

ORDINARY MEETING

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

In the interest of public safety during the COVID-19 pandemic, the public gallery will be open but attendance will be limited in accordance with Council's risk assessment. Anyone wishing to attend the meeting in person must register their attendance in advance. The wearing of masks in the meeting room is encouraged.

Please note that the number of people who may physically join the public gallery has had to be reduced from pre-COVID levels. Members of the public are encouraged to attend the meeting via teleconference link rather than rely on being able to secure a physical place in the Conference Room.

Tommaso Briscese
GENERAL MANAGER

Our Mission

**Burwood Council will create a quality lifestyle for its citizens
by promoting harmony and excellence in the delivery of its services**

(ITEM 11/22) PLANNING PROPOSAL - HERITAGE LISTING OF 11 SEALE STREET BURWOOD

File No: 22/5036

REPORT BY DIRECTOR CITY STRATEGY

Summary

A heritage investigation of 11 Seale Street Burwood has been undertaken by the Strategic Planning, Heritage and Place Planning Team with the support of an external heritage consultant. The investigation has found that the property demonstrates heritage significance at the local level and met the threshold of local significance for criteria (a), (b), (c) and (f) and (g) of the standard assessment criteria. Heritage listing is recommended. A Planning Proposal has been prepared and considered by the Burwood Local Planning Panel (BLPP).

Operational Plan Objective

- 1.4.4 Promote and celebrate the area's heritage and Indigenous history.
- 4.3 Integrate Burwood's existing heritage with high quality urban design.
- 4.3.2 Maintain and preserve heritage through relevant planning strategies.

Background

The subject property, 11 Seale Street, Burwood, was the subject of a high number of resident and broader community concerns regarding its possible demolition. Initial concerns were raised with Council officers from February 2021. These concerns were initially from neighbours in the immediate vicinity. Council's Heritage Advisor spoke with the residents and explained the procedure for heritage listing and the process for an Interim Heritage Order (IHO). Primarily, this related to the requirement for the property to be at 'imminent risk' of demolition.

On 18 May 2021 Council received a Development Application DA.2021.51 related to the property. The plans proposed the demolition of all existing structures on the site, including the dwelling house, and construction of a new two storey dwelling. Over 60 submissions were received in respect to the DA, many of which objected to the demolition of the existing house on the grounds of the house's age and potential heritage significance.

The property was inspected (externally) on 26 June 2021 by the Development Assessment Officer and Heritage Advisor. A Briefing Memorandum was prepared by the Heritage Advisor who recommended it would be prudent for Council to conduct a full and independent Heritage Assessment for 11 Seale Street, Burwood. An Interim Heritage Order was recommended to ensure the protection of the dwelling until investigation/assessment concluded.

A Mayoral Minute (MM14/21) was tabled at the Council meeting on 29 June 2021, concerning an Interim Heritage Order and preliminary investigation of 11 Seale Street, Burwood. It was resolved:

1. *Council request the gazettal of an Interim Heritage Order from Heritage NSW for the property at 11 Seale Street Burwood for the longest period possible under the current legislation.*
2. *Council engage a heritage advisor or consultant to undertake a heritage investigation of the property to determine the local heritage significance of the property.*
3. *The findings of the investigation and recommendations be reported back to Council at the next available meeting following the conclusion of the investigation.*

4. *The General Manager initiates a preliminary in-house review of Seale Street, Ireland Street and any adjoining streets with a view of identifying additional potential items of historical significance or possible listing of a Conservation Area.*
5. *The General Manager reports back to Council once the preliminary review is conducted with its findings and with a cost plan for a possible subsequent formal heritage review.*
6. *The Mayor writes to residents and those that have made submissions to update them on this matter.*
7. *Staff investigate the current policy on issuing interim heritage orders and report back to Council.*

In accordance with this resolution, letters were sent to the owner, residents and those who made a submission. The letter advised that Council resolved to issue an IHO under section 25 of the Heritage Act 1977, in order to protect the property from demolition until the heritage value can be fully determined. The letter also specified Council would undertake a detailed heritage investigation with the view of confirming the heritage value of the property.

The IHO was published in the NSW Government Gazette on Friday 2 July 2021.

In July 2021, Council engaged a heritage consultant, GML Heritage, to undertake a heritage assessment. The investigation found that the property demonstrates heritage significance at the local level and met the threshold of local significance for criteria (a), (b), (c) and (f) and (g) of the standard assessment criteria. The heritage consultant also prepared a heritage inventory sheet for the property.

The findings of the heritage investigation were reported to Council at its meeting on 26 October 2021, whereupon Council resolved as follows:

1. *That Council endorse the heritage listing of the property at 11 Seale Street Burwood.*
2. *That the General Manager proceed with the preparation of a Planning Proposal for the property.*
3. *That the Planning Proposal, when prepared, be submitted to the Burwood Local Planning Panel (BLPP) for their consideration.*
4. *That the results of the BLPP's consideration be reported back to Council before being referred to NSW Government for Gateway determination.*

This report responds to the Council resolution.

BLPP's Consideration

The BLPP considered the Planning Proposal at its meeting on 8 March 2022. It was resolved:

That the Burwood Local Planning Panel support the Planning Proposal to heritage list the property at 11 Seale Street Burwood.

The Panel's advice is that:

- *the Planning Proposal satisfies the Strategic Merit and Site Specific Merit tests;*
- *11 Seale Street Burwood be listed as a Heritage Item under Schedule 5 of the Burwood Local Environmental Plan 2012;*
- *the Planning Proposal should be forwarded to the Department of Planning and Environment for Gateway consideration.*

On the basis of the BLPP's resolution and advice, it is recommended that Council endorse the Planning Proposal and progress the heritage listing of 11 Seale Street Burwood.

Discussion:

GML Heritage has assessed the heritage significance of the subject property based on historical research, investigation of the subject site and its local context. The investigation includes a detailed assessment of the site against the State Heritage Register standard evaluation criteria to determine the significance of the place to the Burwood Local Government Area (LGA). The consultant's heritage investigation report is enclosed as Attachment 1.

The report concludes that the subject property demonstrates heritage significance at the local level for the following reasons:

- The dwelling dates from the early 20th century, a key period in the development of Burwood—its Federation Queen Anne and Federation Bungalow architectural style;
- The original lot size of the site has not been modified since the construction of the dwelling and thus, the original curtilage and setting of the dwelling is retained;
- The dwelling has longstanding connections with the Ireland family, who played a key role in the development of Burwood in the early 20th century;
- The dwelling exhibits features typical of the Federation Queen Anne and Federation Bungalow architectural style and is a fine example of its type—the internal and external fabric of the dwelling display a very high degree of integrity;
- When assessed within the broader context of the heritage setting of Burwood, the dwelling contributes to the historical and visual character of the Burwood LGA; and
- The scale, setting, form, architectural features, materiality and high degree of intactness of the dwelling are comparable to other heritage items listed in the Burwood Local Environmental Plan (BLEP).

The consultant's report further states:

- No. 11 Seale Street has been assessed as meeting the threshold of local significance for criteria A (Historical Significance), B (Associative Significance), C (Aesthetic Significance), F (Rarity) and G (Representativeness) of the standard assessment criteria.
- It is recommended that 11 Seale Street, Burwood, is listed as a heritage item under Schedule 5 (Heritage Items) of the BLEP.

Consultation

Correspondence has been undertaken with the owner of the property. Access to the property was granted for GML Heritage to undertake the heritage assessment. The owner was invited to attend the Council meeting on 26 October 2021 but did not attend. Surrounding residents have been notified and attended the 29 June 2021 and 26 October 2021 Council meetings.

The recording of these meetings are available on Council's website at this link:

<https://www.burwood.nsw.gov.au/Our-Council/Council-and-Committee-Meetings/Minutes-and-Agendas>

The owner and surrounding residents have been advised of this Council meeting, and invited to make representations (in writing or virtual methods under Covid-19 protocols).

It is recommended that a Planning Proposal be progressed to facilitate the heritage listing of the property. The Planning Proposal process includes consultation with affected property owners, public exhibition, and consultation with relevant agencies. The Gateway Determination, if issued by the State Government, would confirm any requirements for public exhibition and community consultation. The results of any such consultation and public exhibition would be reported back to Council.

Planning or Policy Implications

Heritage listing of a property is undertaken through a Planning Proposal. It is advisable that any Planning Proposal for heritage listing be progressed in a timely manner, therefore limiting opportunities for demolition proposals or substantial alterations to the building ahead of listing.

The advice of the BLPP has been sought in respect to the Planning Proposal. The BLPP's advice is that the Planning Proposal be progressed.

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

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

The above process would take in the order of eleven months to complete all steps as outlined above. However, the property is afforded heritage protection (i.e. deemed a "draft heritage item") as soon as the Planning Proposal is placed on public exhibition, which needs to happen by 2 July 2022 when the IHO on the property will expire.

Financial Implications

There are no financial implications other than on staff allocation and resources, which is covered by existing budgetary means.

Conclusion

In accordance with the findings of the heritage investigation, it is recommended that the property be heritage listed in the BLEP 2012 as a local heritage item, with a view to providing long term protection. In view of the BLPP's support for the planning proposal, Council's endorsement is sought for progressing the planning proposal to a Gateway Determination.

Recommendation(s)

1. That Council endorse the heritage listing of the property at 11 Seale Street Burwood.
2. That Council submit the Planning Proposal to NSW Department of Planning, Industry and Environment for a Gateway Determination.
3. That subject to the Gateway Determination, affected property owners be notified, the planning proposal be publicly exhibited and consultation with any relevant public authorities be undertaken.
4. That the results of the public exhibition and consultation be reported back to Council.

Attachments

- 1 Heritage investigation for 11 Seale Street Burwood - GML Heritage
- 2 Planning Proposal - Heritage Listing of 11 Seale Street Burwood - 22 February 2022 - For BLPP and Council Meetings



Acknowledgement of Country

At GML we acknowledge that we work and live on the land of the First Australians. We know that this land was never ceded, and we respect the rights and interests of Australia's first people in land, culture, and heritage. We acknowledge their Elders past and present and support the concepts of voice, treaty, and truth in the Uluru Statement from the Heart.

Report Register

The following report register documents the development and issue of the report entitled 11 Seale Street, Burwood—Heritage Assessment, undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

Job Number	Issue Number	Notes/Description	Issue Date
21-0258	1	Draft Report	11 October 2021
21-0258	2	Final Report	15 October 2021

Quality Assurance

GML Heritage Pty Ltd operates under a quality management system which has been certified as complying with the Australian/New Zealand Standard for quality management systems AS/NZS ISO 9001:2016.

The report has been reviewed and approved for issue in accordance with the GML quality assurance policy and procedures.

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1 Introduction

1.1 Background

Burwood Council (Council) has commissioned GML Heritage Pty Ltd (GML) to assess the heritage significance of 11 Seale Street, Burwood.

A development application (DA.2021.51) for the property proposed to demolish all existing structures on the site, including the existing dwelling, and to construct a new two-storey dwelling. In response to concerns raised about the potential heritage significance of the building, Council applied an Interim Heritage Order (IHO) on the site. Under the terms of the IHO, Council has six months to prepare a detailed assessment of the property's significance to determine if it reaches the threshold for listing as a heritage item. The IHO (IHO No. 3) was published in the Government Gazette on 30 June 2021 and is attached in Appendix C.

1.2 Identification and Subject Site

The subject site is located at 11 Seale Street, Burwood. It is within the Burwood Council Local Government Area (LGA) and is located on Lot 1, DP 942801 (Figure 1.1 and Figure 1.2). The land is zoned R2 Low Density Residential.

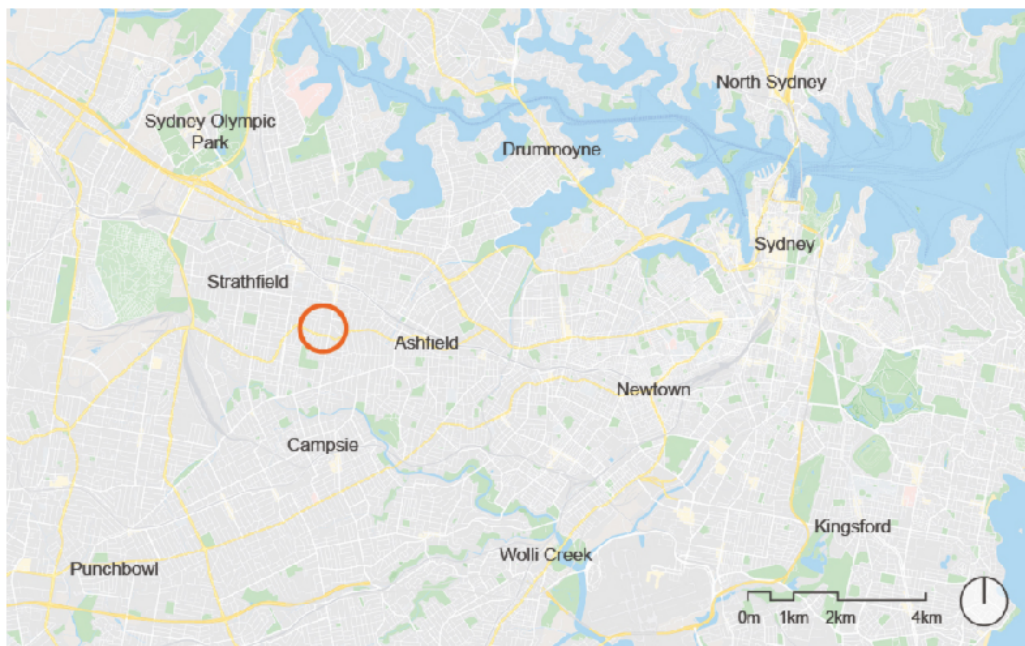


Figure 1.1 Map showing the general location of 11 Seale Street, Burwood. (Source: Google Maps with GML overlay)

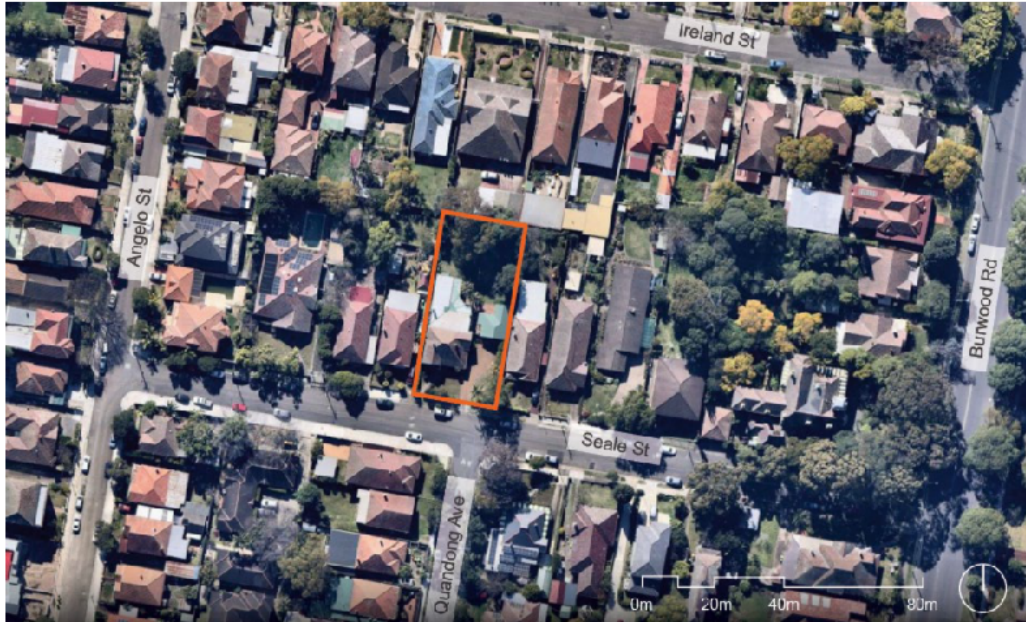


Figure 1.2 Site layout. (Source: Nearmap with GML overlay)

1.3 Heritage Context

The subject site is not listed as a heritage item under the *Burwood Local Environmental Plan 2012* (Burwood LEP), nor is it located within a heritage conservation area. However, it is located in the vicinity of other heritage items and a conservation area, as outlined in Table 1.1 below.

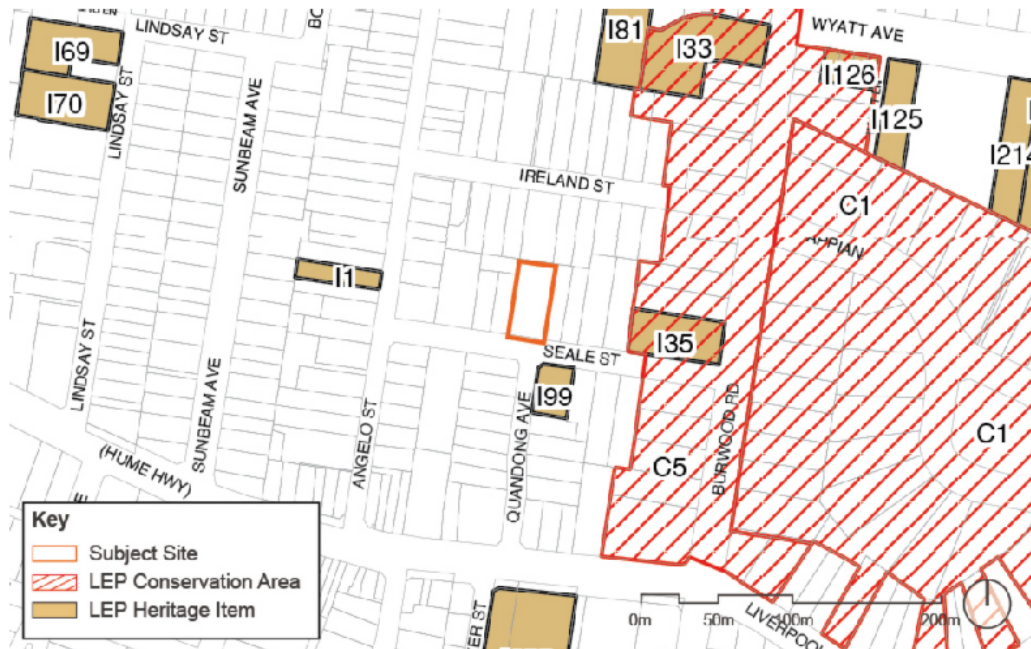


Figure 1.3 Burwood LEP Heritage Map showing the heritage context of 11 Seale Street. (Source: BLEP 2012 with GML Overlay)

Table 1.1 Heritage Items in the Vicinity of the Subject Site.

Item Name	Address	Significance	Item No.
Brick Cottage	8 Seale Street	Local	I99
St Clouds and grounds	223 Burwood Road	State	I35
Burwood Road Heritage Conservation Area	-	Local	C5

1.4 Methodology

The approach, methodology, assessment procedures, criteria and recommendations of this report have been prepared in accordance with the *Australia ICOMOS Burra Charter, 2013* (the Burra Charter) and the guideline document 'Assessing Heritage Significance' prepared by the Heritage Division of the Office of the Environment and Heritage and contained in the *NSW Heritage Manual*.

1.5 Terminology

The terminology used in this report is consistent with the NSW Heritage Manual, prepared by the Heritage Office (now Heritage Division), and the Burra Charter.

Place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use,



associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.

Fabric means all the physical material of the place including components, fixtures, contents, and objects.

Conservation means all the processes of looking after a place so to retain its cultural significance.

Maintenance means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.

Preservation means maintaining the fabric of a place in its existing state and retarding deterioration.

Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Reconstruction means returning the place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.

Adaptation means modifying a place to suit the existing use or a proposed use.

Use means the functions of a place, as well as the activities and practices that may occur at the place.

Compatible use means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.

Curtilage is defined as the area of land surrounding an item that is required to retain its heritage significance. The nature and extent of the curtilage will vary and can include but is not limited to lot boundaries and visual catchments.

Setting means the area around a place, which may include the visual catchment.

Related place means a place that contributes to the cultural significance of another place.

1.6 Limitations

The background research for this report has been limited to a desktop analysis of available information. No additional primary or archival research has been included in the scope of this assessment.

1.7 Authorship and Acknowledgements

This report has been prepared by Shikha Swaroop (Heritage Consultant) and Léonie Masson (Senior Heritage Consultant, Historian) with review and input from Lisa Trueman (Senior Associate).



2 Statutory Context

2.1 Introduction

In NSW items of heritage significance are afforded statutory protection under the following Acts:

- the *Heritage Act 1977* (NSW) (Heritage Act); and
- the *Environmental Planning and Assessment Act 1979* (NSW) (EPA Act).

2.2 Heritage Act 1977

The Heritage Act is a statutory tool designed to conserve NSW's environmental heritage. It is used to regulate the impacts of development on the state's heritage assets. The Heritage Act describes a heritage item as 'a place, building, work, relic, moveable object or precinct'.

The subject site is not listed on the State Heritage Register (SHR). However, it is located in the vicinity of 223 Burwood Road—'St Cloud and grounds' which is listed as an item of state significance (Instrument no: 01682)

2.3 Environmental Planning and Assessment Act 1979

The EPA Act is administered by the NSW Department of Planning and Environment and provides for environmental planning instruments to be made to guide the process of development and land use. The EPA Act also provides for the protection of local heritage items and conservation areas through listing on Local Environmental Plans (LEPs) and State Environmental Planning Policies (SEPPs), which provide local councils with the framework required to make planning decisions.

2.4 Burwood Local Environmental Plan 2012

The Burwood LEP is the principal environmental planning instrument applying to the land. Schedule 5 of the LEP identifies heritage items and heritage conservation areas. The objectives of Clause 5.10 are as follows:

- (a) *to conserve the environmental heritage of Burwood,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The subject site is not currently listed as a heritage item, nor is it within a heritage conservation area, within the Burwood LEP.



3 Historical Overview

3.1 Introduction

This section provides an overview of the historical background of the subject site. It is based on secondary sources, supplemented with additional primary research from the National Library of Australia (NLA), the State Library of NSW, NSW Land Registry Services and Burwood Council.

3.2 Aboriginal History

Burwood is part of the traditional home of the Wangal people of the Eora. The Wangal had a large territory that ranged across an area extending north from the southern bank of the Parramatta River, west from Iron Cove towards Homebush Bay and as far south as the northern bank of the Cooks River.

On 5 February 1788, Lieutenant William Bradley documented seeing a number of Wangal people along the banks of the river around present-day Mortlake when his party landed to cook breakfast on the shore opposite:

We made signs to them to come over & waved green boughs, soon after which 7 of them came over in two Canoes & landed near our Boats, they left their spears in the canoes and came to us; we tied beads etc about them & left them our fire to dress their Muscles ([sic] which they went about as soon as our Boats put off. ¹

A well-known Wangal man was Bennelong, who was captured with Colbee, a Cadigal man, under orders from Governor Arthur Phillip on 25 November 1789. Bennelong travelled to England with Phillip in December 1792 and returned to the colony with Governor John Hunter in 1795. Following his return, Bennelong was unable to find full acceptance among his countrymen or the Europeans and later died in 1813.

The smallpox epidemic of 1789 is estimated to have killed half of Sydney's Aboriginal population. The Aboriginal people who survived the smallpox outbreak were rapidly dispossessed of their traditional lands and hunting and fishing grounds. There is scant evidence of the fate of the Wangal people, but survivors of the early contact with European likely intermarried or united with other clans and spread out across the colony.

There is visible physical evidence of the Aboriginal occupation of Burwood and there are sites related to the Wangal people located along the Cooks and Parramatta Rivers beyond the LGA's boundaries. According to the 2016 Census, there were 31 Aboriginal and/or Torres Strait Islander people living in the Burwood LGA, making up 0.2% of the population. Aboriginal history is acknowledged in Burwood by street names, including Carilla, Cobbity, Euralla, Irrara, Kembla, Meryla, Minna, Qandong, Tangarra, Tullumbar, Waratah, Wilga, Wonga, Wyalong and Yandarlo streets. The Council opened Wangal Park, a large park in Croydon, in September 2016.

3.3 Early Land Grants and European Occupation

On 3 August 1799, Governor John Hunter granted Captain Thomas Rowley 260 acres in the District of Liberty Plains. Rowley's grant (known as Burwood Farm) was situated on the south side of Parramatta Road and was bordered on the west side by allotments granted to Thomas Rose and Joseph Webb.



Rowley increased the size of Burwood Farm in 1803 by adding the grant of Joseph Webb and the end of Rose's 120 acres to it. Rowley used his farm for grazing Merino sheep but did not live there.

On 1 January 1810, Governor Lachlan Macquarie granted 1000 acres to William Faithful in the District of Liberty Plains. Faithful's Farm adjoined Rowley's Burwood Farm and extended south to the Cooks River.

In 1812, Rowley's executor illegally sold Burwood Farm to Sydney businessman, Alexander Riley, who, two years later, built 'Burwood Villa'. The villa stood on a site in today's Burwood Park. About 1815, Riley acquired 200 acres of Faithful's farm, north of Liverpool Road.



Figure 3.1 Burwood Villa, the property of Alexander Riley, illustrated by Joseph Lycett, 1825. (Source: National Library of Australia)

Following Riley's death in 1833, Rowley's heirs successfully challenged the estate and regained ownership of the entire 750 acres granted to Rowley and illegally sold in 1812. Rowley's original farm was then divided amongst his heirs, John Rowley, Thomas Rowley, John Lucas and Henry Briggs.

Twenty-eight allotments in the 'Village of Burwood' were advertised for auction sale on 4 December 1835—these were located on Parramatta Road and the High Road (now Burwood Road). In the same period, William Edward Riley subdivided Alexander Riley's 200 acres south of Burwood Estate into several large allotments.

During the 1830s and 1840s, the area remained sparsely settled and dominated by farming. A railway station was constructed at Burwood in 1855 when the railway line was constructed from Sydney to



Parramatta. Railway services encouraged subdivision and development in the township, with the wealthy purchasing allotments in close proximity to the station and railway corridor.

From the mid-1870s, following incorporation of the Municipality of Burwood in 1874 and the opening of railway stations at nearby Croydon and Redmyre (Strathfield), a number of the large country estates established in previous years were subdivided into smaller suburban lots and offered for sale. The rapid population growth experienced in the colony from 1880 resulted in a building boom, and this further encouraged property speculation and subdivision in the Burwood area.

Between the 1870s and 1900, the character of Burwood changed from a sparsely settled fringe locality to a burgeoning middle-class neighbourhood. In 1874, the Burwood Municipal Council was formed to institute and manage the provision of local services and infrastructure, including the formation and maintenance of roads and streets, approval of new subdivisions, and creation of parks and reserves. Burwood became a desirable residential area situated on the main western railway line with a bustling shopping strip in Burwood Road either side of the railway station. Between 1874 and 1900, the population of Burwood Municipality rose from 1250 to 7400.

During the 1890s, there was an upsurge in civic works throughout the municipality—this included street planting, the first kerbing and guttering in the suburb, and the installation of street lighting. By 1896, the Council had laid down 31 miles (49.6 km) of roadway, just over half of it sealed. By the turn of the twentieth century, much of the land in Burwood had been subdivided and built on and the street plan as it exists today was established.

In 1917, the following description of the Burwood area was furnished in *Where to live: ABC guide to Sydney and suburbs*:

Burwood, one of the most important suburbs on the main line, is bounded on the East by Ashfield, on the North by Five Dock and Concord, on the South by Enfield and West by Strathfield.

From a residential point of view, Burwood is ideal. It is connected to the city with a fast and regular service of trains, its main business thoroughfare, Burwood Road, contains splendid shops, which do probably the biggest business along this line...

A tramway runs to Enfield and Ashfield the one way, and to Cabarita and Mortlake the other. Running right through the heart of Burwood, it has been an immense factor in pushing this suburb ahead.

Building land around Burwood itself is very scarce...but there is an amount of good land towards Enfield and Concord as well as choice lots on the Burwood side of Strathfield which are operated by Burwood business people.

There is a big demand for Cottage Homes, ranging from £750 upwards, and comprising upwards of 4 rooms and a kitchen. There are some glorious residences with splendid gardens upon the hill from Burwood Station around Appian Avenue, and mention should also be made of the few old-timed mansions in the district. Unfurnished houses are very scarce in the district, the demand being much greater than the supply. The rents average from £1 to £30s.²

In the 1920s, Council prohibited the construction or use of residential flat buildings in four residential districts in the municipality. The Council also restricted commercial development to specified zones



and excluded any industrial development in the suburb. This influenced the predominantly residential character of much of the LGA, with retail and business largely confined to a narrow corridor along Burwood Road.

3.4 History of the Subject Site

11 Seale Street is located on part of Lot 11 of a subdivision of the original 1000 acres granted to William Faithful. Faithful's land lay south of Thomas Rowley's 750-acre Burwood Farm and extended south to the Cooks River. Faithful and Alexander Riley entered into a land swap on 21 April 1815 with Riley acquiring 200 acres of land north of the new Liverpool Road.³ At the same time, Riley acquired Rowley's land.

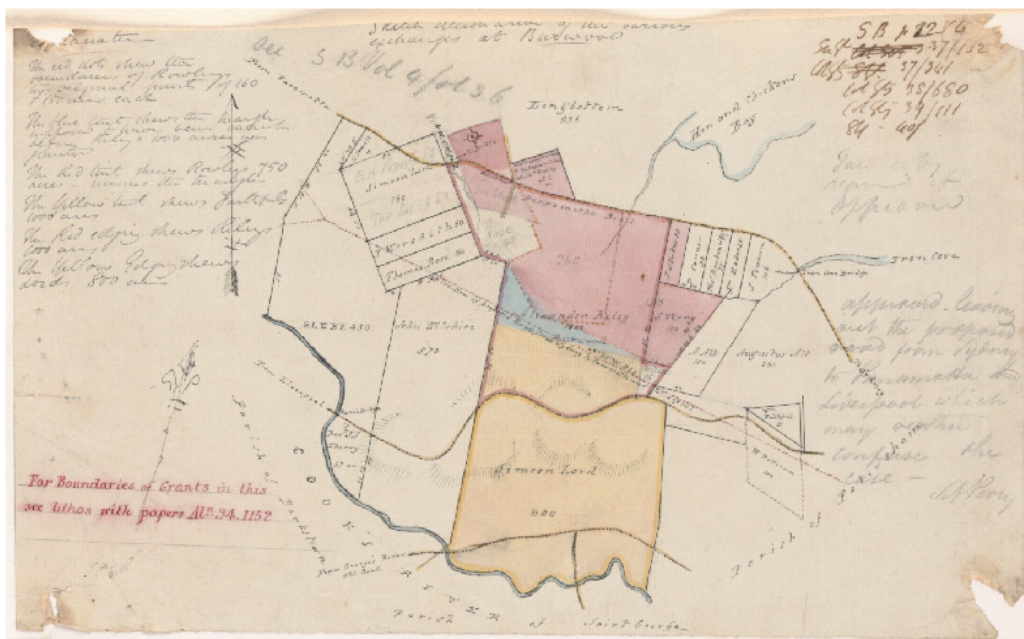


Figure 3.2 Sketch showing the various land grant exchanges at Burwood. Faithful's land grant (yellow) was divided in two. North of Liverpool Road, it was conveyed to Alexander Riley. South of Liverpool Road, it was conveyed to Simeon Lord. (Source: State Archives & Records, NRS 13886, sketch bk 4 folio 22)

Alexander Riley died in May 1834 in London, England. On 24 November 1834, 23 allotments were advertised for auction sale 'on the Liverpool Road opposite the estate of WH Moore, Esq, only 6 miles distant from Sydney'. Nineteen of the lots fronted Liverpool Road and nine extended back to the Burwood Estate, ranging in size from four to 19½ acres each.⁴ Lot 11 of the subdivision, 7 acres 1 rood and 14 perches of land, was conveyed by lease and released on 28 August the following year to Richard Seale for the sum of £33.0.5.⁵



Figure 3.3 Detail from partition of Riley's estate of William Faithful's land north of Liverpool Road shows it divided into 23 allotments. Lot 11 outlined is outlined in yellow. (Source State Library of NSW, FL8778811, with GML overlay)

Richard Seale died in 1838 leaving his property to his brother Michael Seale. Michael Seale had established the New Inn on this land by August 1840 when he advertised a £10 reward for the return of a horse stolen or strayed from his property in Liverpool Road.⁶ His eldest son Thomas was granted a publican's license for a place in Liverpool Road (New Inn) in 1840 and maintained the license until his death in March 1859. Michael Seale died in July 1850 leaving to his son Thomas 'all that parcel of land situated on the Liverpool Road ... with the messuages and premises erected thereon and known by the name of the New Inn'.⁷

Thomas Seale willed the property to his brother, Joseph, in trust for his (Thomas's) wife, Ann Seale, and, after her death, to their children. Ann Seale ran the hotel until her death in 1864. Two of the children, Rosamond Seale and Thomas Seale junior, died (in 1868 and 1860 respectively) leaving Charles William Seale, Michael Henry Seale and Julia Ann Seale as the surviving siblings entitled to their father's estate.

In 1876, Michael Henry Seale conveyed his share in his father's real estate to William Henry Ireland for £1000. The following year, Charles William Seale agreed with William Henry Ireland and Julia Ann Ireland (née Seale) to a deed of partition of Thomas Seale's property in Liverpool Road (Lot 11). The land was divided into four portions, with Charles William Seale retaining the westernmost part. The other three sections were conveyed to Julia Ann Ireland and William Henry Ireland.⁸

The middle portion, comprising 7 acres 1 rood and 14 perches of land, comprised Lot 11 of the 1834 subdivision of Alexander Riley's portion of Faithful's land grant. This land relates to the subject site. Julia and William Ireland subdivided Lot 10 (which lay to the east of Lot 11) into three sections in 1876, creating Seale and Ireland streets.

Julia and Henry Ireland took over the New Inn following the death of Thomas Seale. William transferred the license of the New Inn to 'Ireland's Hotel', corner of Liverpool and Burwood Roads, in 1880 when he built a new hotel on this new site. According to the 1891 census, William Ireland was the principal householder in Burwood Road—six males and eight females listed at this address. Ten



years later, William JH Ireland was listed once more in Burwood Road—this time there were six males and four females in residence.

The 1876 subdivision is outlined on the 1893 map of Burwood Municipality (Figure 3.4). This map also shows the adjoining land (Lot 11) as mostly vacant land at this time, with several buildings fronting Liverpool Road (former New Inn) and another building south of Ireland Street.

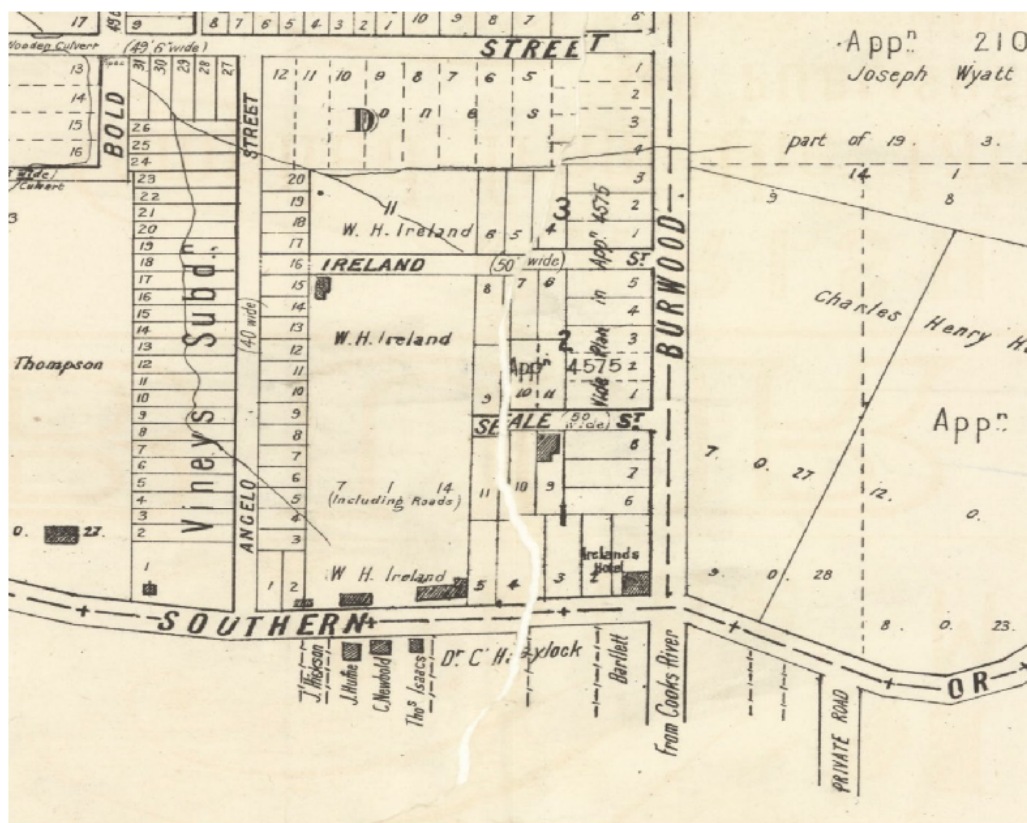


Figure 3.4 Detail from Map of the Municipality of Burwood by Higinbotham and Robinson in 1893. WH Ireland has not yet subdivided his land extending north from Liverpool Road. (Source: State Library of NSW)

William lodged an application in 1902 to convert two adjoining parcels of land forming part of Lot 11 to Torrens title. The land, including all improvements, was valued at £2000 and was then occupied by H Leonard and Mr Dwyer as weekly tenants and A Soutar as a monthly tenant. The survey plan is shown at Figure 3.5. The land was registered on certificate of title Vol 1438 Fol 238 on 29 December 1902 in the name of William Henry Ireland. He and his wife, Julia, continued to own and run Ireland's Hotel at the corner of Burwood and Liverpool roads.

In 1913, William extended Seale Street through his property to the western boundary. In August the same year he conveyed one rood six perches of land on the north side of Seale Street to his son, Joseph Frank Ireland.⁹ Joseph was described as hotel manager and is likely to have assisted his mother and father in running Ireland's Hotel. He was listed along with his mother and father and sister in Burwood Road, Burwood.

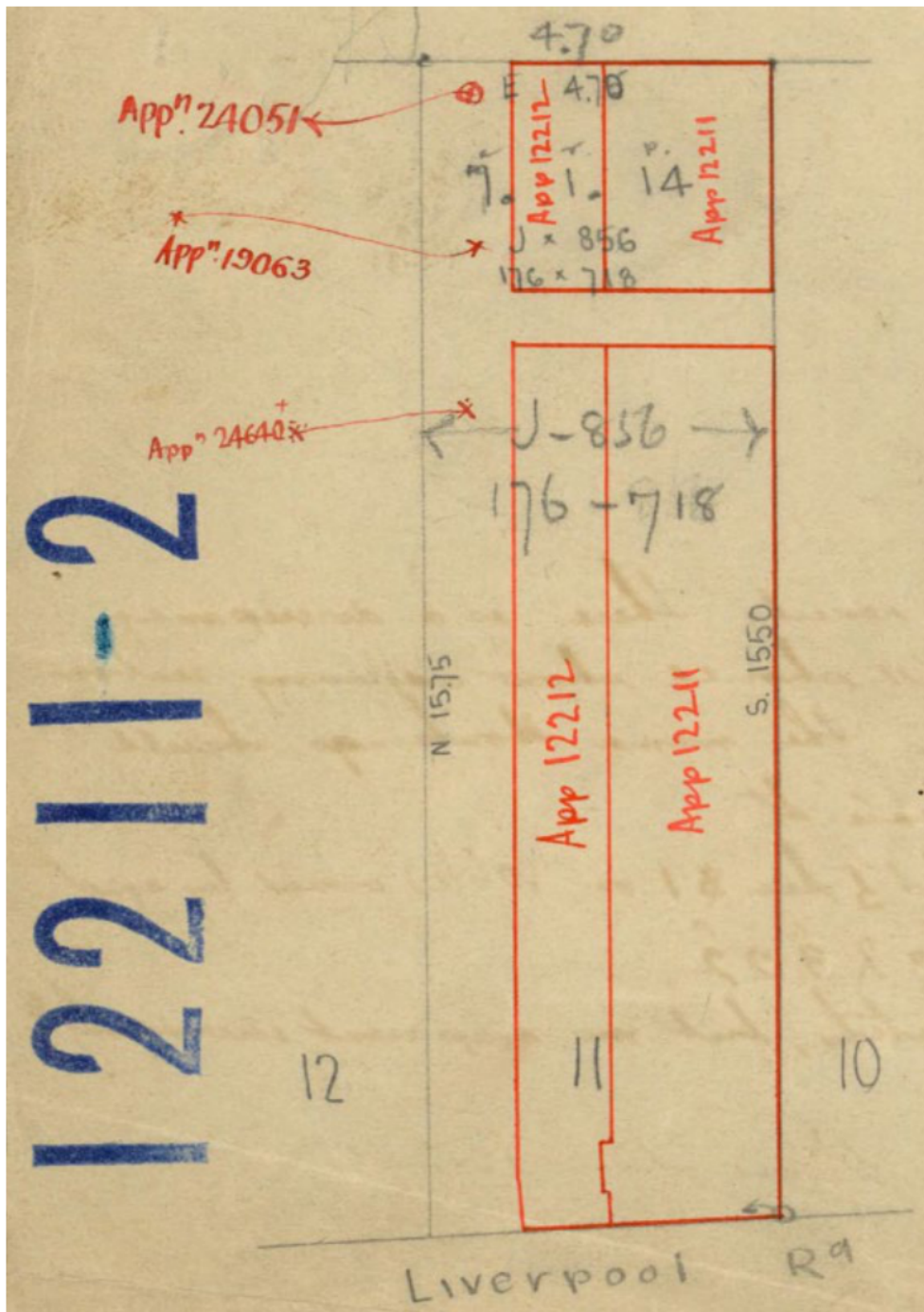


Figure 3.5 Part of Lot 11 converted to Torrens title by Primary Applications 12211 and 12212. (Source: NSW Land Registry Services, Primary Application Search Sketch 12211)

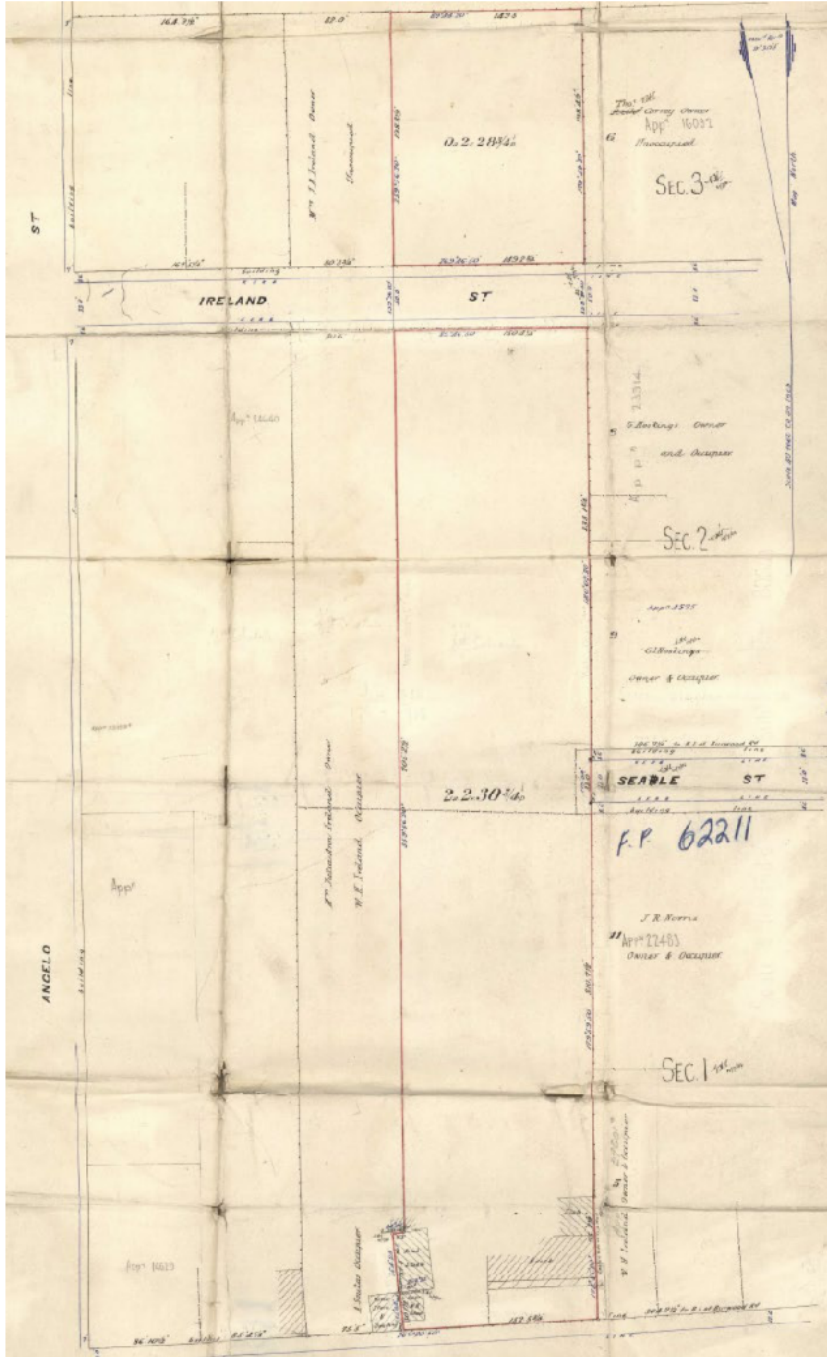


Figure 3.6 Part of Lot 11 (outlined in red) surveyed for Primary Application 12211, 1902. (Source: NSW Land Registry Services, DP 62211)

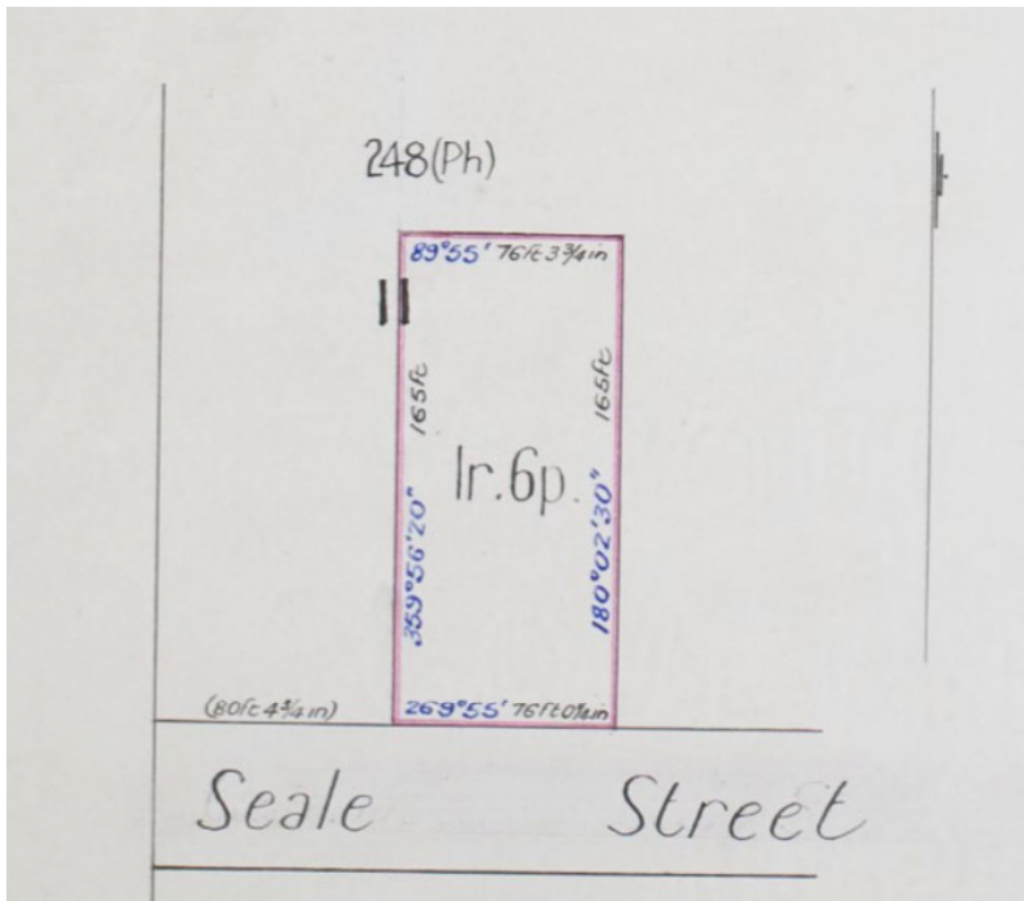


Figure 3.7 Block plan of land conveyed to Joseph Frank Ireland, August 1913. (Source: NSW Land Registry Services, CT Vol 2405 Fol 39)

Joseph Frank Ireland erected a house on his allotment in Seale Street soon after subdividing the land. There were two building applications lodged to Council in 1913 on behalf of WCH Ireland. Building Application No 432, dated 31 July 1913, was for a '(villa) Brick building' proposed to be erected on Lot No 1 Sec Irelands Subdivision. On 23 September, Building Application No 482 was submitted for a brick cottage on Lot 4 Section 2. Both applications were submitted by the architect Frederick Nicholls. It is unclear if either of these applications refer to the subject site as the owner is named as WCH Ireland and not JF Ireland and the allotment descriptions do not necessarily match the subdivision pattern. The following year, F Nicholls accepted the tender of J Dawson of Burwood for a cottage at Burwood— Dawson's name is noted on Building Application No 482.

The Triennial Valuation Book, commencing 1 January 1914, names Joseph Frank Ireland as the owner of property in Seale Street with a notation in the remarks column 'unfd' (unfinished). The unimproved capital value (UCV) was £225 and the improved capital value (ICV) of £450 was crossed out and £875 entered, indicating the residence was erected on the site after 1 January 1914.¹⁰ The 1915 Valuation Book names Joseph Ireland as the owner of property in Seale Street bearing an



unimproved capital value (UCV) of £225, improved capital value (ICV) of £875 and annual assessed value (AAV) of £58. The *Sands Directory* lists Joseph Ireland in Seale Street in 1915. In April 1915, Mr and Mrs JF Ireland of Seale Street Burwood announced the birth of a daughter. Joseph Frank Ireland and his wife Flora Alice May Ireland are listed at 5 Seale Street in the 1930 electoral rolls. The cottage was called 'Carinya'. The house was renumbered 11 Seale Street in the 1932.



Figure 3.8 Detail from 1943 aerial survey with 11 Seale Street outlined in yellow. (Source: NSW Land Registry Services, SIXMaps)

Flora Alice May Ireland died in February 1932 survived by her husband and four children. Two years later, Joseph Frank Ireland married Lilian Irene Hilliard. Joseph and Lilian are listed at 11 Seale Street in the electoral rolls until the death of Joseph in March 1967. Lillian survived him by two years, having moved to Cremorne by the time of her death in October 1969.

The property was conveyed in December 1967 to Joseph Frank Ireland junior, medical practitioner, living at Woollahra.¹¹ The following year he conveyed 11 Seale Street to Wayne Edward Darling of Burwood, constable. Wayne Edward Darling, Irene Maud Darling and Sidney Walter Darling are listed at 11 Seale Street in the 1968 electoral roll. By 1972, the Darlings are listed elsewhere, possibly because Wayne was transferred to another police station and relocated closer to his new workplace.

Christine Elizabeth Lawther and Raymond Eric Lawther purchased 11 Seale Street in December 1978. They lived here until the death of Raymond in April 2016. Christine Elizabeth Lawther sold the property in 2020 to the present owner.

**Table 3.1** Table of Property Owners and Details from 1902.

Date	Owner	Description	Vol-Fol
29 Dec 1902	William Henry Ireland	2 roods 28 $\frac{3}{4}$ perches and 2 acres 2 roods 30 $\frac{3}{4}$ perches Part of Lot 11 of a subdivision of part of 1000 acres granted to William Faithful 1 January 1810.	Vol 1438 Fol 238
26 Sep 1913	Joseph Frank Ireland	Part of Lot 11 of a subdivision of 1000 acres granted to William Faithful 1 January 1810.	Vol 2405 Fol 39
6 Dec 1967	Joseph Frank Ireland of Woollahra, medical practitioner	Part of Lot 11 of a subdivision of 1000 acres granted to William Faithful 1 January 1810.	Vol 2405 Fol 39
2 Sep 1968	Wayne Edward Darling of Burwood, police constable	Part of Lot 11 of a subdivision of 1000 acres granted to William Faithful 1 January 1810.	Vol 2405 Fol 39
13 Dec 1978	Eric Lawther and Christine Elizabeth Lawther	Part of Lot 11 of a subdivision of 1000 acres granted to William Faithful 1 January 1810.	Vol 2405 Fol 39
12 October 2020	Present owner		1/942801

Table 3.2 Chronology of 11 Seale Street Burwood.

Date	Description
1 January 1810	Governor Macquarie formally grants 1000 acres to William Faithful.
1815	Faithful conveys 200 acres (81 hectares) to Alexander Riley by lease and release.
1834	Alexander Riley dies in England. Riley's 200 acres (part of Faithful's land grant) subdivided and advertised for auction sale.
1835	William E Riley sells Lot 11 to Richard Seale.
1838	Richard Seale dies.
1840	Michael Seale establishes New Inn on Liverpool Road. Publicans license granted to his eldest son, Thomas.
25 Jul 1850	Michael Seale dies at his son's residence, Liverpool Road.
6 Mar 1859	Thomas Seale dies at New Inn, Liverpool Road.
14 Mar 1864	Ann Seale dies at her residence, New Inn, Liverpool Road.
13 Nov 1861	William Henry Ireland marries Julia Ann Seale, eldest daughter of Thomas and Ann Seale.
1 Mar 1868	Rosamond Seale dies, second eldest daughter of Thomas and Ann Seale.
4 Sep 1876	Michael Henry Seale sells his share in his father's real estate to William Henry Ireland for £1000.
6 Dec 1877	Charles William Seale, William Henry Ireland and Julia Ann Ireland agree to deed of partition of the real estate of the late Thomas Seale.
1902	William Henry Ireland lodges Primary Application 12211 and Julia Ann Ireland lodges Primary Application 12212.
29 Dec 1902	William Henry Ireland's land registered on Certificate of Title Vol 1438 Fol 238.



Date	Description
1913	William Henry Ireland conveys parcel of land to his son, Joseph Frank Ireland.
1913/1914	JF Ireland erects house on allotment in Seale Street.
Feb 1932	Flora Alice May Ireland of 11 Seale Street dies.
Mar 1967	Joseph Frank Ireland of 11 Seale Street dies.
6 Dec 1967	Property passes to Joseph Frank Ireland junior.
2 Sept 1968	Ireland sells 11 Seale Street to Wayne Edward Darling.
13 Dec 1978	Darling sells 11 Seale Street to Raymond Eric Lawther and Christine Elizabeth Lawther.
2020	Christine Elizabeth Lawther sells property to present owner.

3.5 Endnotes

- ¹ Bradley, Lieutenant William c1802, *A Voyage to New South Wales*, December 1786-May 1792, State Library of NSW.
- ² Harris, MA 1917, *Where to Live : ABC Guide to Sydney and Suburbs, Giving Particulars of about 100 Districts in and around Sydney with Numerous Illustrations*, Marchant & Co. Ltd., State Library of NSW.
- ³ NSW Land Registry Services, Primary Application 12211.
- ⁴ 'Classified Advertising', *The Sydney Gazette and New South Wales Advertiser*, 11 November 1834, p 1 (Supplement to the Sydney Gazette.), Trove, National Library of Australia, viewed 10 Aug 2021 <<http://nla.gov.au/nla.news-article2217508>>.
- ⁵ NSW Land Registry Services, Primary Application 12211.
- ⁶ 'Advertising', *The Sydney Herald*, 5 August 1840, p 2 (Supplement to The Sydney Herald), Trove, National Library of Australia, viewed 10 Aug 2021 <<http://nla.gov.au/nla.news-article28651872>>.
- ⁷ NSW Land Registry Services, OST Deed Bk 146 No 985.
- ⁸ NSW Land Registry Services, OST Deed Bk 176 No 718.
- ⁹ NSW Land Registry Services, CT Vol 2405 Fol 39.
- ¹⁰ Triennial Valuation Book, Municipality of Burwood, 1914.1916, Burwood Council.
- ¹¹ NSW Land Registry Services, CT Vol 2405 Fol 39.



4 Site Analysis

This section summarises the key characteristics and components 11 Seale Street relevant to assessing its heritage significance. It has been prepared based on an inspection of the site on 1 October 2021 (including the building interiors) carried out by the GML project team.

4.1 Site and Setting

The subject site is located at the northern side of Seale Street, opposite the intersection of Seale Street and Quandong Avenue. Seale Street runs from Burwood Road to the east and Angelo Street to the west. The site is bound by residential properties to the north, east and west and Seale Street to the south.

The topography of the area is relatively flat. Seale Street is marked by some tree plantings, and the plantings within the private properties contribute to the setting of the street. The house at 11 Seale Street is partially concealed when viewed from Seale Street and Quandong Street because of plantings within the front setback.

The area is largely residential, and the northern side of Seale Street is divided into narrow rectangular lots, with the exception of the larger lot at 11 Seale Street. Seale Street is characterised by freestanding single-to-two-storey dwellings dating from the Federation and interwar period. These dwellings are fronted by small gardens that consist of small lawns and tree plantings. The front boundaries are marked by low lying brick fencing, hedges or timber picket fences. The architectural features, roof form and materiality of dwellings along Seale Street is relatively uniform. The dwellings comprise face brick external walls, timber-framed doors and windows of traditional proportions, small front verandahs and pitched and gabled tiled roofs with intact chimneys, all of which contribute positively to the streetscape character of Seale Street.

Exterior

The house at 11 Seale Street has its primary façade facing Seale Street, and is set on the western side of a large block. It is set back from the street, with a narrow front yard consisting of a low lying hedge as fencing, a lawn and some shrubs. The original fence, likely a low brick fence or timber picket fence, has been removed and replaced with hedges. An unpaved driveway is located to the east of the house, and a narrow paved walkway to the west leads to the entrance of the dwelling.

Constructed in the 1913–1914, 11 Seale Street is a detached single-storey Federation dwelling which displays stylistic influences from the Federation Queen Anne and Federation Bungalow architectural style. The primary façade is asymmetrical, featuring a prominent slate roof, projecting bays to the southern (primary) and eastern (side) façade, and a verandah that wraps around the front and eastern side of the main house. The external walls are tuckpointed face brick, though the mortar joints appear to be uncharacteristic of an early period, suggesting the bricks were repointed in recent years.

The dwelling features a steep pitched slate roof and a street-facing gable to the primary façade, and a gable end to the projecting bay along the eastern façade. The roof has terracotta finials and ridge capping. Three original chimneys to the roof are still intact. The two tall chimneys along the front section of the dwelling are ornate, with roughcast render finish and terracotta chimney pots. The face brick chimney to the rear of the dwelling is less visually prominent and decorative. The gabled ends



comprise ornate timber gabled screens and bargeboards. The timber rafters of the roof structure remain exposed along the eaves of the roof. Overall, due to its form, tall chimneys, decorative features and materiality, the roof of the dwelling is visually distinct when viewed from the public domain.

The dwelling consists of a small open verandah running along the front and side (eastern) façade which connects the two projecting bays. The verandah features decorative turned timber posts, timber brackets and a timber fascia board. The verandah has retained its original timber flooring. Some original or early features of the dwelling are still intact along the verandah, including a brass plate reading 'CARINYA' (the historical name of the dwelling), the doorbell and light fixture.

The fenestration pattern of the dwelling is consistent with its architectural style and comprises doors and windows of traditional proportions. The primary and eastern façades consist of the original three-bay timber-framed double-hung windows of slender proportions. Similarly, an original single timber-framed double-hung window of a slender proportion is present along the western (side) façade. The timber-framed windows along the rear of the dwelling are of varying proportions and date from a later period of development. The windows to the projecting bays of the primary and eastern façade are covered by slated awnings supported by decorative timber brackets. The entrance to the primary façade consists of a timber-panelled door with a leadlight glass panel and fanlight. Similarly, a secondary entrance timber door with leadlight is located along with the eastern façade, where the verandah terminates.

The single-storey rear extension of the dwelling dates from a later period and includes two bedrooms and a verandah. The rear extension is covered by a pitched metal roof. While the age of the materials used in the rear extension is indicative that the rear is a more recent addition, the use of face brick external walls, timber-framed doors and windows and ornate timber balustrade and brackets to the verandah allows for the rear extension to be sympathetic to the original dwelling. The backyard consists of a large lawn and considerable tree plantings along the northern and eastern boundary.

The 1943 image of the site (Figure 3.8) suggests a small garage was constructed pre-1943. However, in comparison the existing garage is of a larger footprint, suggesting the original garage has been demolished post-1943 and the existing garage is a more recent addition. The garage features a pitched and gabled metal roof, tuck-pointed face brick walls which match the external walls of the dwelling and two garage doors. The street-facing gable end of the garage consists of timber barge boards matching the profile of the original bargeboards of the dwelling. Overall, though a later addition, the scale, form and materiality of the garage is visually compatible with the original dwelling.

Interiors

Configuration

The interiors of the dwelling are highly intact and its original layout is easily discernible. Typical of the Federation period, the front section consists of a central front hallway flanked by rooms to either side, including bedrooms and a lounge. This section has retained its original configuration and architectural features.

The hallway leads to the dining room, kitchen, bathroom and laundry. This section has undergone some alterations to accommodate current needs. This includes the addition of an internal laundry room and modern fitouts in the bathroom and kitchen. Given the presence of a chimney to the rear of the dwelling, it is likely that an original fireplace has been removed along the eastern façade of the existing laundry room.



The rear extension is located further north of the dining room and consists of two bedrooms, an ensuite bathroom and a verandah.

The degree of ornamentation of the interior spaces varies across the dwelling. The front section along the hallway is highly ornate, with many of its original features and decorations still intact. The ornamentation reduces to the rear section of the original dwelling—the dining room, kitchen, bathroom and laundry. The contemporary addition to the rear is largely plain but imitates some traditional detailing, particularly the face brick walls, timber joinery details of the windows and the verandah.

Ceilings

The ornamental plaster ceiling and cornices, with intricate detailing, have been retained along the hallway, front rooms and lounge. The ceiling of the rear spaces—the dining room, kitchen and laundry—are less ornate in comparison, comprising a simple timber ceiling. The rear extension consists of plain plaster ceilings.

Internal walls and associated features

The internal rendered plaster walls along the original section of the dwelling feature the original decorative plaster ventilation grilles located high on the walls, below the cornices. Similarly, the ornate timber skirtings along the original section of the dwelling have been retained. The internal faces of the walls along the front section feature a decorative plaster moulding and wallpaper, located just below the ceiling cornices. Similarly, the dining room consists of timber picture rails and is covered with wallpaper, appearing to date from an early period, below the picture rails. The hallway features a timber fretwork arch.

Internal Doors

The original timber panel doors, fanlight, architraves and associated hardware have been retained within the front section of the dwelling.

Flooring

The existing timber flooring along the original section of the dwelling is original, though it appears to have been polished in recent years. The bathroom in the original section of the dwelling features tessellated tiles. The bathroom to the rear extension consists of tessellated tiles that are not original and have been installed at a later period.

Fireplaces

The original fireplaces within the front bedrooms and lounge have been retained and are highly intact. They feature the original cast iron grate and firebox, glazed tiles and the ornate timber surrounds and mirrors. The rendered plaster chimney breast consists of stop chamfered edges. Similarly, the associated chimneys to the roof have been retained. The presence of a brick chimney to the rear of the dwelling suggests that a fireplace previously existed within the rear section of the original dwelling but has since been removed.

4.2 Site Photographs

The following photographs were taken by GML on 1 October 2021.



Exterior Images



Figure 4.1 View of the subject site looking north from Seale Street.



Figure 4.2 View to the primary façade of the subject dwelling, facing north.



Figure 4.3 View to the primary and eastern façade of the subject dwelling, facing northwest.



Figure 4.4 View to the garage to the east of the site.



Figure 4.5 View to the non-original verandah along the rear façade of the dwelling.



Figure 4.6 The eastern façade of the dwelling showing the original brick chimney.



Figure 4.7 The original timber and glass panelled door with leadlight.



Figure 4.8 The projecting bay along the features an ornate gable end and timber-framed double-hung casement windows with a slated awning.

Interior Images



Figure 4.9 The central hallway.



Figure 4.10 The decorative plaster ceiling along the central hallway.



Figure 4.11 The timber fretwork arch along the central hallway.



Figure 4.12 View of the front bedroom to the east.



Figure 4.13 The highly intact fireplace within the front bedroom to the east.



Figure 4.14 View of the front bedroom to the west.



Figure 4.15 The highly intact fireplace within the front bedroom to the west.



Figure 4.16 View of the lounge room east of the hallway.



Figure 4.17 The fireplace in the lounge room.



Figure 4.18 The secondary entrance door located in the lounge room.



Figure 4.19 View of an original internal door with intact hardware details.



Figure 4.20 The dining room to the rear of the dwelling.



Figure 4.21 The timber ceiling of the kitchen.



Figure 4.22 The tessellated tiled in the bathroom located in the original section of the dwelling.



Figure 4.23 The laundry room to the rear.



Figure 4.24 The bedroom in the rear extension of the dwelling is devoid of ornamentation.



Figure 4.25 The floor of the non-original bathroom in the rear extension incorporates traditional tiling pattern.



5 Assessment of Significance

The following section contains an assessment of the significance of 11 Seale Street, based on the Heritage Council of NSW's Heritage Assessment Criteria. The assessment is informed by analysis of the documentary evidence and physical evidence presented in Sections 3.0 and 4.0 respectively. It also draws upon the State Heritage Inventory (SHI) database of comparable heritage items for comparative assessment.

5.1 Integrity

A physical description of 11 Seale Street has been provided in Section 4.0 of this report. As noted, the dwelling displays several typical characteristics of a Federation dwelling. The scale of the house and its setback from the street is comparable to residences along Seale Street and throughout the Burwood area, and it retains several common stylistic elements seen in the area.

Historical evidence suggests that the existing lot boundaries have remained unaltered since the construction of the existing dwelling. The lot size of the site is substantially larger than the surrounding lots. As is common with other dwellings of this style and period, the house is set in an established garden with plantings. Thus, the site has retained its original setting and curtilage.

The external features, including the presentation of the primary façade, the roof form, verandah, fenestrations and materiality of 11 Seale Street exhibit a high degree of intactness, and there is little evidence of physical alterations to the external fabric other than the repointing of the external walls.

Similarly, the internal configuration of the dwelling and the original fabric is largely unaltered. The front section of the house—the central hallway flanked by rooms on either side—is typical of the period and style. It is likely that an original fireplace (within the existing laundry room) has been removed, as evident by the presence of a brick chimney. This suggests that there may have been some modifications to the internal layout of the rear of the original dwelling. However, these alterations do not drastically impact the overall legibility of the original internal configuration.

While a detailed assessment of the condition of the fabric has not been carried out and a structural assessment is not within the scope of this report, a general visual survey suggests that the fabric and structure of the dwelling are in very good condition with little visible damages or defects.

5.2 Comparative Analysis

This comparative analysis has been undertaken based on buildings of similar architectural style and age within the Burwood area. The examples have been sourced using a search of similar, but listed properties on the State Heritage Inventory Database and a visual survey of the area.

Summary

Burwood consists of a vast stock of Federation dwellings, many of which are considered outstanding examples of its typology. One such example is Appian Way, located approximately 250m east of the site, which comprises several Federation Queen Anne dwellings and Federation Bungalows of a grand scale and distinct architectural expression.

The house at 11 Seale Street is a Federation dwelling with stylistic influences from the Federation Queen Anne and Federation Bungalow architectural style. While it demonstrates features typical of the



style, it is a more modest example than some of the larger Federation villas in Burwood. However, it is representative of the translation of these grand styles into a more modest style of dwelling. Several similar heritage-listed dwellings of comparable scale, style and age are located in the Burwood area. The following properties located within the vicinity of the site or within the Burwood LGA were used in the comparative analysis:

- 8 Seale Street, Burwood;
- 19 Selbourne Street, Burwood;
- 7 Neich Parade; and
- 25 Nicholson Street, Burwood.

8 Seale Street, Burwood—Item I99



Figure 5.1 View of the primary façade of 8 Seale Street, looking south. (Source: GML, October 2021)



Figure 5.2 1986 photograph of 8 Seale Street. (Source: Fox & Associates Architects/Planners Sydney, sourced from the State Heritage Inventory)

Date of Construction	c. 1908	Architect	Unknown
Heritage Significance	Local		

Key Features:

- single storey Federation bungalow located on a corner lot
- set amidst a small garden with considerable plantings
- timber picket fencing
- symmetrical primary façade
- projecting bay to eastern façade
- face brick external walls
- prominent slated pitched roof with roof ventilator, tall roughcast render chimneys, terracotta finial and ridge capping
- open verandah along two façades with decorative timber posts and brackets—the bullnosed profile roof likely to be a replacement
- timber and glass panelled front door with leadlights
- timber-framed double-hung windows
- weatherboard extension and garage along the western side of the property

Statement of Significance

No. 8 Seale Street, Burwood has historic and aesthetic significance as a very good intact example of a single storeyed early c. 1900s house designed in the Federation Bungalow style. The building retains its original form, character and detailing including a return verandah with timber floor, turned timber posts and valence, face brick work, timber framed double hung windows and timber and glass panelled front door with sidelight and highlight windows. The building and garden makes a good contribution to the streetscape with its intact form and remnant plantings.



8 Seale Street, Burwood—Item I99

Discussion

The Federation dwelling at 8 Seale Street is comparable to 11 Seale Street in terms of its setting, scale, form, architectural features and intactness. Similarly to the subject site, it is set within a garden with plantings within the front setback. 8 Seale Street and 11 Seale Street are located on relatively large lots which have not been subdivided since the construction of the dwellings. The two dwellings are both of a low single-storey scale.

The primary façade of 8 Seale Street is largely symmetrical, unlike 11 Seale Street which is asymmetrical due to the presence of a gable-ended projecting bay. The bullnose verandah of 8 Seale Street is also distinct from the primary roof form of the dwelling, whereas at 11 Seale Street the verandah roof is contained within the main pitched roof form. However, these distinctions do not detract from the overall architectural similarity of the two dwellings, including the face brick walls, presence of a gable-ended projecting bay, prominent slated roofs, tall roughcast render chimneys and terracotta chimney pots, terracotta roof finials and ridge capping, fenestration pattern and the two-sided verandah with intricate timber joinery.

8 Seale Street comprises a weatherboard extension to the western side and rear of the property. As the site is a corner property, these extensions are visible from Quandong Avenue. However, due to its modest scale, materiality and form, the extension does not have a drastic impact on the overall presentation of the dwelling to Seale Street. Similarly, the rear extension of 11 Seale is largely concealed from the public domain and the garage (which is visible from the street) has been designed to integrate with the original dwelling.

Overall, the dwellings at 8 and 11 Seale Street both display a high level of intactness and are considered good examples of their type within the Burwood LGA. The two dwellings, along with other houses along Seale Street, of a similar style and period, visually complement each other and contribute to the streetscape character of Seale Street.

A comparative analysis of the internal fabric has not been carried out.

19 Selborne Street, Burwood—Item I103



Figure 5.3 View of the primary façade of 19 Selborne Street, looking north. (Source: Google streetview)



Figure 5.4 View of the projecting bay with a gable end along the primary façade. (Source: State Heritage Inventory)

Date of Construction	c. 1900s	Architect	Unknown
Heritage Significance	Local		

Key Features

- single-storey Federation bungalow with Queen Anne influences
- set in a small garden with considerable plantings
- non-original brick fencing
- asymmetrical primary façade with gable-ended projecting bay
- dichromatic face brick external walls
- prominent slated pitched roof with roof ventilator and tall chimneys
- open verandah along primary façade with decorative timber posts and valences
- timber and glass panelled front door with leadlights
- timber-framed double-hung windows
- single-storey rear extension with a metal pitched roof

Statement of Significance

No. 19 Selborne Street, Burwood has historic and aesthetic significance as an excellent intact example of a single storeyed early c. 1900s Federation Bungalow style house with Queen Anne detailing. The building retains its original form, character and detailing including an asymmetrical front facade, verandah with timber detailing, dichromatic brickwork, timber framed leadlight casement windows with arched top fanlights and timber and glass panelled front door with sidelight and fanlight.

The modern brick fence is not sympathetic with the design of the original building and is an obtrusive element in the streetscape.



19 Selborne Street, Burwood—Item I103

Discussion

The single-storey detached Federation dwelling at 19 Selborne Street is comparable to the house at 11 Seale Street in terms of its setting, scale, form, architectural features and materiality. Similar to the subject site, it is set within a garden with plantings within the front setback. Selborne Street, like Seale Street, comprises other dwellings of a similar style and period, which enhance the streetscape character.

The non-original brick fencing of 19 Selborne Street detracts from the character of the dwelling while the hedges along 11 Seale Street, though not the original fencing, are largely sympathetic to the character of the dwelling.

The primary façade of 19 Selborne Street displays asymmetry due to the presence of a gable-ended projecting bay along the primary façade. These gable ends are marked by decorative timber joinery in both dwellings. Typical of the Queen Anne style, 19 Selborne Street comprises dichromatic face brick external walls while the face brick walls of the subject dwelling are of a simpler detailing. The two dwellings feature prominent slated roofs with tall chimneys. The fenestration pattern of the dwellings is also similar in nature and includes timber and glass panelled front door with leadlight, and timber-framed double-hung windows.

Similarly to the rear extension of 11 Seale Street, the rear extension of 19 Selborne Street is concealed from the public domain due to its modest scale and does not visually dominate the original structure.

Overall, 19 Selbourne Street displays a high degree of intactness and integrity, despite the modification of the original fence.

A comparative analysis of the internal fabric has not been carried out.

7 Neich Parade, Burwood—Item I83



Figure 5.5 View of the primary façade from Neich Parade. (Source: Google streetview)



Figure 5.6 View of the projecting bay and the front verandah along the primary façade. (Source: State Heritage Inventory)

Date of Construction	c. 1900s	Architect	Unknown
Heritage Significance	Local		

Key Features

- single-storey Federation bungalow
- set amidst a small garden
- original brick fencing
- asymmetrical primary façade with gable-ended projecting bay
- dichromatic face brick external walls
- prominent slated pitched roof with tall chimneys
- open verandah along primary façade with decorative timber posts and valences and brick piers and tessellated tiled flooring
- timber and glass panelled front door with leadlights
- timber framed double hung windows
- single storey rear extension with a metal skillion roof

Statement of Significance

No. 7 Neich Parade, Burwood has historic and aesthetic significance as a very good example of a single storeyed c. 1890's-1900 Federation bungalow. The building retains its original form, character and detailing including a projecting gable to the front with roughcast and painted battens to the apex, a side gable has a decorative timber gable screen, timber framed casement leadlight windows with small multi coloured glass panels at the bottom with coloured highlight windows over on a moulded projecting sill, window awnings, a return verandah with tessellated floor tiles supported on timber columns with heavily decorated valance brackets and a curved brick balustrade, timber and glass panelled entry door with sidelight and highlight. The building makes a positive contribution to the Neich Parade streetscape.



7 Neich Parade, Burwood—Item I83

Discussion

The Federation dwelling at 7 Neich Parade is comparable to 11 Seale Street in terms of its setting, scale, form, architectural features and intactness. The two dwellings are of a low single-storey scale. 7 Neich Parade is fronted by a small lawn and some shrubs, which allow direct views to the primary façade from Neich Parade.

Similarly to 11 Seale Street, the primary façade of 7 Neiche Parade displays asymmetry due to the presence of a gable-ended projecting bay along the primary façade. These gable ends are marked by decorative timber joinery in both dwellings. 7 Neich Parade comprises dichromatic face brick external walls while the face brick walls of 11 Seale Street are simpler. The two dwellings feature prominent slated roofs with tall chimneys. While the verandah of 7 Neich Parade runs along the front and side façades, some stylistic variations are evident between the two dwellings. Nevertheless, the overall articulation of the verandah for both dwellings is similar. The rear extension of the 7 Neich Parade is covered by a metal skillion roof which is concealed from the street. Overall, similar to the site, 7 Neiche Street displays a high degree of intactness externally.

A comparative analysis of the internal fabric has not been carried out.

25 Nicholson Street, Burwood—Item I86



Figure 5.7 View of the primary façade from Nicholson Street. (Source: Google streetview)



Figure 5.8 View of the projecting bay and the front verandah along the primary façade. (Source: Fox & Associates Architects/Planners Sydney, sourced from the State Heritage Inventory)

Date of Construction	1920	Architect	Unknown
Heritage Significance	Local		

Key Features

- single-storey Federation bungalow located on a corner lot
- set amidst a small garden
- original brick and timber picket fencing
- asymmetrical primary façade with gable-ended projecting bays
- dichromatic face brick external walls
- prominent slated pitched roof with tall roughcast render chimneys and terracotta finials and ridge capping
- verandah along two facades with brick piers and brick balustrade
- timber and glass panelled front door with leadlights
- timber framed double hung windows

Statement of Significance

No. 25 Nicholson Street, Burwood has historic and aesthetic significance as a very good example of a single storeyed c. 1920 house designed in the Federation bungalow style. The building retains its original form, character and detailing including a broken roof line with gables, symmetrical front facades constructed of face brickwork with brick quoining, a corner verandah with a flying entrance gable supported by squat rounded columns on wide brick piers, timber framed casement leadlight windows with highlight windows over, slate roofed window awnings with decorative timber brackets, timber and glass panelled entry door with highlight. The building makes a positive contribution to the Nicholson Street streetscape



25 Nicholson Street, Burwood—Item I86

Discussion

The dwelling at 25 Nicholson Street dates from the late Federation/ early Inter-War period and displays stylistic influences from both periods. The dwelling is comparable to 11 Seale Street in terms of its setting, scale, form, architectural features and intactness. The two dwellings are of a low single-storey scale. 25 Nicholson Street is fronted by a small lawn and considerable planting along Nicholson and Condor Streets, which obscure direct views to the primary façade from the public domain.

Similar to 11 Seale Street, the primary façade of 25 Nicholson Street displays asymmetry due to the presence of a gable-ended projecting bay along the primary façade though 25 Nicholson Street consists of an oblique projecting gable at the corner (Figure 6.2). The two dwellings feature prominent slated roofs with tall roughcast render chimneys and decorative terracotta finials and ridge capping. 25 Nicholson Street comprises dichromatic face brick external walls while the face brick walls of 11 Seale Street are simpler. While the verandah of 25 Nicholson Street runs along the front and side façades, similar to the site, some stylistic variations are evident between the two dwellings. Being constructed c.1920, the verandah exhibits features common of the Inter-War period, particularly the heavy brick piers and brick balustrade. The rear extension of the 25 Nicholson Street is covered by a metal skillion roof which is concealed from the street due to considerable planting along Condor Street.

While 11 Seale Street and 25 Nicholson Street exhibit some stylistic variations, their setting, streetscape contribution, scale, overall form, architectural features and materiality are comparable.

A comparative analysis of the internal fabric has not been carried out.

Conclusion

The heritage listed items in this comparative analysis have been assessed as having historic, aesthetic and representative significance, at a local level. The analysis of the heritage listed properties in the Burwood area has demonstrated that these properties have a number of key indicators that are consistent with the subject property, as follows:

- These heritage items and the subject dwelling at 11 Seale Street all originate from the early twentieth century. The subject dwelling reflects typical stylistic and architectural characteristics of this period, which are shared with the nearby heritage listed properties.
- The subject dwelling was designed in the Federation Queen Anne and Federation Bungalow style, as were many of the nearby listed properties including those at 8 Seale Street, 19 Selborne Street, 7 Neich Parade and 25 Nicholson Street.
- The subject dwelling is an example of the common building typology amongst these heritage items, being modest single storey residences with a strong street presence.
- The dwellings complement and contribute to the historic and visual character of the broader Burwood area.
- The subject dwelling shares many architectural features typically attributed to the Federation Queen Anne and Federation bungalow style and common to the heritage items throughout Burwood, as demonstrated in the tables above. These features include its high-pitched slate roofs with intact decorative features, prominent tall roughcast render chimneys, face brick walls, open verandah with decorative timber posts and brackets, fenestrations of slender proportions including timber and glass panelled entrance doors with leadlight and timber double hung windows and a garden setting with small lawns and plantings.



- The subject dwelling is a good example of the dominant material palette of the group of heritage items and displays the use of face brickwork, roughcast cement render, slated roofs, terracotta finals and ridge capping, ornate timber joinery and leadlight glass.
- The heritage items were apparently built without the input of an architect, or the architect is not known. However, they adhere to the Federation style prevailing within the Burwood area.
- The subject property sits within its original allotment from the 1910s subdivision of the estate. Compared to the other heritage items, the site and 8 Seale Street are located on unusually large lots which have not been subdivided since the construction of the dwellings.



6 Assessment Against Standard Criteria

This section sets out an assessment of the heritage significance of 11 Seale Street. It includes consideration of the original and subsequent layering of fabric, uses, associations and meanings of the place, as well as its relationship to both the immediate and wider setting.

The NSW Heritage Manual guidelines, prepared by the NSW Heritage Office and Department of Urban Affairs and Planning (July 2001) (Appendix A of this report), provide the framework for the assessment and the Statement of Significance in this report—as required by heritage authorities in New South Wales.

Under these guidelines, items (or 'places' in Burra Charter terminology) are assessed in accordance with a specific set of criteria, as set out below. An item is significant in terms of the criterion if the kinds of attributes listed in the inclusion guidelines help to describe it. Similarly, the item is not significant in terms of that criterion if the kinds of attributes listed in the exclusion guidelines help to describe it. The inclusion and exclusion guidelines are checklists only—they do not cancel each other out. The exclusion guidelines should not be applied in isolation from the inclusion guidelines but should be used to help review and qualify the conclusions reached about the item's significance.

To apply the assessment criteria, both the nature and degree of significance for the place need to be identified. This is because items vary in the extent to which they embody or reflect key values and in the relative importance of their evidence or associations.

The assessment also needs to relate the item's values to its relevant geographical and social context, usually identified as either local or state contexts. Items may have both local and state significance for similar or different values/criteria.

6.1.1 Criterion A (Historical Significance)

An item is important in the course, or pattern, of NSW's—or the local area's—cultural or natural history

The area in the immediate vicinity of the 11 Seale Street was owned by the Seale and Ireland families who played a formative role in the development of the area from the mid-nineteenth century to the early twentieth century. The lot boundaries of the site have remained unaltered since the construction of the site and provide an understanding of the subdivision pattern prevalent in the area.

The dwelling has historical significance at a local level as a residence dating from 1913–1914. The building represents the residential development of Burwood during the late Federation period.

The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.

6.1.2 Criterion B (Associative Significance)

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's—and/or the local area's—cultural or natural history.

The land on which 11 Seale Street is built was owned by William Henry Ireland who conveyed it to his son, Joseph Frank Ireland—it was Joseph who erected and resided in the dwelling. The



Ireland family were a locally prominent family who owned land in the area and played a key role in Burwood's development in the early twentieth century. Members of the Ireland family have a long-standing connection to 11 Seale Street, having resided there until the 1960s.

The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.

6.1.3 Criterion C (Aesthetic Significance)

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

The dwelling at 11 Seale Street demonstrates the typology of a small-scale Federation dwelling displaying influences of the Queen Anne and Federation Bungalow style in the Burwood area. It demonstrates a very high degree of integrity and intactness and incorporates several architectural features typical of the style and period.

The original lot boundaries of the site have not been altered since the construction of the dwelling and occupies a relatively larger lot when compared to the surrounding dwellings. The small garden to the front and the large rear garden and dense plantings has been retained. Thus, the curtilage and setting of the site is highly intact.

The house displays a high degree of intactness with little visible modifications. Its original scale, form, features, detailing and materiality is easily discernible. Significant external elements include the asymmetric form with projecting bays, the verandah and its timber joinery, the prominent roof form with terracotta decorations, tall roughcast render chimneys and terracotta pots, the gable ends with ornate timber screen and bargeboards, the timber and glass panelled doors with leadlight and timber framed double hung windows and the slate awnings above the windows.

Similarly, the original internal configuration, architectural features and decorations remains largely unaltered. This includes the original room layout and internal walls, intricate plaster ceiling and cornices, timber floorings, timber mouldings and wallpaper along the walls, tessellated tiles of the bathroom, timber doors with fanlights and detailed architraves, fireplaces and its surrounds, arched timber fretwork along the hallway and picture rails display a high degree of integrity.

While the architect/designer of the building is unknown and the dwelling does not exhibit the grandeur of other Federation Queen Anne dwellings or Federation Bungalows in Burwood, it exemplifies the translation of the Federation Queen Anne architectural style and features on a more modest style of dwelling. The dwelling complements and contributes to the setting and visual character of the broader Burwood area.

The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.

6.1.4 Criterion D (Social Significance)

An item has strong or special association with a particular community or cultural group in NSW—or the local area—for social, cultural or spiritual reasons.

There is no evidence to suggest that the property holds any strong or significant associations with any local community or cultural groups.



No. 11 Seale Street does not meet the threshold for significance at the local level.

6.1.5 Criterion E (Research Potential)

An item has potential to yield information that will contribute to an understanding of NSW's—or the local area's—cultural or natural history.

An assessment of the subject site's archaeological potential is beyond the scope of this assessment. However, the property is unlikely to yield any information that could contribute to the understanding of the local area that is not otherwise available.

The significance of the property has not been assessed under this criterion.

6.1.6 Criterion F (Rarity)

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

The lot boundaries of 11 Seale Street has not been altered since the construction of the dwelling in 1913/1914. Thus, it has retained its original setting and lot size. This is rare for dwellings dating from the Federation period in the Burwood area, where original lots have been subdivided over the years to allow for development.

The high degree of integrity of the fabric, particularly the original internal layout and decorations is rare within the Burwood area.

The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.

6.1.7 Criterion G (Representativeness)

An item is important in demonstrating the principal characteristics of a class of NSW's (or a class of the local area's):

- *cultural or natural places; or*
- *cultural or natural environments*

The building demonstrates the typology of a modest Federation dwelling within the Burwood area.

The house at 11 Seale Street is a fine example of a Federation dwelling with stylistic influences from the Federation Queen Anne and Federation Bungalow style. It exhibits typical features of this period, including tuck pointed face brick walls, a prominent slate roof with intact decorations and chimneys, projecting bays with gable ends, timber-framed doors, windows of narrow proportions and a verandah. Similarly, the internal configuration, ceilings, flooring, fireplaces, timber doors and decorations are typical of the style and period. The very high and unusual degree of integrity and intactness of the fabric make it a fine example of its type.

The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.

6.2 Statement of Significance

The dwelling at 11 Seale Street is a fine example of a Federation dwelling. It exhibits features, form and design elements that characterise its typology, and is a good remaining example of residential



development within the Burwood area in the early twentieth century, with an unusually high level of integrity.

The land on which 11 Seale Street is built was purchased by Richard Seale, a member of the locally prominent Seale family, in 1835. It was then acquired by the Ireland family, who played a formative role in the development of Burwood from the mid-nineteenth century to the early twentieth century. The house was erected by Joseph Frank Ireland, son of William Ireland. The Ireland family resided in the property until the 1960s, thus establishing strong connections with the place.

The site is located on a large lot which has remained unaltered since the construction of the dwelling and thus the original curtilage of the site and its setting remains highly intact. This is unusual in the Burwood area, where properties dating from a similar period and of a similar scale are located within narrower lots.

No 11 Seale Street displays a high degree of integrity and intactness and is representative of early twentieth century housing in the Burwood area. Given the original lot size of the site has remained unaltered, the historic garden setting of the site contributes to its aesthetic value. The dwelling displays many architectural features typical of the Federation period, with Queen Anne and Federation Bungalow influences. This includes its asymmetrical form with projecting bays, dominant hipped roof form characterised by gable ends, tall chimneys and terracotta decorations, open verandah with intricate timber joinery, timber fenestrations of a narrow proportion and tuckpointed face bricks walls.

The degree of integrity of the fabric, particularly to the interiors, where the original layout, features are highly intact is rare for dwellings in the area. Internally, the original configuration of the dwellings is easily discernible. Further, the original intricate ceilings, flooring, internal walls and its associated features, internal doors, fireplaces, timber joinery and decorations is still intact and in good condition. The intact internal fabric contributes to the aesthetic value of the dwelling.

Due to its intact setting, scale, form, architectural features, internal layout and fabric and materiality, the dwelling is considered a very good example of the translation of the Federation Queen Anne and Federation Bungalow architectural styles on a more modest dwelling.

Based on the information available for the purpose of this assessment, the dwelling at 11 Seale Street meets the threshold for local heritage listing based on its historical, associative, aesthetic and representative attributes.

6.3 Inventory Sheet

An detailed Inventory Sheet for 11 Seale Street, based on the State Heritage Database template, is provided at Appendix B of this report.



7 Conclusions and Recommendations

This report has assessed the heritage significance of the dwelling at 11 Seale Street, Burwood, based on historical research, investigation of the subject site, and an assessment of its local context. It includes a detailed assessment of the site against the SHR standard evaluation criteria to determine the significance of the place to the Burwood LGA.

The report concludes that 11 Seale Streets demonstrates heritage significance at the local level for the following reasons:

- the dwelling dates from the early twentieth century, a key period in the development of Burwood—its Federation Queen Anne and Federation Bungalow architectural style;
- The original lot size of the site has not been modified since the construction of the dwelling and thus, the original curtilage and setting of the dwelling is retained;
- the dwelling has longstanding connections with the Ireland family, who played a key role in the development of Burwood in the early twentieth century;
- the dwelling exhibits features typical of the Federation Queen Anne and Federation Bungalow architectural style and is a fine example of its type—the internal and external fabric of the dwelling display a very high degree of integrity;
- when assessed within the broader context of the heritage setting of Burwood, the dwelling contributes to the historical and visual character of the Burwood LGA; and
- the scale, setting, form, architectural features, materiality and high degree of intactness of the dwelling is comparable to other heritage items listed in the Burwood LEP.

No. 11 Seale Street has been assessed as meeting the threshold of local significance for criteria (a), (b), (c) and (f) and (g) of the standard assessment criteria.

It is recommended that 11 Seale Street, Burwood, is listed as a heritage item under Schedule 5 (Heritage Items) of the *Burwood Local Environmental Plan 2012*.



8 Appendices

Appendix A

NSW Heritage Office Heritage Assessment Guidelines

Appendix B

Inventory Sheet

Appendix C

Interim Heritage Order



Appendix A—NSW Heritage Office Heritage Assessment Guidelines

The *NSW Heritage Manual* guidelines, prepared by the NSW Heritage Office and Department of Urban Affairs and Planning (July 2001), provide the framework for the assessment and the statement of significance in this report. These guidelines incorporate the five types of cultural heritage value identified in the Burra Charter into a specially structured framework, which is the format required by heritage authorities in New South Wales.

Under these guidelines, items (or 'places' in Burra Charter terminology) are assessed in accordance with a specific set of criteria, as set out below. An item is significant in terms of the particular criterion if the kinds of attributes listed in the inclusion guidelines help to describe it. Similarly, the item is not significant in terms of that particular criterion if the kinds of attributes listed in the exclusion guidelines help to describe it. The inclusion and exclusion guidelines are checklists only—they do not cancel each other out. The exclusion guidelines should not be applied in isolation from the inclusion guidelines, but should be used to help review and qualify the conclusions reached about the item's significance.

The criteria for assessment established by the NSW Heritage Council in accordance with the *Heritage Act 1977* (NSW) (Heritage Act) are set out below.

Criterion (a)—An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
shows evidence of a significant human activity; is associated with a significant activity or historical phase; or maintains or shows the continuity of a historical process or activity.	has incidental or unsubstantiated connections with historically important activities or processes; provides evidence of activities or processes that are of dubious historical importance; or has been so altered that it can no longer provide evidence of a particular association.

Criterion (b)—An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of NSW (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
shows evidence of a significant human occupation; or is associated with a significant event, person, or group of persons.	has incidental or unsubstantiated connections with historically important people or events; provides evidence of people or events that are of dubious historical importance; or has been so altered that it can no longer provide evidence of a particular association.

Criterion (c)—An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)

Guidelines for Inclusion	Guidelines for Exclusion
shows or is associated with creative or technical innovation or achievement; is the inspiration for a creative or technical innovation or achievement; is aesthetically distinctive; has landmark qualities; or exemplifies a particular taste, style or technology.	is not a major work by an important designer or artist; has lost its design or technical integrity; its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded; or has only a loose association with a creative or technical achievement.

Criterion (d)—An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

Guidelines for Inclusion	Guidelines for Exclusion
is important for its associations with an identifiable group; or is important to a community's sense of place.	is only important to the community for amenity reasons; or is retained only in preference to a proposed alternative.

Criterion (e)—An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
has the potential to yield new or further substantial scientific and/or archaeological information; is an important benchmark or reference site or type; or provides evidence of past human cultures that is unavailable elsewhere.	the knowledge gained would be irrelevant to research on science, human history or culture; has little archaeological or research potential; or only contains information that is readily available from other resources or archaeological sites.

Criterion (f)—An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
provides evidence of a defunct custom, way of life or process; demonstrates a process, custom or other human activity that is in danger of being lost; shows unusually accurate evidence of a significant human activity; is the only example of its type; demonstrates designs or techniques of exceptional interest; or shows rare evidence of a significant human activity important to a community.	is not rare; or is numerous but under threat.

Criterion (g)—An item is important in demonstrating the principal characteristics of a class of NSW's (or a class of the local area's) cultural or natural places; or cultural or natural environments

Guidelines for Inclusion	Guidelines for Exclusion
<ul style="list-style-type: none"> is a fine example of its type; has the principal characteristics of an important class or group of items; has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity; is a significant variation to a class of items; is part of a group which collectively illustrates a representative type; is outstanding because of its setting, condition or size; or is outstanding because of its integrity or the esteem in which it is held. 	<ul style="list-style-type: none"> is a poor example of its type; does not include or has lost the range of characteristics of a type; or does not represent well the characteristics that make up a significant variation of a type.

Appendix B—Inventory Sheet

Heritage Data Form

ITEM DETAILS						
Name of Item	Federation house					
Other Name/s Former Name/s	Carinya					
Item type (if known)	Built					
Item group (if known)	Residential Building					
Item category (if known)	House					
Area, Group, or Collection Name						
Street number	11					
Street name	Seale Street					
Suburb/town	Burwood			Postcode	2134	
Local Government Area/s	Municipality of Burwood					
Property description	Lot 1 / DP 942801					
Location - Lat/long	Latitude	-33.802614		Longitude	151.093842	
Location - AMG (if no street address)	Zone		Easting		Northing	
Owner	Unknown					
Current use	Residential					
Former Use	Residential					
Statement of significance	<p>The house at 11 Seale Street, known as Carinya, has cultural heritage significance at a local level as a fine and intact example of a Federation dwelling. The dwelling has longstanding connections with the prominent Ireland family who resided at the dwelling since its construction in the 1913 until the 1960s and played a crucial role on the development of the area. Carinya demonstrates the progressive development of the Burwood area in the early twentieth century. The house has aesthetic significance as a fine and intact example of a modest Federation dwelling with Federation Queen Anne and Federation Bungalow style elements and represents a distinct architectural typology that demonstrates an important part of the historical pattern of development in Burwood.</p>					
Level of Significance	State <input type="checkbox"/>			Local <input checked="" type="checkbox"/>		

Heritage Data Form

DESCRIPTION					
Designer	Unknown				
Builder/Maker	Unknown				
Physical Description	<p>The house at 11 Seale Street is a single-storey detached Federation dwelling bungalow built c.1913. The dwelling is on a substantially large lot which has remained unaltered since the construction of the dwelling. The house has its primary façade to Seale Street. The house is fronted by a small garden with some plantings and a lawn. The original fence has been replaced by hedges. There is a modest garage to the eastern side of the property. The rear of the property consists of a largely lawn with dense planting.</p> <p>The external walls are face brick with tuckpointing. The original brass plaque reading 'CARINYA', the original doorbell and lighting fixture along the entrance has been retained. It has a prominent hipped slate roof with projecting gables and terracotta ridge capping and finials. The building has two tall roughcast rendered chimneys and terracotta chimney pots and a plain brick chimney to the rear. The gable ends consist of ornate timber gabled screens and bargeboards. The eaves of the roof feature exposed rafters. The later single storey rear extension is covered by a pitched metal roof.</p> <p>Projecting gables at both sides are connected by a front verandah that wraps around the corner of the front of the house. The verandah has ornate turned timber posts, brackets and fascia board. The entrance to the house is defined by a gabled portico, centrally located on the front façade, with slate roof and a timber finial. The verandah consists of original timber floorboards.</p> <p>The fenestration of the dwelling consists of its original doors and windows of slender traditional proportions. The two entrance doors are timber-and-glass-panelled with leadlights. The primary and eastern façades consist of the original three-bay, timber-framed, double-hung windows. The windows along the projecting bays are covered by a tiled awning with decorative timber brackets.</p> <p>The internal configuration of the dwelling is highly intact. The front section consists of a central hallway flanked by bedrooms and a lounge to either side. The hallway leads to the dining room, kitchen, bathroom and laundry. This section has undergone some minor alterations to accommodate current needs. This includes the addition of an internal laundry room and modern fit-outs in the bathroom and kitchen. The later rear extension consists of bedrooms, an ensuite bathroom and a large verandah.</p> <p>The interior has retained its original features and decorations, including the intricate plaster ceilings and cornices, arched timber fretwork along the hallway, internal doors, plaster mouldings and wallpaper along the internal walls, fireplaces, skirting, timber flooring, and picture rails and tessellated tiles to the bathroom. A fireplace to the laundry has been removed. The rear extension imitates some traditional details such as the face brick external walls, timber framed windows, bathroom tiles and timber joinery to the verandah.</p>				
Physical condition and Archaeological potential	<p>The building appears to be in good condition and well-maintained.</p> <p>The archaeological potential of the site is unknown.</p>				
Construction years	Start year	1913	Finish year	1914	Circa <input checked="" type="checkbox"/>
Modifications and dates	Externally, original features are in evidence with It is highly intact with no discernible significant modifications. Original internal configuration and features are intact with minor modifications limited to the rear section only. An original fireplace to the laundry removed. A rear extension constructed at later period. The original garage has been replaced with a larger garage, possibly at the same time as the rear extension.				
Further comments	-				

Heritage Data Form

HISTORY	
Historical notes	<p>Burwood is part of the traditional home of the Wangal people of the Eora. The Wangal had a large territory than extended north from the southern bank of the Parramatta River, west from Iron Cove towards Homebush Bay and as far south as the northern bank of the Cooks River. There is scant evidence of the fate of the Wangal people following contact with British settlers due to disease, violence and dispossession from their Country.</p> <p>The first land grants in the Burwood district included those to Thomas Rowley in August 1799 and William Faithful in January 1810. Following the death of Rowley, his executor illegally sold Rowley's 'Burwood Farm' to Alexander Riley in 1812. Riley built the first house in the district, 'Burwood Villa' in c.1814. He also acquired 200 acres of Faithful's farm, north of Liverpool Road.</p> <p>Following Riley's death in 1833, the entire 750 acres was divided amongst Rowley's heirs, Thomas Rowley, John Lucas and Henry Briggs.</p> <p>During the 1830s and 1840s the area remained sparsely settled and dominated by farming. Other early activities in the area included timber-getting and the development of service industries along Parramatta and Liverpool Roads. A railway was constructed in c.1855 to link Sydney and Parramatta, with Burwood being one of the six stops. It became a passenger service for the wealthy city businessmen who lived in villa estates. A village subdivision was laid out around the railway line in c.1854 and the area remained relatively open. The Municipality of Burwood was incorporated in 1874. The area underwent a building boom in the 1880s with large country estates subdivided into smaller suburban lots. Burwood transformed into a middle-class neighbourhood in this period.</p> <p>Burwood remained an attractive railway suburb of gentlemen's residences, and during the following two decades its character as a garden suburb developed, as there was limited industrial development in the area, but there was a variety of service industries as well as some modest homes. An extensive shopping centre along Burwood Road also developed as a hub for the wider district.</p> <p>In November 1834 part of Riley's land north of Liverpool Road was subdivided into 19 lots, ranging in size from four to 19 ½ acres each. Lot 11, fronting Liverpool Road, was sold to Richard Seale in August 1835. He established an inn on the main road, servicing travellers from Sydney to Liverpool. Following the intermarriage of Julia Ann Seale with William Henry Ireland, they became owners of the part of Lot 11 in 1876. The couple also owned Lot 10 to the east fronting Liverpool and Burwood Roads. They subdivided that allotment forming the easternmost end of the present Seale and Ireland Streets. Ireland's Hotel was relocated to a new building at the intersection of Liverpool and Burwood Roads with the old inn remaining on part of Lot 11.</p> <p>The Irelands subdivided their part of Lot 11 in 1913 and extended Seale Street through to the western boundary of the allotment. William Ireland gave one rood six perches of land on the north side of Seale Street to his son, Joseph Frank Ireland, a hotel manager. 11 Seale Street was built in 1913/1914, possibly designed by architect Frederick Nicholls who had designed at least two other buildings for the Ireland family.</p> <p>The house was completed in 1914 and was owned and occupied by Joseph Frank Ireland. He named the house 'Carinya'. Members of the family owned and occupied the house until the end of 1967, when Joseph Frank Ireland junior sold the property out of family ownership.</p>

Heritage Data Form

THEMES	
National historical theme	Settlement—Building settlements, towns and cities
State historical theme	Towns, suburbs and villages—Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages.

APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	The dwelling has historical significance at a local level as a residence dating from 1913–1914. The building represents the residential development of Burwood during the late Federation period. The area in the immediate vicinity of the 11 Seale Street was owned by the Seale and Ireland families who played a formative role in the development of the area from the mid-nineteenth century to the early twentieth century. The lot boundaries of the site have remained unaltered since the construction of the site and provide an understanding of the subdivision pattern prevalent in the area. The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.
Historical association significance SHR criteria (b)	The land on which 11 Seale Street is built was owned by William Henry Ireland who conveyed it to his son, Joseph Frank Ireland—it was Joseph who erected and resided in the dwelling. The Ireland family were a locally prominent family who owned land in the area and played a key role in Burwood's development in the early twentieth century. Members of the Ireland family have a long-standing connection to 11 Seale Street, having resided there until the 1960s. The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.
Aesthetic significance SHR criteria (c)	Carinya is a fine example of a Federation dwelling house with stylistic influences of the Federation Queen Anne and Federation Bungalow architectural style. The building is highly intact, demonstrating a high degree of integrity and quality of design. Its tuckpoint face brick walls, asymmetrical form with projecting bays, dominant roof, wraparound verandah and fenestrations remain as original elements. Internally, the original layout and features are highly intact including ceilings, flooring, fireplaces, doors and decorations. The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.
Social significance SHR criteria (d)	There is no evidence to suggest that the property holds any strong or significant associations with any local community or cultural groups. No. 11 Seale Street does not meet the threshold for significance at the local level.
Technical/Research significance SHR criteria (e)	The historical archaeological potential of the site has not been assessed, but should be gauged in order to determine if the site has research potential to contribute to a better understanding of the history of the area. The significance of the property has not been assessed under this criterion.
Rarity SHR criteria (f)	Carinya is a good example of the Federation style which once dominated the Burwood area. The house remains highly intact with limited modification and a large number of original features. Its original large lot, setting and curtilage is still intact. There are few remaining houses of this integrity in the Burwood area. The property at 11 Seale Street has cultural significance at a local level under this criterion at a local level.
Representativeness SHR criteria (g)	Carinya is an intact example of the Federation Queen Anne and Federation Bungalow style translated into a more modest dwelling and displaying a high degree of integrity. The building has many of the principal characteristics of the style and is valuable as a representative example of a its type. The dwelling is considered significant at a local level under this criterion
Integrity	Carinya retains a high level of integrity. Many elements of the Federation Queen Anne and Federation Bungalow style are evidenced, having an asymmetrical design with prominent street facing gables, projecting bays, dominant roof and verandah. Its internal layout, features and decorations are largely intact. Its large lot has remained unaltered, thus, its original curtilage has not been impacted.

Heritage Data Form

HERITAGE LISTINGS				
Heritage listing/s	None			
INFORMATION SOURCES				
Include conservation and/or management plans and other heritage studies.				
Type	Author/Client	Title	Year	Repository
Journal	Lieutenant William Bradley	Voyage to New South Wales, December 1786-May 1792	1802	State Library of NSW
Book	M A Harris	<i>Where to Live : ABC Guide to Sydney and Suburbs, Giving Particulars of about 100 Districts in and around Sydney with Numerous Illustrations.</i>	1917	State Library of NSW
Advertising	<i>The Sydney Herald</i>	Advertising	1840	Trove Digital Library
Book	Municipality of Burwood	Triennial Valuation Book	1913-1914	Burwood Council
Advertising	<i>The Sydney Gazette and New South Wales Advertiser</i>	Classic Advertising	1834	Trove Digital Library
RECOMMENDATIONS				
Recommendations	The dwelling should be included as a heritage item of local significance on Schedule 5 of the <i>Burwood Local Environmental Plan 2012</i> .			
SOURCE OF THIS INFORMATION				
Name of study or report	11 Seale Street, Burwood Heritage Assessment		Year of study or report	2021
Item number in study or report	—			
Author of study or report	GML Heritage Pty Ltd			
Inspected by	GML Heritage Pty Ltd			
NSW Heritage Manual guidelines used?			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
This form completed by	GML Heritage Pty Ltd		Date	10 October 2021

Heritage Data Form

IMAGES - 1 per page

Image caption	Primary elevation of 11 Seale Street				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	Primary elevation of 11 Seale Street, viewed from within the property.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



*Heritage Data Form***IMAGES - 1 per page**

Image caption	View of the primary and eastern façade of the dwelling.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	View of the rear elevation of the dwelling.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



*Heritage Data Form***IMAGES - 1 per page**

Image caption	The eastern façade of the dwelling showing the original brick chimney				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	The original timber and glass panelled door with leadlight.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	The projecting bay along the features an ornate gable end and timber-framed double-hung casement windows with a slated awning.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	The central hallway.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	The timber fretwork arch along the central hallway.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	The decorative plaster ceiling along the central hallway.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page					
Image caption	The highly intact fireplace within the front bedroom to the east.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

Image caption	View of the lounge room east of the hallway.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

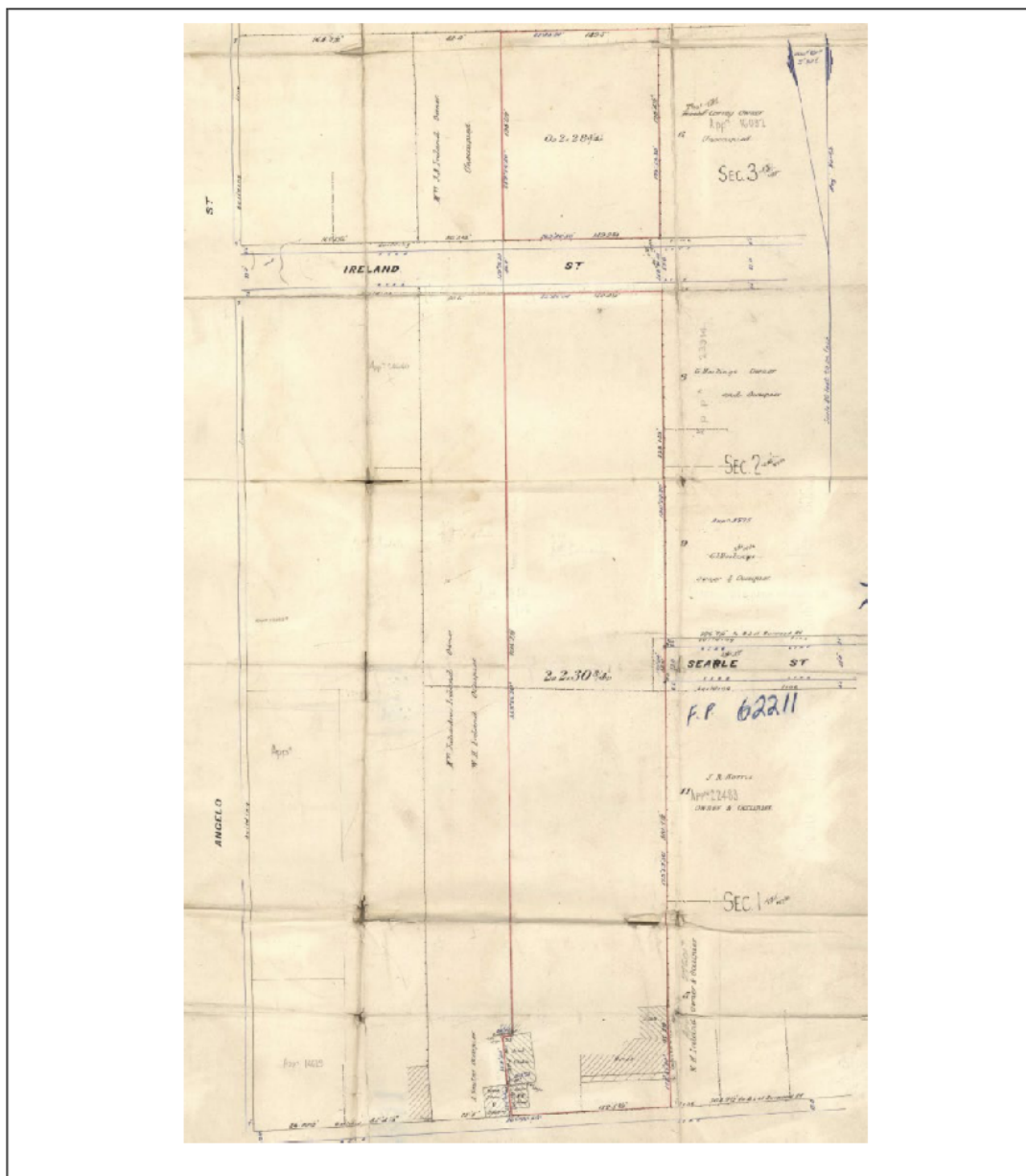
Image caption	The secondary entrance door located in the lounge room.				
Image year	2021	Image by	GML Heritage Pty Ltd	Image copyright holder	GML Heritage Pty Ltd



Heritage Data Form

IMAGES - 1 per page

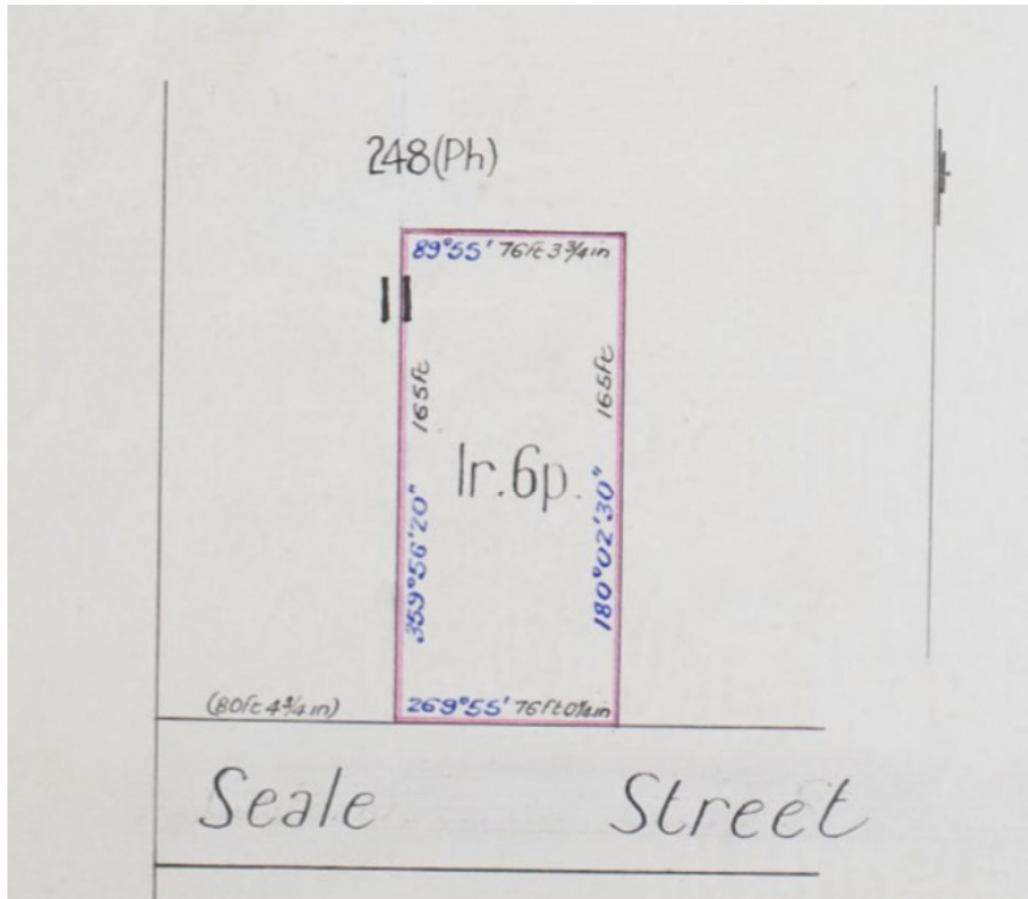
Image caption	Part of Lot 11 (partly comprising the site) outlined in red surveyed for Primary Application 12211, 1902.				
Image year	1902	Image by	NSW Land Registry Services	Image copyright holder	NSW Land Registry Services



Heritage Data Form

IMAGES - 1 per page

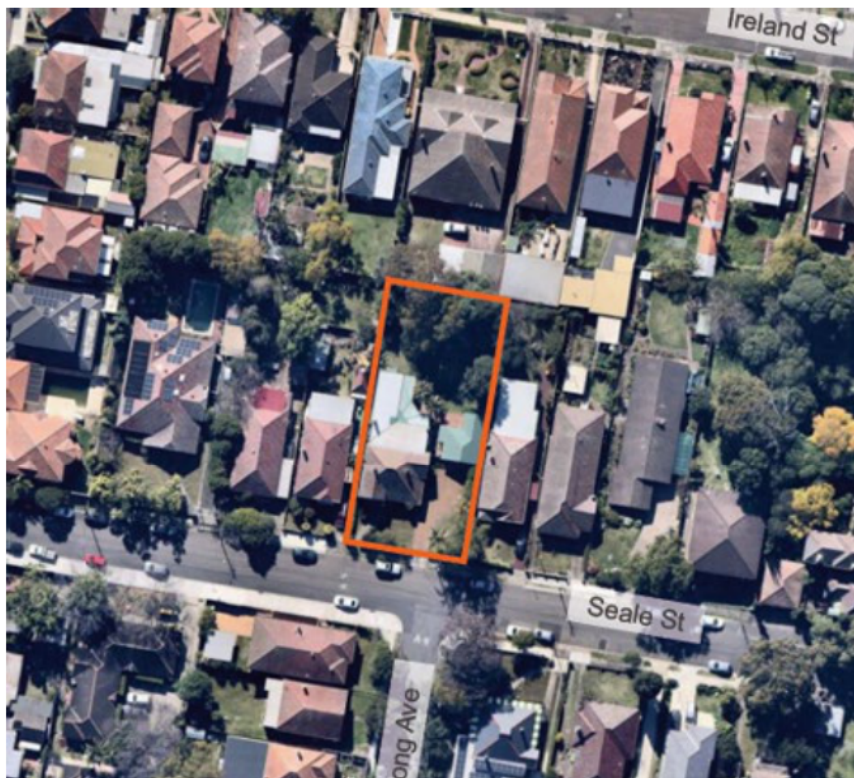
Image caption	Block plan of land conveyed to Joseph Frank Ireland, August 1913				
Image year	1913	Image by	NSW Land Registry Services	Image copyright holder	NSW Land Registry Services



Heritage Data Form

IMAGES - 1 per page

Image caption	A modern aerial image of Carinya, showing its current boundaries.				
Image year	2021	Image by	Nearmap	Image copyright holder	Nearmap



Heritage Data Form

IMAGES - 1 per page

Image caption	Historical aerial image of 'Carinya', showing its original boundaries.				
Image year	1943	Image by	Spatial Services, NSW Department of Finance and Services	Image copyright holder	Spatial Services, NSW Department of Finance and Services



Appendix C—Interim Heritage Order

HERITAGE ACT 1977

INTERIM HERITAGE ORDER NO. 3

11 Seale Street, Burwood

Under Section 25 of the *Heritage Act* 1977 Burwood Council does by this order:

- I. make an interim heritage order to cover the item of the environmental heritage specified or described in Schedule 'A'; and
- II. declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date either:

- 1) in the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
- 2) in the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Sydney, this 30th day of June 2021



Tommaso Briscese
General Manager
Burwood Council

SCHEDULE 'A'

The property known as 11 Seale Street, Burwood on the land described in Schedule 'B'.

SCHEDULE 'B'

All those pieces or parcels of land known as Lot 1 of DP 942801 in Parish of Concord, County of Cumberland.



Planning Proposal

Heritage Listing of 11 Seale Street Burwood

February 2022

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

Part 1 – Objectives and Intended Outcomes

The Planning Proposal seeks to facilitate the heritage listing of the property at 11 Seale Street Burwood under Schedule 5 of the Burwood Local Environmental Plan (BLEP) 2012.

Part 2 – Explanation of Provisions

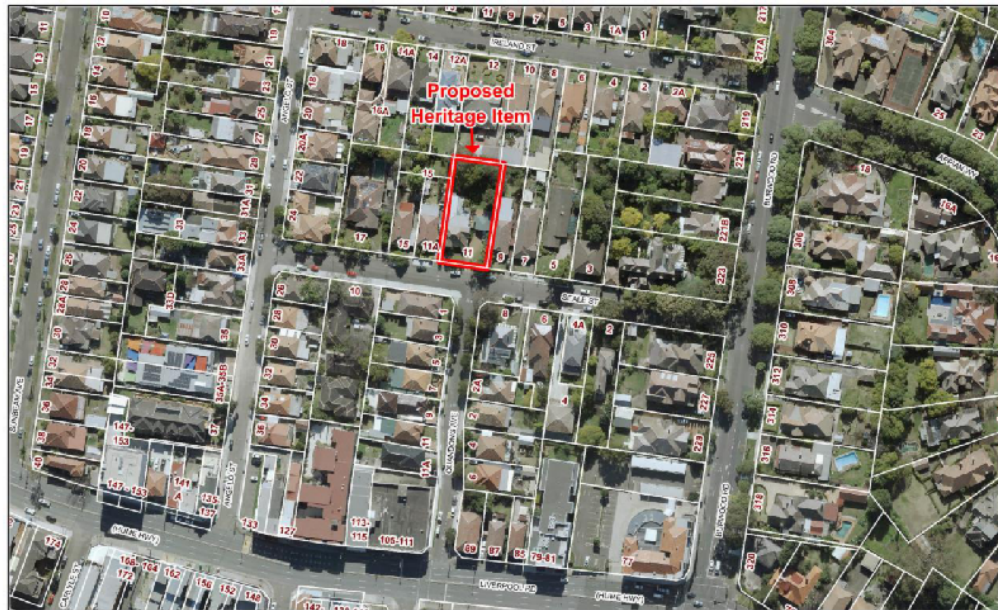
The property at 11 Seale Street Burwood would be listed in Schedule 5 of the BLEP 2012. In doing so, the Heritage Conservation provisions under clause 5.10 of the BLEP would apply to the property.

The Heritage Map of the BLEP 2012 would be amended to include the property at 11 Seale Street Burwood.

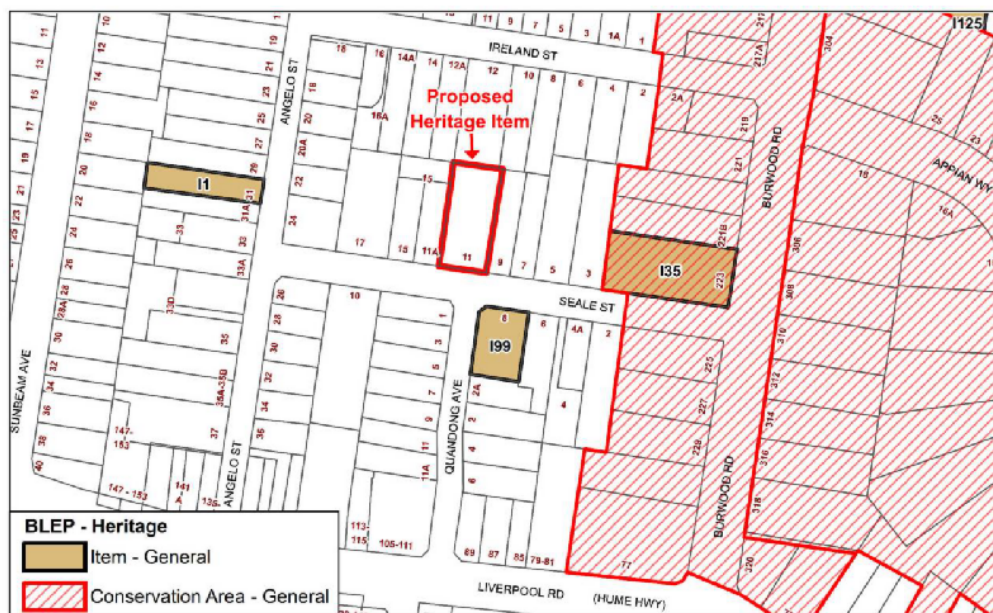
The heritage listing would apply to the whole of the property, as is the usual case for listings under Schedule 5 and the Heritage Map. Refer to Appendix One for particulars of the proposed Schedule 5 entry.

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Planning Proposal - Heritage Listing of 11 Seale Street Burwood - 22 February 2022 - For BLPP and Council Meetings



Aerial Photograph of 11 Seale Street Burwood.
Subject site is shown outlined in red.



Existing BLEP Heritage Map of 11 Seale Street Burwood.
Subject site is shown outlined in red.



Photograph of 11 Seale Street Burwood.

Source: realestate.com.au

Part 3 – Justification of strategic and site-specific merit

Section A – Need for the planning proposal

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

Yes. In July 2021, Council engaged a heritage consultant, GML Heritage, to undertake a heritage assessment (Attached in Supporting Documentation). The investigation found that the property demonstrates heritage significance at the local level and met the threshold of local significance for criteria (a), (b), (c) and (f) and (g) of the standard assessment criteria. The heritage consultant also prepared a heritage inventory sheet for the property.

The findings of the heritage investigation were reported to Council at its meeting on 26 October 2021, whereupon Council resolved as follows:

1. That Council endorse the heritage listing of the property at 11 Seale Street Burwood.
2. That the General Manager proceed with the preparation of a Planning Proposal for the property.

3. *That the Planning Proposal, when prepared, be submitted to the Burwood Local Planning Panel (BLPP) for their consideration.*
4. *That the results of the BLPP's consideration be reported back to Council before being referred to NSW Government for Gateway determination.*

On [Insert date], the Burwood Local Planning Panel (BLPP) considered a report on the proposed heritage listing of 11 Seale Street Burwood and draft Planning Proposal. The BLPP resolved:

[Insert BLPP resolution]

On [Insert date], Council considered a report on the BLPP's recommendations. The Council resolved:

[Insert Council resolution]

This Planning Proposal seeks to implement the Council resolution.

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

Yes. The Planning Proposal is the best means of achieving conservation of the subject property through a heritage listing in the BLEP. A Planning Proposal is the established procedure for implementing heritage listings and there is no other recognised method with the same statutory weight.

Section B – Relationship to the strategic planning framework

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

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

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

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

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

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

By identifying a property of local heritage significance, this Planning Proposal supports Objective 13 of the Region Plan, and Planning Priority E6 of the District Plan.

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

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

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

By identifying a property of local heritage significance, this Planning Proposal is in keeping with the vision and objectives of the LSPS.

Also, the Burwood 2030 Community Strategic Plan recognises the challenge of balancing growth with maintaining lifestyles, preserving heritage and protecting the environment, while ensuring progress and innovation.

In developing the Community Strategic Plan, the Burwood community identified the importance of preserving heritage as a means of establishing a 'Sense of Community'. The Plan describes a Sense of Community as '*people being proud of where they live, feeling safe and engaged in the community and having access to facilities and services that ensure they can lead a healthy and satisfying lifestyle*'.

Strategic Goal 1.5.4 of the Community Strategic Plan is to '*identify ways to promote heritage and encourage the preservation of Burwood's historic buildings*'. This Planning Proposal is in keeping with this Strategic Goal.

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

None are applicable.

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

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

All SEPPs applicable to the Burwood local government area are set out in the table below, together with a comment regarding the Planning Proposal's consistency:

SEPP	Comment
Housing (2021)	Not relevant. The subject property is not known to contain affordable housing. The heritage listing of properties may alter whether development under the former ARH SEPP may be carried out on that site, but this Planning Proposal would not contravene the SEPP in any way.
Design and Place (2021)	Not relevant. Applicable to development of three storeys or more. While the subject building is only one storeys at present, the property is zoned R2 – Low Density Residential with a height limit of 8.5 metres, which would only allow for two storey development.
Environment	Not relevant.
Planning Systems (2021)	Not relevant.
Biodiversity and Conservation (2021)	Not relevant. This SEPP contains provisions in respect to heritage trees. The heritage listing of properties may alter whether development under the SEPP may be carried out on that site, but this Planning Proposal would not contravene the SEPP in any way.
Resilience and Hazards (2021)	Not relevant. There is no indication that previous uses at the subject sites would trigger site remediation requirements. The subject properties are not located within the coastal areas identified by this SEPP.
Transport and Infrastructure (2021)	Not relevant.
Industry and Employment (2021)	Not relevant.
Resources and Energy (2021)	Not relevant.
Primary Production (2021)	Not relevant.
Precincts – Eastern Harbour City (2021)	Not relevant.
Precincts – Central River City (2021)	Not relevant.
Precincts – Western Harbour City (2021)	Not relevant.
Precincts – Regional	Not relevant.
Exempt and Complying Development Codes (2008)	Not relevant. The heritage listing of properties may alter whether development under the Codes SEPP may be carried out on that site, but this Planning Proposal would not contravene the SEPP in any way.

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

Yes. Consistency with the list of Directions (under section 9.1 of the Environmental Planning and Assessment Act 1979 issued by the Minister for Planning) is set out in the following table.

Direction	Comment
Focus area 1: Planning Systems	
1.1	Implementation of the Minister's Planning principles
1.2	Implementation of Regional Plans
1.3	Development of Aboriginal Land Council land
1.4	Approval and Referral Requirements
1.5	Site Specific Provisions
Focus area 1: Planning Systems – Place based	
1.6	Parramatta Road Corridor Urban Transformation Strategy
1.7	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan
1.8	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan
1.9	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan
1.10	Implementation of Glenfield to Macarthur Urban Renewal Corridor
1.11	Implementation of the Western Sydney Aerotropolis Plan
1.12	Implementation of Bayside West Precincts 2036 Plan
1.13	Implementation of Planning Principles for the Cooks Cove Precinct
1.14	Implementation of St Leonards and Crows Nest 2036 Plan
1.15	Implementation of Greater Macarthur 2040
1.16	Implementation of the Pyrmont Peninsula Place Strategy
1.17	North West Rail Link Corridor Strategy
Focus area 2: Design and Place	
Focus area 3: Biodiversity and Conservation	
3.1	Conservation zones
3.2	Heritage Conservation

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		Standard Instrument in satisfaction of the Direction.
3.3	Sydney Drinking Water Catchments	Not relevant.
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not relevant.
3.5	Recreation Vehicle Areas	Not relevant.
Focus area 4: Resilience and Hazards		
4.1	Flooding	Not relevant.
4.2	Coastal Management	Not relevant.
4.3	Planning for Bushfire Protection	Not relevant.
4.4	Remediation of Contaminated Land	Not relevant.
4.5	Acid Sulfate Soils	The property has been identified as Class 5 on the Acid Sulfate Soils Map, representing the lowest probability of containing Acid Sulfate Soils.
4.6	Mine Subsidence and Unstable Land	Not relevant.
Focus area 5: Transport and Infrastructure		
5.1	Integrating Land Use and Transport	The Planning Proposal does not alter the land zoning, and as such, would not affect travel demand or the availability of transport options.
5.2	Reserving Land for Public Purpose	Not relevant.
5.3	Development Near Regulated Airports and Defence Airfields	Not relevant.
5.4	Shooting Ranges	Not relevant.
Focus area 6: Housing		
6.1	Residential Zones	The property is zoned R2 – Low Density Residential. The Planning Proposal does not seek to amend the zoning or range of permissible uses on the site. The sensitive development of heritage properties is supported by Council's Development Control Plan (DCP).
6.2	Caravan Parks and Manufactured Home Estates	Not relevant.
Focus area 7: Industry and Employment		
7.1	Business and Industrial Zones	Not relevant.
7.2	Reduction in non-hosted short-term rental accommodation period	Not relevant.
7.3	Commercial and Retail development along the Pacific Highway, North Coast	Not relevant.
Focus area 8: Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	Not relevant.
Focus area 9: Primary Production		
9.1	Rural Zones	Not relevant.
9.2	Rural Lands	Not relevant.
9.3	Oyster Aquaculture	Not relevant.
9.4	Famland of State and Regional Significance on the NSW Far North Coast	Not relevant.

Section C – Environmental, Social and Economic Impact

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

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

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

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

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

The Planning Proposal is not expected to have any adverse social or economic effects. Council believes there to be social benefits, particularly to the local community, to be gained from the conservation of items and places of cultural heritage.

Section D – Infrastructure (Local, State and Commonwealth)

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

The Planning Proposal is not expected to generate demand for additional infrastructure or services.

Section E – State and Commonwealth Interests

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

Council proposes that Heritage NSW be consulted (following a positive Gateway Determination) as the Planning Proposal relates to heritage matters.

The Gateway Determination will confirm and specify any consultation required with State and Commonwealth authorities on the Planning Proposal.

Part 4 – Maps

The Planning Proposal seeks to identify 11 Seale Street Burwood as a heritage item upon the Heritage Map.

A draft Heritage Map and Site Identification Map are contained at the end of this Planning Proposal.

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

Part 5 – Community Consultation

Burwood Council has consulted the property owner ahead of preparing this Planning Proposal. The property owner has been invited to each Council Meeting and BLPP Meeting where this matter was considered. The property owner and their representatives have also had phone conversations with Council's Heritage Advisor. Council will continue to consult the property owner in respect to this Planning Proposal.

In view of the minor nature of the Planning Proposal and its application to a single property, the Planning Proposal is considered to be of low-impact. As such, Council proposes that the Planning Proposal be placed on public exhibition for a period of 14 days.

The Gateway Determination will confirm and specify the community consultation that must be undertaken on the Planning Proposal.

Part 6 – Project Timeline

Burwood Local Planning Panel Meeting for advice	March 2022
Consideration by Council	March 2022
Anticipated date of Gateway Determination	April 2022
Anticipated timeframe for the completion of required technical information (pre-exhibition)	May 2022
Timeframe for government agency consultation	June 2022
Commencement and completion dates for the public exhibition period	June 2022
Dates for public hearing	Not applicable
Timeframe for consideration of submissions	August 2022
Timeframe for the consideration of a proposal post exhibition	September 2022
Submission to the Department for finalisation	September 2022
Anticipated date RPA will make the plan (if delegated)	November 2022
Anticipated date RPA will forward to the department for notification (if delegated)	December 2022
Gazettal of LEP amendment	January 2023

Appendix One

- Proposed Amendment to Schedule 5

Appendix Two

- Delegation Checklist

Supporting Documentation

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

Links to Supporting Material

- Mayoral Minute to the Council meeting of 29 June 2021 is available at the link below. Please select 29 June 2020 Ordinary Council Meeting, then Item MM13/21 in Minutes.
<https://www.burwood.nsw.gov.au/Our-Council/Council-and-Committee-Meetings/Minutes-and-Agendas>
- Report to the Council meeting of 26 October 2021 is available at the link below. Please select 26 October 2021 Ordinary Council Meeting, then Item 73/21 in Agenda.
<https://www.burwood.nsw.gov.au/Our-Council/Council-and-Committee-Meetings/Minutes-and-Agendas>
- BLPP report of [Insert date] is available at the link below on Council's website. Please select [Insert Date of meeting], then Item [Insert].
[Insert link]
- Council report of [Insert date] is available at the link below on Council's website. Please select [Insert Date of meeting], then Item [Insert].
[Insert link]

Appendix One

Proposed Amendment to Schedule 5

The proposed heritage item would be inserted into Schedule 5 of the BLEP 2012 (in alphabetical order by suburb and address).

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

Suburb	Item name	Address	Property description	Significance	Item no
Burwood	Carinya	11 Seale Street	Lot 1, DP 942801	Local	i225

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

Appendix Two

Delegation Checklist and Evaluation Criteria

Checklist for the review of a request for delegation of plan making functions to councils
Local Government Area:
Burwood.
Name of draft LEP:
Heritage listing of 11 Seale Street Burwood.
Address of Land (if applicable):
11 Seale Street Burwood.
Intent of draft LEP:
The heritage listing of the subject property.
Additional Supporting Points/Information:
Please refer to the PP.

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

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

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Planning Proposal - Heritage Listing of 11 Seale Street Burwood - 22 February 2022 - For BLPP and Council Meetings

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

Supporting Documentation

Heritage assessments and other supporting documents are provided
under separate cover

Enclosure No.	Description
1	Heritage Assessment of 11 Seale Street Burwood, undertaken by GML Heritage Pty Ltd in October 2021.

Mapping