

Australian Capital Territory

Heritage (Decision about Provisional Registration of the Burton House Site, Gungahlin) Notice 2014

Notifiable Instrument NI2014–225

made under the

Heritage Act 2004, s34 Notice of decision about provisional registration

1 Name of instrument

This instrument is the *Heritage (Decision about Provisional Registration of the Burton House Site, Gungahlin) Notice 2014*.

2 Commencement

This instrument commences on the day after notification.

3 Notice of Decision

Pursuant to Section 32 of the *Heritage Act 2004* the ACT Heritage Council has decided not to provisionally register the Burton House Site, Gungahlin to the ACT Heritage Register.

Anna Gurnhill
A/g Secretary (as delegate for)
ACT Heritage Council
22 May 2014



ACT Heritage Council

STATEMENT OF REASONS

DECISION NOT TO PROVISIONALLY REGISTER BURTON HOUSE SITE (Rural Block 792 GUNGAHLIN) IN THE ACT HERITAGE REGISTER

This Statement of Reasons provides an assessment of the Burton House Site (the Site), district of Gungahlin, and finds that the place does not meet any of the criteria of the *Heritage Act 2004*.

Background

The Site was built by James Burton after he purchased Land Portion 66 in the Parish of Canberra County of Murray in 1869. He moved out of the house sometime before 1887 and there is no mention of it being reoccupied after this date and it is assumed that the building was partially demolished for materials and the rest allowed to fall into decay.

The Site currently exists as stone footings standing just proud of the ground amid mounds of stone rubble. There are five deciduous trees to the southeast of the site which are the remnants of an orchard. Further to the southeast is an area of parallel earth features, identified as ridge and furrow ploughlands, which also has evidence of later cultivation with cross-ploughing over the earlier features, and to the northwest of the house ruin are several quarry pits.

The place came to the notice of the ACT Heritage Unit in 2002 when it was identified by Dr Michael Pearson's *Gungahlin Pastoral Places Comparative Analysis* in which its potential heritage values were noted and further research recommended.

The Site was identified within the indicative release program for the new suburb of Kenny by Navin Officer Heritage Consultants in 2010 with a follow up by Biosis in 2011, both of which also noted the potential for heritage values for the place. Following these reports the place was nominated in February 2013 to the ACT Heritage Register (the Register) by the City Planning section of the Environment and Sustainable Development Directorate of the ACT Government.

The Site was subject to an inspection by the ACT Heritage Unit on 6 March 2014.

The ACT Heritage Council (the Council) discussed the nomination of the Site at its meeting of 22 May 2014.

Assessment

The Council's assessment against the criteria specified in s.10 of the *Heritage Act 2004* is as follows.

In assessing the nomination for the Site, the Council considered:

- the original nomination and documentary evidence supplied by the nominator;

- information provided by a site inspection in March 2014 by the ACT Heritage Unit;
- the report by the ACT Heritage Unit titled, *Background Information Burton House Site*, May 2014, containing photographs and information on history, description, condition and integrity; and
- experience and knowledge gained by the Council through the listing of seven existing sites within the ACT (Crinigans Hut, Horse Park, Gungaderra Homestead, Elm Grove, the Valley Ruins, Gungaderra Homestead, and Woden Homestead), in various ways comparable to the Site.

Pursuant to s.10 of the *Heritage Act 2004*, a place or object has heritage significance if it satisfies one or more of the following criteria. The following assessment by the Council has been informed by research including that found in the references noted in the document *Background Information Burton House Site*, May 2014. Future research may alter the findings of this assessment.

Criterion (a) *it demonstrates a high degree of technical or creative achievement (or both), by showing qualities of innovation, discovery, invention or an exceptionally fine level of application of existing techniques or approaches*

The Burton House Site, district of Gungahlin, does not meet this criterion.

What remains of the Site are stone footings which are a common feature of 19th century vernacular building. It has no physical evidence of any technical or creative achievement of a high degree.

Criterion (b) *it exhibits outstanding design or aesthetic qualities valued by the community or a cultural group*

The Burton House Site, district of Gungahlin, does not meet this criterion.

There is insufficient evidence before the Council to demonstrate that the Site exhibits outstanding design or aesthetic qualities that are valued by the community or a cultural group.

Criterion (c) *it is important as evidence of a distinctive way of life, taste, tradition, religion, land use, custom, process, design or function that is no longer practiced, is in danger of being lost or is of exceptional interest*

The Burton House Site, district of Gungahlin, does not meet this criterion.

While the history of the place is of interest, there is insufficient remaining intact physical material for it to be considered important as evidence of a distinctive way of life, taste, tradition, religion, land use, custom, process, design or function that is no longer practiced, is in danger of being lost or is of exceptional interest.

The historical evidence indicates the Site was part of a small land holding of 100 acres owned by James Burton, a free settler, who lived at this location for a comparatively short period of time, a

maximum of 18 years. Burton acquired the property through the Robertson Land Acts and later abandoned the holding after he encountered personal hardships, including the breakdown of his marriage. The stone rectangular structure is of low physical integrity. The dwelling was built in vernacular style in one or two phases of construction. The removal of physical fabric is consistent with the practice of abandonment; in such cases, such buildings were 'left to decay' and often were dismantled and the materials reused. Comparative analysis with other pastoral properties, such as Horse Park, Gungaharra Homestead and Elm Grove, indicates that settlers, who were able to prosper, maintained their properties long term and often demolished or renovated their original dwelling over time. While the place may be associated with the Robertson Land Acts and the effect they had on individual, small scale settlers, it has not been demonstrated that the place is important as evidence.

Criterion (d) *it is highly valued by the community or a cultural group for reasons of strong or special religious, spiritual, cultural, educational or social associations*

The Burton House Site, district of Gungahlin, does not meet this criterion.

There is insufficient evidence before the Council to demonstrate that the Site is highly valued by the community or a cultural group for reasons of strong or special religious, spiritual, cultural, education or social associations.

Criterion (e) *it is significant to the ACT because of its importance as part of local Aboriginal tradition*

This criterion does not apply to the Burton House Site.

Criterion (f) *it is a rare or unique example of its kind, or is rare or unique in its comparative intactness*

The Burton House Site, district of Gungahlin, does not meet this criterion.

The Site includes the ruins of a small rural stone dwelling dating to the 19th century and the introduction of the Robertson Land Acts. The cottage measuring 12m x 4m was built in two stages out of local materials by James Burton, who purchased Portion 66 in 1869.

During the 19th century, building construction in the region was largely vernacular in style with slab construction the most dominant method, but also including stone, pisé, wattle-and-daub, brick and several other variations. Burton was known to be a stonemason who was employed to build several stone structures in the region. Based on the stone footing and the stone rubble surrounding the site, it is assumed that the Site was originally a stone building which, based on the lack of dressed or worked stone and examples of his other work, was constructed in a roughly coursed random rubble. Today, only the stone rubble foundations are observable in-situ and are surrounded by large amounts of stone rubble.

The most directly comparable example to compare the Site with is Crinigan's Hut in Amaroo. They are both small rural stone cottages of three rooms and both were likely to have been extended from an original two room building. Both places were occupied for a relatively short period in the mid-

to late-19th century and today are ruins. There are numerous undocumented examples of similar small 19th century rural ruins or standing structures scattered throughout the still rural areas of the ACT and surrounding region making a full comparative analysis difficult. However, there are several examples of pre-Federal Capital rural buildings such as the Valley Ruins in Gungahlin, Gungaderra Homestead in Harrison, Woden Homestead in Hume, Blundell's Cottage in Parkes, and several others.

Due to the number of comparable places, combined with its poor level of intactness, the Council does not consider the Site to be a rare or unique example of its kind.

Criterion (g) *it is a notable example of a kind of place or object and demonstrates the main characteristics of that kind.*

The Burton House Site, district of Gungahlin, does not meet this criterion.

Whilst the Site is representative of a kind of place that demonstrates the way of life in the pre-Federal Capital period of the ACT, it has a low level of intactness and therefore, cannot be considered a notable example.

Criterion (h) *it has strong or special associations with a person, group, event, development or cultural phase in local or national history*

The Burton House Site, district of Gungahlin, does not meet this criterion.

The Site has associations with pre-Federal Capital settlement, in particular the related changes in NSW land regulations from the 1860s however, this association is not considered to be special nor strong, given the low integrity of the place and given the number of other places in the ACT that are associated with this phase.

Criterion (i) *it is significant for understanding the evolution of natural landscapes, including significant geological features, landforms, biota or natural processes*

This criterion does not apply to the Burton House Site.

Criterion (j) *it has provided, or is likely to provide, information that will contribute significantly to a wider understanding of the natural or cultural history of the ACT because of its use or potential use as a research site or object, teaching site or object, type locality or benchmark site*

The Burton House Site, district of Gungahlin, does not meet this criterion.

Research of the Site will add to the understanding of the broader settlement of the pre-Federal Capital period of the ACT and in particular, the related changes in NSW land regulations from the 1860s, and later Commonwealth regulations. However, the information that it may provide is not likely to be of a significant nature that; would fill thematic gaps, provide new information rather than replicate or confirm previous results, or be available from other sources.

Previous archaeological investigations have identified that this place demonstrates potential as a research site. Pearson (2002:19) wrote that it is ‘significant on the basis of archaeological and foun[d]ation remains’, while in 2010 Navin Officer Heritage Consultants noted that the place has ‘relatively undisturbed archaeological deposits in and around the ruins’. In 2011 Biosis hypothesized that the deposits would comprise remains that would represent the ‘domestic context of early settler life’, including crockery, buttons, jar and bottles. However, none of these were able to demonstrate a clear potential for the place to contain evidence that is significant to the wider understanding of the cultural history of the ACT – currently, it is a ruin that dates from the mid- to late- 19th century that appears to be undisturbed. There has been no demonstration of its ability to provide information that would be different to what is already known about 19th century rural life or vernacular stone building. Whilst there is a possible research topic involving the life-cycle of places acquired under the Robertson Land Acts, it is unlikely that the Site will be able to inform the end of that lifecycle as the Site was abandoned due to Burton’s personal problems rather than problems inherent in the Act and he was also employed as a stonemason, rather than trying to earn an income mainly from the land.

Whilst the Site has not demonstrated an ability to provide information that will contribute significantly to a wider understanding of cultural history in the ACT, this does not mean that the information is not there or that the information will not be of a nature that contributes to archaeological knowledge in general.

Criterion (k) for a place—it exhibits unusual richness, diversity or significant transitions of flora, fauna or natural landscapes and their elements

This criterion does not apply to the Burton House Site.

Criterion (l) for a place—it is a significant ecological community, habitat or locality for any of the following:

- (i) the life cycle of native species;***
- (ii) rare, threatened or uncommon species;***
- (iii) species at the limits of their natural range;***
- (iv) distinct occurrences of species***

This criterion does not apply to the Burton House Site.

Conclusion

The Burton House Site is an interesting feature of pre-Federal Capital settlement in the ACT, but has not been shown to have the necessary evidence required to meet the high thresholds for inclusion on the ACT Heritage Register. The ruined state of the building significantly diminishes its ability to be important as evidence and obscures any features or artefacts could have been used to argue for its heritage values. While it has some potential to add to existing historical and archaeological knowledge of the area, it has not been shown to an extent acceptable as evidence under the Act to be able to contribute any new information that would extend, fill any gaps, or change our knowledge of the cultural history of the ACT. No evidence has been demonstrated that it could contribute to the cultural history of the ACT any more than other 19th century rural houses in the region.

Whilst the Council finds that the Site does not meet any of the criteria of the *Heritage Act 2004* this does not mean that the place has no heritage values at all: they are just not demonstrated to be of a high enough level based on the current research. Future studies, which are encouraged, such as archaeological excavation and analysis, may find new evidence that is not currently accessible. Future archaeological investigations could examine the architecture of the building in association with the spatial distribution of artefacts within and around the building in order to investigate how early settlers inhabited this dwelling. In addition, further historical research could be undertaken examining the early life of James Burton and the origin of his family.

Additionally, while not a part of the formally nominated area there is some evidence of ploughlands to the southeast of the Site. These have been heavily disturbed which significantly diminishes their ability to be important as evidence for the process of ridge and furrow cultivation from the 19th century. A large portion of the paddock that contains the ploughlands is highly degraded, many of the existing furrows are faint, and the remaining eight furrows that are clearly visible have been cross-ploughed. The condition of the ploughland area is similar to the Well Station Ploughlands assessed by the Council in 2011 which found that the place was too heavily disturbed to be included on the Register.

This Statement of Reasons provides an assessment of the Burton House Site, district of Gungahlin, and finds that the place does not meet any of the criteria of the *Heritage Act 2004*.