed by architects Halligan & Wilton for George Hudson of George Hudson P/L (of “Hudson’s ready cut homes” fame) which are all significant associations.²⁰ While these associations could be covered by the listing of the individual houses, the civic contribution to the Burwood of these associations should also be recognised, together they indicate a degree of civic pride and involvement in local public affairs on the part of several residents of the study area.

3.11.2 Additional Social Significance

The inventory sheet for the Burwood RSL records the history of the Club, several notable elements, re-laid memorial stones, eternal flame, fountains and a field artillery piece which is set as a memorial. It does not relate this to the criterion of Criterion (d) – Social Significance. If nothing else, the 105 Gun is clearly a relic, possibly a moveable item, but without doubt a heritage item.



Figure 29: Detailed view of the Burwood RSL Club showing the monumental treatment of the south western corner providing a formal accent and streetscape focal point.

The western façade overall is asymmetric but within the composition the south western corner is treated with monumental symmetry and composition reinforced with restrained planting.

There is a symbolic conversational sub text with a 105 Field Gun situated on the other side of the club’s entry which contrast the passive water feature with the more active image of the field gun.



Figure 30: Though moveable, this 105 Field Artillery piece is an unlisted heritage item. Manufactured throughout the British Empire and used during WW2 on major battle grounds these guns were common symbols of WW2 service during the 50’s & 60’s standing sentinel as public memorials to war service. It is not known how many remain.

²⁰ Chery Kemp – Submission to Review – Unpublished “Notes Regarding Shaftesbury Road East etc” Attachment to Email dated 15-02-07

The social significance of the Burwood RSL Club should be recognised and its half century or more association with the site recorded. Artifacts, documents or memorabilia associated with the club should be recorded at some stage.

While the architecture of the present building should be recognised for its contribution in terms of symbolism and streetscape presence to Shaftesbury Road, its intrusive impact on Clifton Avenue in terms of scale and lack of set-back would exclude the Club from further consideration as part of any conservation area. The present club building and its site only should be excluded.

4 ISSUES

4.1 Diversity and range of values within a Conservation Area.

The study area contains a rare intact record of suburban housing types contained in a discrete area where development of housing has occurred largely without demolition of the physical record of the preceding periods. There is an underlying cohesion in terms of materials, scales, forms and characters reinforced by a gradation of set-backs depending on the frontage and corresponding scale of the houses on the resulting blocks.

The large proportion of houses surviving from each period of represented development marks it as an unusual and possibly rare suburban precinct within Sydney and certainly rare within Burwood and surrounding suburbs. The area provides a mature and evolved transition from the more urban character existing and proposed to the west of Shaftesbury Road to the more regular suburban and “garden suburb” character of the adjacent urban conservation areas to the east and south.

The study area has well defined boundaries along Paisley Road to the north and Shaftesbury Road to the west.

Vistas into the study area from the west and out of the study area towards the west are terminated at “T” intersections which retain the study area as a single visual catchment, experienced at the pedestrian scale. This is reflected in traffic control measures which reduce intrusions from Shaftesbury Road.

4.2 Effects of the Study’s Recommendations - “in the vicinity”

Figure 16 in this Review indicates that listing of the proposed items would effectively extend controls over the majority of the study area in the application of existing requirements for development “in the vicinity” of a heritage item.

While these controls would influence and regulate development, they represent a blunt and indeterminate instrument because they are conditioned by the vagaries of definitions of “vicinity” and because they are predicated on retention of the values of items and not specifically the settings of the items.

The regulatory environment of a conservation area is better suited to the protection of the broader values identified in this Review. These would prove to be more equitable, comprehensible and transparent if listing as a Conservation Area was supported by a detailed Development Control Plan relating permissible development to plot size, set-backs, building forms, and materials for each of the represented building styles.

This is in contrast to a much vaguer regulatory requirement for sympathetic development “in the vicinity” of a heritage item which is determined on a case-by-case basis which requires both a tailor made heritage assessment and a specific design input which cannot occur formally and with certainty before an application is submitted.

4.3 Effects of listing of Individual Items

Heritage listings of individual properties also have a more direct effect on the listed owners and may impose restrictions in the future which are not easily determined by those affected at the time of listing. It is therefore reasonable, fair and prudent to proceed with individual heritage listings only after a thorough process which should include an expert inspection of the interiors of potential items to verify the level of intactness, the condition both structural and in terms of physical deterioration due to water penetration, insect attack and structural movement or defects.

Strictly speaking, an item should only be listed at the local level if it demonstrates, through a *comparative analysis* with other properties in the same Local Government Area, values which satisfy the criteria.

Some questions which need to be addressed in such a study are:

- Why should a listing be imposed on a property of lesser or differing cultural values than on another within the same Local Government Area?
- What is the threshold for listing of items in a particular area?
- Are there limits to the number of items which should be listed in any one area?

Comparative analysis has not been undertaken in the Study of the proposed items against either the present items in the study area or with items in Burwood generally.

The proposed listing of items does not have the benefit of internal inspections. The opinion of this Review is that some internal inspection is required to resolve issues relating to the condition and integrity of the proposed items. Unless this is done, individual listings may subsequently be challenged in the context of proposed development on the basis that the interior has been extensively modified. Should inspections show that past alterations or renovations have substantially reduced the heritage values it may be open to list the property but exclude the interior detail or layout. On the other hand an

intact interior would suggest more stringent control would be warranted and this would guide future development options.

It would be well to provide owners of potential heritage items the opportunity to investigate independently the implications of heritage listing of their properties. In practice, once a listing is made it becomes progressively more difficult to remove it.

While it is expedient and cost effective in terms of Council's statutory processes to proceed with listing a Conservation Area and Individual Items at the same time, in this case there remain differing views as to which properties should be listed as Local heritage items.

4.4 Differing Views on Listing in Submissions

- There are 17 listed Local heritage items in the study area at present.
- The Study recommends listing of 9 additional properties as Local heritage items (for a total of 26)
- The Submission by BRAG to this Review nominates an additional 14 properties (for a total of 40).
- Chery Kemp's (CK in Tables) submission includes some of those in the Study recommendations but nominates 2 further potential items for a total of 28.

This Review is of limited scope and its constraints preclude making an unqualified recommendation for the listing of individual properties as Local heritage items. The recommendations summarised in Tables 1 & 2 identify the following categories:

- 10 existing heritage items to be RETAINED as Local heritage items
- 7 existing heritage items which should be REVIEWED as having 'Contributory' significance within the proposed conservation area. (Listing as Local heritage items should be removed).
- 10 potential Local heritage items identified which should be INSPECTED internally to determine intactness before a decision is taken to list as Local heritage items. This includes 6 recommended in the Study and 4 nominated in submissions to this Review.
- 3 recommended heritage items from the Study which should not be listed as Local heritage items.
- 8 proposed heritage items nominated in submissions which should not be listed as Local heritage items.

4.5 Tables 1 & 2

The tables summarise the recommendations of the Study and include a comparison with the two most detailed submissions, one from the Burwood Residents Action Group (BRAG) and one from Chery Kemp(CK), a resident and heritage consultant. Each of these submissions nominated additional properties as potential Local heritage items. While some of the nominations in the BRAG submission have been discounted, others are recommended for further consideration, particularly three in Fitzroy Street.

Over the last decade several Councils have held formal inquiries specifically to resolve issues of listing of heritage items resulting from broad scale reviews. To reduce the potential for this, additional comparative analysis would be required. This would compare potential items both with other items (and potential items) in the study area and with other items within Burwood generally. Appendix 1 summarises submissions made during consultations.

The Study assumes that all existing Local heritage items should remain listed. This Review indicates that the status of a some Local heritage Items should be restated as “Contributory” within the proposed conservation area. This is based on a broad understanding of the comparative values of Local heritage items within Burwood and the view that listing of the Study Area as a conservation area would provide sufficient controls for those items whose significance is more representative than rare. Removal of Local heritage items should occur only after the Study Area is confirmed as a conservation area.

Tables 1 & 2 compare the recommendations contained in the Study against submissions made during this Review.

Table 1: EXISTING HERITAGE ITEMS- TO RETAIN OR REVIEW

RETAIN: The following heritage items should be retained without further inspection or review, as there is a clear consensus:

Address	C.L.&A Study Propose d Item	C.K. Nom- inated Item	B.R.A.G. Nom- inated Item	CMI-HS Review Recomm- endation	CMI-HS REASONS
15 Brooklyn	YES	YES	YES	YES	Retain as Local Heritage Items
16 Brooklyn	YES	YES	YES	YES	
12 Clifton	YES	YES	YES	YES	
16 Clifton	YES	YES	YES	YES	
50 Fitzroy	YES	YES	YES	YES	
52 Fitzroy	YES	YES	YES	YES	
90 Shaftesbury	YES	YES	YES	YES	
12 Wyalong	YES	YES	YES	YES	
14 Wyalong	YES	YES	YES	YES	
16 Wyalong	YES	YES	YES	YES	

REVIEW: The following heritage items should be designated "Contributory" following establishment of a conservation area OR retained as heritage items.

Address	C.L.&A Study Proposed Item	C.K. Nom- inated Item	B.R.A.G. Nom- inated Item	CMI-HS Review Recomm- endation	CMI-HS REASONS
2 Brooklyn	YES	YES	YES	YES	Extent of modifications including: cement tiles; removal of stucco mouldings to bay windows; veranda modifications etc do not support listing above "contributory".
2A Brooklyn	YES	YES	YES	YES	Modification to stucco mouldings on bay windows; moderate intactness suggest representative "contributory" significance.
4 Brooklyn	YES	YES	YES	YES	Modifications to front verandah and extent of additions suggest integrity reduced to "contributory"
6 Brooklyn	YES	YES	YES	YES	Modifications to front verandah with removal of Italianate cast iron suggest residual values are representative. Appropriate listing would be "contributory".
8 Brooklyn	YES	YES	YES	YES	Modifications to mouldings of front bay; removal of Venetian windows. Otherwise additional wing is sympathetic.
2,2A,4,6 & 8 Brooklyn (Group)	The Statement of Significance is that they "illustrate a pattern of development..etc". indicating representative significance which can be adequately conserved within a Conservation Area. Listing of the group as individual items overstates their significance to Burwood.				

Table 1: (Continued)

Address	C.L.&A Study Proposed Item	C.K. Nom- inated Item	B.R.A.G. Nom- inated Item	CMI-HS Review Recomm- endation	CMI-HS REASONS
48 Fitzroy	YES	YES	YES	YES	Substantial Federation alterations to Victorian Italianate house reduce the ability of the house to demonstrate significance as an Item. The modifications do demonstrate evolutionary processes of the Study Area generally and a more appropriate listing may be "contributory" within the proposed conservation area.
54 Fitzroy	YES	YES	YES	YES	Modern Render, removal of original iron, replacement with reproduction frieze & timber posts & original verandah bull nosed roofing indicate values as a "contributory" building in a conservation area rather than those of a heritage item.

Table 2: PROPOSED HERITAGE ITEMS CONTAINED IN STUDY, SUBMISSIONS & REVIEW

INSPECT: Each of the following potential heritage items should be inspected internally to determine whether their integrity warrants listing. Subject to inspections proceed with listing as heritage items through LEP Process.					
Address	C.L.&A Study Proposed Item	C.K. Nom- inated Item	B.R.A.G. Nom- inated Item	CMI-HS Review Recomm- endation	CMI-HS REASONS
11 Brooklyn St	YES			YES	Enclosure of front verandah indicates that other internal modifications have occurred. If these retain detail and finishes the property may justify listing as an item.
13 Brooklyn St	YES		YES	YES	The effect of substantial alterations on interior fabric and detailing needs to be assessed as the orientation of the house is facing away from the street. Its contribution may be more historical than aesthetic as a result. If listed it should be for values it retains.
16B Brooklyn St			YES	YES	The asymmetric form, excellent brickwork detailing and aesthetic appeal suggest that this should be further examined as a potential heritage item. Research should be undertaken to identify the designer.

Table 2: Continued

Address	C.L.&A Study Proposed Item	C.K. Nom- inated Item	B.R.A.G. Nom- inated Item	CMI-HS Review Recomm- endation	CMI-HS REASONS
67 Fitzroy St		YES	YES	YES	67 Fitzroy has been identified by C.K. as an example of early 20 th century concrete construction. It is comparable to other 'Camerated Concrete' examples listed in adjoining conservation areas. Internal inspection is required to confirm identification and intactness.
68 Fitzroy St			YES	YES	Form and character suggest this is one of the earliest houses in the Study Area. This could be confirmed with additional research and verified by an internal inspection. Listing sheet points to potential but does not recognise the historical significance of this house.
69 Fitzroy St	YES		YES	YES	69 Fitzroy is noted in submissions as being of cinder block construction which would be rare and significant in the context of concrete houses in Burwood. Inspection is required to assess intactness and verify claims re its materials.
70 Fitzroy St	YES		YES	YES	This is a substantial Victorian Italianate 'gentleman's residence'. The extent of internal alterations and modifications in conversion to flats needs to be ascertained. The curtilage is intact. This appears to be equal to other listed and proposed residences in the study area.
64 Paisley Road			YES	YES	This is a substantial, well designed and detailed example of 'Moderne' equal on external inspection to the best (and limited in number) examples in Burwood. If the interior retains its layout and detailing it would justify listing as an item.
92 Shaftesbury Road	YES	YES	YES	YES	This is a very substantial Arts and Crafts style residence. The extent of adaptation needs to be ascertained and detailed in the listed to guide future conservation.
13 Wyalong St	YES		YES	YES	This house has high integrity externally and is a good representative example of 'Moderne' design. If the interior is relatively intact it would justify listing as an item.

Table 2: Continued

EXCLUDE: The following proposed heritage items should be excluded for the reasons indicated as contribution or integrity does not warrant listing:					
Address	C.L.&A Study Proposed Item	C.K. Nom-inated Item	B.R.A.G. Nom-inated Item	CMI-HS Review Recommendation	CMI-HS REASONS
17 Brooklyn St			YES	NO	Contributions not sufficient to warrant listing as items.
18 Brooklyn St			YES	NO	
19 Brooklyn St			YES	NO	
14 Clifton Avenue	YES	YES	YES	NO	Altered roof form & materials detract from value as an item.
62 Paisley Road			YES	NO	Contributions not sufficient to warrant listing as items.
66 Paisley Road			YES	NO	
68 Paisley Road			YES	NO	
70 Paisley Road			YES	NO	
6 & 4 Wyalong St			YES	NO	
8 Wyalong St	YES		NO	NO	Contribution not sufficient to warrant listing as an item.
18 Wyalong St	YES			NO	Alterations reduce integrity.

4.6 Effect of Conservation Area Listing on Listing of Items

The decision to list individual properties is also affected by whether the area is listed as conservation area or not. It is conceivable that by providing the general level of protection afforded by a Conservation Area listing, the requirement for specific protection of individual properties as items may be reduced without undue effect on the heritage values overall. To achieve this, controls which reflected the particular contributions of the potential items would need to be instigated in conjunction with the Conservation Area listing.

This is not a situation foreign to Burwood. Both the Malvern Hill and Appian Way conservation areas have provided a reasonable degree of protection to the conservation values through the Burwood Planning Ordinance (LEP) controls, supported by reasonably specific DCP's.

For this process to be effective it should equally examine existing items to determine if the continuation of their listing is warranted.

4.7 Poor Condition of Existing Items

Emerging from the Study but not subject of specific recommendations is the situation where several existing heritage items are indicated as being in “Poor” condition. Council would need to review these properties to determine the basis of these assessments within the Study and what measures are required to ensure conservation of Local heritage items. Council may wish to examine its manner and method of support for owners of heritage properties where condition and resources has emerged as an issue.

4.8 Contributory analysis

Properties in a conservation area may be classified according to the contribution they make to the values of the area as defined in the Statement of Cultural Significance. These are generally classified as “Contributory”; “Neutral” or “Intrusive” to those values. Changing the Statement of Cultural Significance may lead to a change in the assessed level of significance for instance recognising that a particular period of development is more or less significant in the Statement would alter the assessed level of contribution of properties representing that period within the study area. As this review proposes a Revised Statement of Cultural Significance, the levels of contribution have also been reviewed. Consideration has been given to submissions and consultations made during the review period. Changes to the levels of contribution relate to the Revised Statement of Cultural Significance proposed in this Review in Section 6 following Table 3.

Table 3 shows the level of contribution according to:

1. The Shaftesbury East Heritage Study (“STUDY”)
2. This Review (“REVIEW”)
3. Chery Kemp’s submission (“C.K.”)
4. Burwood Residents Action Group (“BRAG”)

Other consultations and submissions generally indicated a “No Conservation Area” position. One submission questioned the proposed listing of No 18 Wyalong Street as an item.

The recommended levels of contribution are those shown in the “Review Level” column.

Table 3: Comparison and Proposed Levels of Contribution

No			"STUDY" Level C/N/I	REVIEW RECOMMENDED LEVEL	C.K. Level C/N/I	B.R.A.G Level C/N/I
C= Contributory; N=Neutral; I=Intrusive; () Brackets indicate inferred level.						
1		Brooklyn	C	C	C	
1	A	Brooklyn	C	C	C	
2		Brooklyn	C	C	C	
2	A	Brooklyn	C	C	C	
3		Brooklyn	C	C	C	
4		Brooklyn	C	C	C	
5		Brooklyn	C	C	C	
6		Brooklyn	C	C	C	
7		Brooklyn	C	C	C	
7	A	Brooklyn	C	C	C	
8		Brooklyn	C	C		
9		Brooklyn	N	C	I	
10		Brooklyn	C	C	C	
11		Brooklyn	C	C	C	
12		Brooklyn	C	C	C	
13		Brooklyn	C	C	C	
14		Brooklyn	C	C	C	
15		Brooklyn	C	C	C	
16		Brooklyn	C	C	C	
16	A	Brooklyn	C	C	C	
17		Brooklyn	C	C	C	
18		Brooklyn	C	C	C	
19		Brooklyn	C	C	C	
20		Brooklyn	C	N	N	
22		Brooklyn	C	N	I	
24		Brooklyn	C	I	I	(I)
9		Clifton	N	C	C	
11	A	Clifton	C	C	C	
11		Clifton	C	C	C	
12		Clifton	C	C	C	
14	A	Clifton	C	C	N	
14		Clifton	C	C	C	
15		Clifton	C	C	N	

No			"STUDY" Level C/N/I	REVIEW RECOMMENDED LEVEL	C.K. Level C/N/I	B.R.A.G Level C/N/I
C= Contributory; N=Neutral; I=Intrusive; () Brackets indicate inferred level.						
16		Clifton	C	C		
18		Clifton	C	C	I	
38		Fitzroy	C	C	C	
40		Fitzroy	C	C	C	
42		Fitzroy	C	C	C	(C)
44		Fitzroy	C	C	I	
45		Fitzroy	C	C	C	
46		Fitzroy	C	C	C	(C)
46	A	Fitzroy	C	C	N	
47		Fitzroy	C	C	C	
48		Fitzroy	C	C	C	
49		Fitzroy	C	C	C	
50		Fitzroy	C	C	C	
50	A	Fitzroy	C	C	C	
51		Fitzroy	C	C	C	
52		Fitzroy	C	C	C	
52	A	Fitzroy	C	C	C	
53		Fitzroy	C	N	I	N
54		Fitzroy	C	C	C	
55		Fitzroy	C	C	C	
56		Fitzroy	C	N	I	N
57		Fitzroy	C	C	C	(C)
58		Fitzroy	I/C*	I	I	I
59		Fitzroy	C	C	C	
60		Fitzroy	C	C	C	
61		Fitzroy	C	C	C	
62		Fitzroy	C	C	C	
63		Fitzroy	C	C	C	
64		Fitzroy	C	C	C	
65		Fitzroy	C	C	C	
66		Fitzroy	C	C	C	
67		Fitzroy	C	C	C	
68		Fitzroy	C	C	C	
69		Fitzroy	C	C	C	
70		Fitzroy	C	C	C	

No			"STUDY" Level C/N/I	REVIEW RECOMMENDED LEVEL	C.K. Level C/N/I	B.R.A.G Level C/N/I
C= Contributory; N=Neutral; I=Intrusive; () Brackets indicate inferred level.						
71		Fitzroy	C	C	I	
52		Paisley	I	I	N	
54		Paisley	C	C	C	
56		Paisley	C	C	C	
58		Paisley	C	C	C	
60		Paisley	C	C	C	
62		Paisley	C	C	C	
64		Paisley	C	C	C	
66		Paisley	C	C	N	
68		Paisley	I/C*	N	N	(I)
70		Paisley	C	C	C	
74		Paisley	N	N	I	
86		Shaftesbury	C	C	I	
88		Shaftesbury	C	C	C	
90		Shaftesbury	C	C	C	
92		Shaftesbury	C	C	C	
94	##	Shaftesbury	I	I	I	
98		Shaftesbury	C	N	I	
100		Shaftesbury	C	N	I	
102		Shaftesbury	C	N	I	
104		Shaftesbury	C	N	I	
1		Wyalong	N	C	C	(C)
2		Wyalong	C	N	N	
2	A	Wyalong	N	C	N	
3		Wyalong	C	C	C	
4		Wyalong	C	C	C	
5		Wyalong	C	C	C	
6		Wyalong	C	C	C	
7		Wyalong	N	C	C	
8		Wyalong	C	C	N	
8	A	Wyalong	C	C	N	
9		Wyalong	C	C	C	C
10		Wyalong	-	C	C	
11		Wyalong	N	C	C	
12		Wyalong	N	C	C	C

No			"STUDY" Level C/N/I	REVIEW RECCOMENDED LEVEL	C.K. Level C/N/I	B.R.A.G Level C/N/I
C= Contributory; N=Neutral; I=Intrusive; () Brackets indicate inferred level.						
13		Wyalong	N	C	C	
14		Wyalong	N	C	C	C
15		Wyalong	C	C	C	(C)
16		Wyalong	N	C	C	C
17		Wyalong	C/N*	C	C	C
18		Wyalong	N	N	C	C
18	A	Wyalong	C	N	I	(I)
19		Wyalong	C	C	C	
20		Wyalong	C	N	N	(I)
21		Wyalong	C	C	C	
23		Wyalong	C	C	C	

5 REVISED ANALYSIS OF SIGNIFICANCE

5.1 Criterion (a) – Historical

The study area consists of a collection of houses which reflect the history and development of the residential parts of Burwood, as well as the land subdivision patterns of the late 19th century and infill development of the 20th century. The street patterns, dating to the Victorian (1854) subdivision of the Cheltenham Estate, demonstrate the suburban growth of the area following the construction of the Sydney-Parramatta railway in 1854.

Residential development of the area proceeded incrementally from the 1870s to the present, resulting in the area possessing a cohesive collection of examples of numerous types of middle class suburban housing demonstrating a variety of architectural styles. This provides a continuous record demonstrating the evolution of styles and taste in Burwood which is intact as few of the present houses required the demolition of an earlier house.

A total of 23 out of 30 houses present in 1890 have survived and a total of 70 existing houses built before 1927 are still present. The physical record includes representative examples including Interwar and Postwar examples through to the 1960's. The inclusion of late Interwar groupings associated with development of Railway property along Paisley Road makes this collection more complete than similar areas of Burwood.

This represents a "slice of history" which makes a valuable contribution to understanding Burwood's history as a residential suburb.

5.2 Criterion (b) – Historical Association

Historical associations relating to the Federation and Interwar Periods indicate the importance to Burwood of the area in those times. Prominent families who were active in civic life are represented including the Reed and Gregg families whose members served as Mayors in the years 1905 to 1908; 1915; 1920; 1921 and 1936-1938. Prominent Architects are also represented sufficiently to suggest further research is warranted.

5.3 Criterion (c) – Aesthetic

Composed of housing from many different periods and in many different styles, most houses in the area make use of a similar palette of materials (masonry, slate or tile roofs) and conform to a relatively uniform scale where even the larger two-storey houses do not impose on the streetscape. 101 of 111 residential buildings present in the area contribute to streetscape values by virtue of their consistency of scales, materials and forms. They demonstrate an overall cohesiveness contiguous with and supportive of the values of adjacent conservation areas.

In some ways the remarkable characteristic is the overall integrity of the evolutionary patterning. Despite the differences in style, and the range of

variations in materials and scale of the houses a process of de facto conservation appears to have been occurring by a process of consensus. The street pattern provides a distinct boundary at Shaftesbury Road with vistas from the area contained by the “T” intersections inherent in its street pattern. At the same time the vistas towards the east from streets in the study area terminate inside the Wallace and Brady Conservation Area and reinforce the connection with this area, with similar reinforcement between the conservation areas at Fitzroy Street.

5.4 Criterion (d) – Social

The study area possesses some social significance as demonstrated by the community interest in the current project. This includes several submissions which indicate but do not conclusively demonstrate the criterion of “esteem due to social, cultural, or spiritual reasons.”

Some social significance attaches to The Burwood RSL club and is evident in The Club’s examples of moveable heritage like the mounted field gun. Other moveable items like honour boards or salvaged inscriptions from the earlier Club would need to be assessed.

5.5 Criterion (e) – Research

While there may be some potential to reveal subsurface (archaeological) remains, this information is not anticipated to contribute substantially to the understanding of the history of Burwood or the study area. Further themes and associations may be revealed by ongoing historical research.

5.6 Criterion (f) – Rarity

The study area possesses a number of suburban housing styles which can be found throughout the greater Sydney suburban region, in such areas as Ashfield, Kogarah and Willoughby.

The continuous and cumulative nature of the areas evolution of housing styles and the relatively intact and contributory nature of these examples is unusual and may be a rare survival of such a collection of residential examples. This would require further comparative research to establish. The study area potentially demonstrates significance under this criterion.

5.7 Criterion (g) – Representativeness

The study area contains an substantially intact representative collection of Australian suburban housing from 1870 to 1970, and includes houses from every decade and segments of the middle to upper social classes, providing a ‘slice’ of common Australian suburban housing.

5.8 Revised Summary Statement of Cultural Significance

“The Shaftesbury East Study Area is of moderate local significance to Burwood as a representative collection of houses demonstrating a continuous and largely intact record of housing styles and tastes in a middleclass precinct incrementally developed from the 1870s to the 1970s.

It is contiguous with and compliments adjacent conservation areas and the Burwood’s collection of conservation areas. It shows, in a single precinct, how the transition from Victorian mansions to suburban houses was influenced by the “Garden City” principles including the subsequent mid-20th Century bungalow forms.

It has the ability to demonstrate several associations with prominent families important to the social development of Burwood including the Reeds and Greggs whose members served as Mayors of Burwood during the Federation and Interwar periods.

Its consistency of scale, materials and forms, the containment of vistas within its street pattern and the definition of its boundary at Shaftesbury Road reinforces its separate character and provides a strong sense of identity. This is strongly supportive of adjacent and contiguous conservation areas and helps to make it a special area within Burwood, worthy of conservation.”

5.9 Revised Level of Significance of the Study Area

The minimum level of significance for the study area would be "Moderate" which fulfils criteria for listing of the area as a local conservation area.

Excerpt from Table of Significance:

Moderate	Contains altered or modified elements. Contains elements with little heritage value, but which contribute to the overall significance of the STUDY AREA.	Fulfils criteria for local listing.
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6 CONCLUSION & RECOMMENDATIONS

6.1 Summary Findings

The Shaftesbury East Heritage Study provides a large amount of material necessary for determining the heritage status of the study area. It would have benefited from additional historical research; streetscape analysis; formal independent review and extended community consultation processes during the currency of the Study. It contains much that is valuable but fails to understand the complex values present in the study area or to correctly assess the heritage significance of the study area as a whole.

Apart from the values of the existing and potential heritage items, the area has an underlying cohesion which has evolved over more than a century without radical disruptions, demolitions or unsympathetic adaptations.

The Revised Statement of Cultural Significance should be adopted for the study area and form part of the documents in the listing process.

6.2 Outline Recommendations

6.2.1 *Listing is Recommended*

Listing as a conservation area would be the most appropriate regulatory control to protect the areas' streetscape values. Listing would provide protection for the stylistic diversity of its houses resulting from a process informed by a consistent consensual application of community values which have evolved over more than a century and remain as a legible and relatively intact record of suburban development.

6.2.2 *Proposed Boundary*

The proposed boundary for the new conservation area is shown in Figure 14. The boundary of the new conservation area should exclude parts of the Burwood RSL site which are intrusive or neutral. The Burwood RSL site has some social significance but the buildings themselves are not significant. In terms of mass and scale the main RSL building is intrusive to the values of the conservation area, particularly to the Clifton Avenue streetscape. Houses at Nos 18, 18A and 20 Wyalong Street have a residential scale and provide a sympathetic buffer against the RSL site. While inclusion of the RSL site would be an anomaly within the proposed conservation area, its social significance may be protected through listing of its moveable heritage. The field gun is one such item which should be listed as a moveable heritage item. Consultation and study would be required to identify other moveable heritage such as honour boards, plaques, flags, banners, insignia and documents.

Controls on further development of the RSL site would depend on a Heritage Impacts Assessment of any proposal being "in the vicinity" of the Conservation Area and the various heritage items nearby. It should be

anticipated that this would result a set back and scale controls over any proposed development both from consideration of nearby items and from Wyalong Street.

Apart from exclusion of Burwood RSL, the proposed boundary would follow Shaftesbury Road as being the most logical line of separation. It would include some more recent development between Clifton and Fitzroy Streets which is neutral to the values of the conservation area.

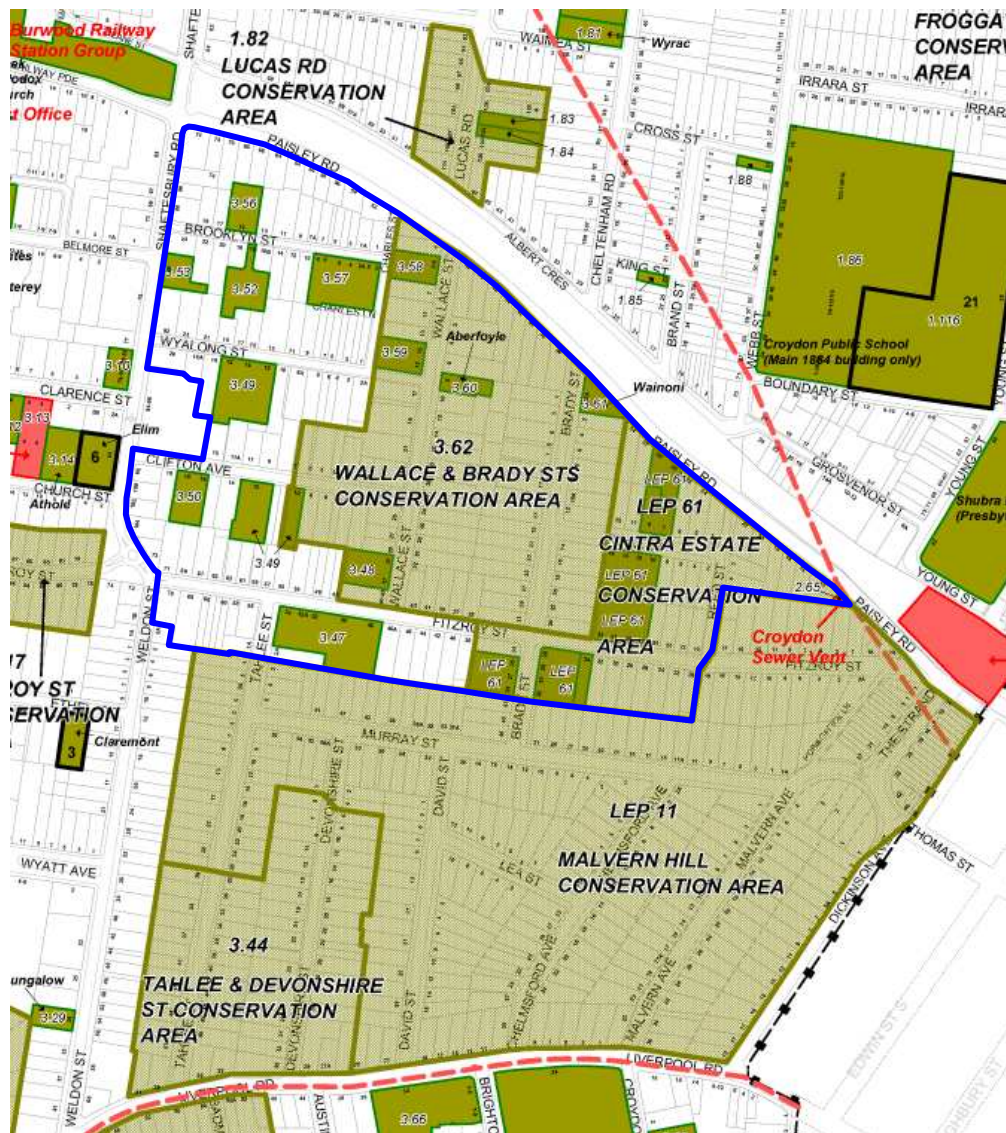


Figure 31: Proposed combination of conservation areas. Blue line indicates combined boundary.

6.2.3 Controls & Combining with adjacent Conservation Areas.

The listing process should detail the controls which would apply if the listing is adopted by Council whether in Draft LEP requirement; Draft DCP Requirements or a combination of both.

There are two options for implementing the recommendations of this Review:

1. Coalesce the East Burwood conservation areas into one comprising distinct precincts with a single set of LEP and DCP controls which includes policies appropriate to each precinct.
2. Establish an additional East Shaftesbury Conservation Area with an area specific DCP control governing policies.

Option 1 seeks to adapt relevant LEP and DCP controls which presently apply in adjacent conservation areas. This requires a review of the applicability of controls affecting the wider group of Conservation Areas. (As shown in Figure 31 of this Review).

The work required to implement Option 2 would be less than that required to implement Option 1 but would require more detailed management over time.

Table 3 classifies properties into three categories: contributory, neutral and intrusive corresponding to Figure 14 as revised. These should be adopted as the basis for detailed management policies for properties within the area.

6.3 Detailed Findings of this Review

The Shaftesbury East Heritage Study provides a generally adequate assessment of:

- Location and physical context
- General character of streets and subdivisions
- The origins and historic development of the area
- The contribution of existing heritage items.
- The contribution made to the character of the area by green spaces; and its biodiversity value

The Shaftesbury East Heritage Study provides a mostly sound assessment of:

- The qualities of the buildings and their contribution to the area
- Prevailing or former uses and the general evolution of the area.
- An comprehensive inventory of potential heritage items

The Shaftesbury East Heritage Study provides an unclear assessment of:

- The extent of intrusion or damage:

It does not analyse the character of development in the area in relation to the character of either the existing conservation areas or of the surrounding development.

It does not fully analyse the boundary conditions of the study area or address anomalies in unsympathetic development either in the study area or adjacent to it.

- The existence of any neutral areas
- General condition:

There is confusion between the concepts of “condition” and “intactness” and no explanation of “intactness” in the heritage sense.

The Shaftesbury East Heritage Study provides an inadequate assessment of:

- The topographical / landscape context of the study area.
- Considerations of the influence of infrastructure (apart from the historical advent of the railway).
- The contribution of the street and subdivision patterns to the heritage character of the area.

The Shaftesbury East Heritage Study does not assess:

- Boundary conditions and the relationship with Burwood’s adjacent Heritage Conservation Areas:

It does not analyse in detail the interconnections with the adjacent Conservation Areas. In particular it does not analyse the logic of the present boundaries with adjacent conservation areas in relation to contiguous streetscapes that comprise parts of both the study area and adjacent conservation areas.

- The character and interrelationship of spaces within the study area:

It does not fully analyse the individual streetscapes or their contribution to the heritage values of the study area.

- Key views and vistas into and out of the area:

It does not systematically analyse street vistas or views into or out of the study area.

- Problems, pressures and capacity for change

It does not analyse or address policies for change but adopts the level of control that applies generally in Burwood.

Indigenous heritage is noted as excluded by the Shaftesbury East Heritage Study. Archaeology is not specifically noted but would reasonably be taken as being beyond the scope of the Study.

6.4 Findings re: Historical Basis for the Shaftesbury East Heritage Study

The historical component is highly derivative and reliant on studies which are considerably out of date both in terms of methodology and content. This Review has formed a general opinion that the historical analysis would not fully satisfy the present guidelines of the Heritage Office in terms of identifying Local or State historical themes.

In fairness, it would require a historical work of considerable scope to fully address this deficit. The Study is a reasonable response in terms of this limitation, but should explicitly recognise and state that such a limitation existed.

6.5 Findings Re: Adequacy of Community Consultations

The Study refers to some consultations in acknowledgements but does not detail contributions or issues raised. In this Review written submissions were received and considered and attached in Appendix 1.

A number of these contain considerable detail with involvement from community members with expertise in heritage assessment who supported the concept of a conservation area. Several submissions opposed both the conservation area and individual proposals to list additional heritage items. Based on submissions to this Review, it is considered that the Shaftesbury East Heritage Study does not adequately reflect the local community's concerns whether in support of or in opposition to the conservation area proposal. Nor does it sufficiently articulate the likely affects that listing of additional properties would have either on the property owners directly affected or on owners of property "in the vicinity" of the existing or proposed heritage items.

This Review indicates diagrammatically in Figure 16 the indirect effects on properties in the vicinity of both the existing heritage items and the nine potential heritage items identified in the Study.

6.6 Contribution of the Shaftesbury East Heritage Study Inventory

Overall the Shaftesbury East Heritage Study makes a valuable contribution to the understanding of heritage values in the study area mainly through its thorough detailed inventory process. This exceeds the level of detail previously available from earlier heritage studies of Burwood.

While recognising this contribution, the Study overemphasises the identification of *potential heritage items*. In terms of the resources available this may have been at the expense of a more detailed and thorough analysis of the potential *conservation area* values.

6.7 Significance of the East Shaftesbury Study Area

The deficits in broader analysis of the values of the study area are not balanced by the additional detail and thoroughness of the Inventory Sheets. This imbalance results in an understatement of the Heritage Significance of the study area.

The revised “Revised Statement of Cultural Significance” for the study area contained in Section 6 of this Review should be adopted as the Statement of Cultural Significance for the study area. The statements under each criteria should also be adopted.

6.8 Summary Conclusion

The conclusion of this Review is that the Shaftesbury East Heritage Study is in error in its finding that the Shaftesbury East Study Area is not of sufficient value to warrant listing as a Heritage Conservation Area.

The study area makes sufficient contribution according to the assessment criteria to justify listing as a conservation area.

6.9 Recommendations to Council

The Recommendations to Council are included with the Executive summary at the beginning of this Review.

7 APPENDIX 1 – SUBMISSIONS & CONSULTATIONS

Date	Person / Group	Document	Notes
14-02-07	Burwood Residents Action Group (B.R.A.G.)	Burwood Residents Shaftesbury East Study Report	See Below
Comprises a 34 page detailed analysis and critique of the Study. Recommends an additional number of properties for individual listing as well as listing as a conservation area. Provides a thorough argument for listing the area for its diversity of styles but does not establish an alternative Statement of Cultural Significance. Points to a number of logical inconsistencies in the Study. Reiterates arguments of a prima-facie case for listing based on the Study's recommendation for additional listings of items. Some comparisons are superficial but point to the need for additional streetscape analysis. It should be noted that while some of the analysis tables on contribution reinforce this argument they do not of themselves constitute a sound basis for listing as required by Heritage Office of NSW guidelines.			
29-04-07	Simon Bromage representing BRAG & Colin Israel as Review consultant.	Meeting notes.	See Below
This meeting canvassed broadly the issues contained in the Burwood Residents Shaftesbury East Study Report (Submission). SB indicated that BRAG was comprised of a substantial number of members. About half a dozen from this area were active in preparing BRAG's submission. Asked why so many additional items were being proposed SB indicated that this would depend to some degree on whether the conservation area was established. SB had a sound understanding of the Review and LEP processes but was not aware of the effects on properties "in the vicinity " of a heritage item. He was concerned to point out the many anomalies in the Study with regard to condition and contribution. He indicated there had been insufficient time to correlate these more comprehensively.			
14-02-07	Scott Robertson, heritage consultant and member of National Trust responsible for original listing of several Burwood conservation areas.	Emails to BRAG	See Below
As author of National Trust NSW listing covering the area, SR refutes the assertion in the Study that lack of homogeneity (in comparison to adjacent conservation areas) justifies NOT listing this area.			
16-02-07	Jon Breen, former heritage officer with Sydney Water.	Letter to BMC	See Below
Indicates the lack of detailed historical research in the Study generally, using the example of one property. Through a survey of infrastructure changes demonstrates the Study's deficiency with regard to heritage analysis of infrastructure and topography. Points to potential archaeological features relating to infrastructure and development generally.			
15-02-07	National Trust NSW	Letter to BMC	See Below
Letter supporting a Conservation Area in General Terms. The argument that such a large number of existing & potential items justifies listing cannot be supported on face value alone. The argument that conservation areas are valuable for showing an evolution in their development would need to be demonstrated in this particular instance to justify listing as a conservation area.			

16-02-07	Burwood & District Historical Society	Letter to BMC	Letter supporting a Conservation Area in General Terms.
15-02-07	Burwood RSL Club	Letter to BMC	
Letter opposing a Conservation Area on the basis of negative effect on amenity and values. Also opposes listing of No 18 Wyalong St as item on basis of claimed extensive alterations.			
20-02-07	CMI-hs	Email to SB / BMC	See Below
Initial Advice on Burwood RSL Letter: Indicating possible Social Significance of the Club. Does not indicate understanding of effects of development "in the vicinity" of an item. Does not declare an interest in several adjacent properties.			
21-02-07	SB / BMC	Email to CMI-hs	See Below
Indicating RSL Owns several properties including 16,18,20 Wyalong Street; 11, 15 & 17 Clifton Street & 94-98 Shaftesbury Street.			
14-02-07	Owners 88 Shaftesbury	Letter to BMC	
Letter opposing inclusion in a conservation area in terms of restriction of future development. Does not indicate an understanding of different classifications – Contributory/ Neutral /Intrusive			
14-02-07	Owners 20 Brooklyn Street	Letter to BMC	Form Letter opposing inclusion in a conservation area.
14-02-07	Owner 11 Brooklyn Street	Letter to BMC	Form Letter opposing inclusion in a conservation area.
14-02-07	Owner 56 Fitzroy Street	Letter to BMC	Form Letter opposing inclusion in a conservation area.
14-02-07	Owner 56 Paisley Road	Letter to BMC	Form Letter opposing inclusion in a conservation area.
15-02-07	Owner 2 Brooklyn Street	Letter to BMC	Letter supporting the Review Process.
15-02-07	Residents of Brooklyn Street (Nos 1,2,2A,3,5,7,9,10,11,12,13, 14,15,19,20,24 & 88 Shaftesbury Road).	Petition Form	Requesting exclusion from any conservation area of properties. (Indistinct in Part)
23-04-07	Mr Ravellos representing "Residents of Brooklyn Street" petitioners. Colin Israel as Review consultant.	Record of telephone consultation	See Below
Discussion of concerns regarding effects of listing on values and abilities to make changes. In reply explained differences between listing an item and a conservation area. Indicated generally the effect of listing on ability to make changes. Advised some of possible outcomes of the review.			