

## SOUTH AUSTRALIAN HERITAGE COUNCIL

### MINUTES

The 99<sup>th</sup> Meeting of the South Australian Heritage Council (the Council) was held on Thursday 1 August 2019 at Cummins House, 23 Sheoak Avenue, Novar Gardens.

#### Statement of Acknowledgement

*We acknowledge this land that we meet on today is the traditional lands for Kurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.*

### PRESENT

**South Australian Heritage Council:** Chair: Mr Keith Conlon OAM Members: Ms Kate McDougall, Mr Michael Constantine, Ms Robyn Taylor, Mr Jason Schulz, Emeritus Professor Alison Mackinnon AM, Mr Marcus Rolfe, Mr David Stevenson and Ms Jan Ferguson OAM.

Apologies: Nil.

**Secretariat:** Mr David Hanna, Executive Officer, Heritage South Australia, Department for Environment and Water (DEW) and Mrs Anna Pope, A/Manager Heritage South Australia, DEW.

### 1. WELCOME AND APOLOGIES

Following the acknowledgement of Aboriginal people as the traditional custodians of the Adelaide region, Mr Conlon noted that an important ceremony at Kingston Park will be held today to repatriate the remains of Kurna people.

Mr Conlon welcomed all to historic Cummins House for the meeting today. It was noted this house was the home of generations of the Morphett family. Sir John Morphett arrived in the *Cygnets* ship in August 1836 with George Kingston. Cummins House was built for John and Elizabeth Morphett in 1842. Cummins House is owned by Government and is being managed by Heritage South Australia with the vital help of the Cummins Society.

It was noted there were no apologies.

### 2. ADOPTION OF AGENDA AND DECLARATION OF CONFLICTS OF INTEREST

Mr Conlon added the following to 'any other business':

- VERNADOC drawings of Queen's Theatre – presented by students of the University of South Australia.

Mr Schulz declared a conflict of interest in relation to Item 6.1 Loveday Internment Camp and Item 7.1 Ferrari House. It was noted Mr Schulz would depart the room for discussion and decision making in relation to these two items.

Ms Taylor noted that she did not believe she had a conflict of interest in relation to Item 7.3 Cummins House, but noted for the purpose of the minutes that she had been involved in a conservation management plan for Cummins House approximately twenty years ago.

### **3 PREVIOUS MEETING MINUTES**

Council considered the draft minutes of the 11 July 2019 meeting of Council and approved them subject to the following amendments:

- Page 3 - the word 'prospective' is spelt incorrectly.
- Page 5 – it was agreed that the following text regarding the alignment of the archaeological guidelines with the Act ought to be added to the list of dot points in Item 6.3: 'The Guideline must align with the processes, triggers, thresholds and obligations of the *Heritage Places Act 1993* and any other relevant legislation.'

### **4. ACTION ITEMS**

The progress against the action items was noted.

Mrs Pope provided a brief update on State Heritage properties managed by the Department for Environment and Water. It was noted that the department is responsible for approximately 200 State Heritage Places. Heritage South Australia is fully responsible for 13 of these properties. Heritage South Australia is in the process of appointing two part-time project managers to manage these 13 places.

It was noted the Council has a role to provide advice to the Minister in relation to the management of State Heritage Places.

Action: Council requested Heritage South Australia for a briefing in relation to Government owned State Heritage Places and Council's role in relation to providing advice to the Minister on these.

### **5. IN CAMERA DISCUSSION**

The Council deemed an in camera discussion was not required.

### **6 FOR DECISION / DISCUSSION**

#### **6.1 Loveday Internment Camp**

It was noted that Mr Schulz departed the room given his conflict of interest with this matter.

Dr Louise Bird was welcomed to the meeting.

By way of introduction, it was noted that the Loveday Internment Camp is the only purpose-built World War Two detention facility constructed in South Australia and was used to intern both prisoners of war and civilians from enemy countries including Germany, Italy and Japan from 1941 until 1946. From 1943, a number of prisoners of war and then later civilian detainees were employed as farm labourers.

Dr Bird noted that on 19 April 2018, the Council considered the nomination of the Detention Cell Block, Western End of Camp 14, Loveday Internment Camp Complex for listing as a State Heritage Place on the South Australian Heritage Register.

Heritage South Australia has now undertaken a desktop study of the remaining elements of the Loveday Internment Camp Complex and recommendations have been provided to Council about elements that may be eligible for heritage listing. Dr Bird discussed the analysis of these remaining elements of the Loveday Internment Camp.

Council discussed and agreed that it would not recommend this site for State Heritage Area listing, instead it requested Heritage South Australia prepare individual assessment reports for the five remaining structures from the Loveday Internment Camp Complex, namely:

- eastern detention cell block, Camp 14;
- detention cell block, Camp 10;
- the piggery;
- mortuary slab and table; and
- sullage treatment works south of the eastern guard camps, Camp 14.

The last remaining fabric will be considered for listing. It was noted that the detainees managed the piggery and grew crops. It was also suggested that the site might be important to the Australian Army workers who worked there.

Council indicated it is in favour of gaining the support of owners to enable site visits to occur. Council requested Heritage South Australia work towards gaining the trust of owners and develop a positive relationship with them.

Noted that the Chairperson of the Heritage Council or possibly the former Mayor of Berri / Barmera Council could be involved in liaising with or visiting the owners if required.

Dr Bird was asked to consider how similar places were listed such as the Cowra prisoner of war site in New South Wales or overseas sites such as Auschwitz or Dachau as a way of determining the best way to present this information to Council.

There was also a brief discussion of objects that could possibly be associated with the Loveday site.

Action: Council requested Heritage South Australia investigate whether there are also associated objects of heritage significance at the Barmera Visitor Centre that ought to be considered for registration.

## RESOLUTIONS:

The South Australian Heritage Council:

- **Requested** that Heritage South Australia prepare individual Assessment Reports for the five remaining structures from the Loveday Internment Camp Complex including the eastern detention cell blocks, Camp 14; detention cell block, Camp 10; the piggery; mortuary slab and table; and, sullage treatment works south of the eastern guard camps, Camp 14.
- **Requested** that Heritage South Australia continues to attempt to arrange a site visit of the western cell block, Camp 14, to ascertain whether or not the place is likely to meet the criteria recommended by DASH Architects in the Assessment Report for listing as a State Heritage Place.

## ITEMS FOR PROVISIONAL ENTRY IN THE REGISTER

### 7.1 Ferrari House (former Eagle Star Insurance Building), 28 Grenfell Street, Adelaide

Dr Bird noted that the nomination suggests that Ferrari House (former Eagle Star Insurance building) meets criteria (a), (b), (d), (e) and (g) for listing as a State Heritage Place.

Dr Louise Bird undertook a site visit on 23 May 2019. During the site visit, it was possible to access all but the basement and top floor of the building. An Assessment Report has been prepared, recommending that Ferrari House (former Eagle Star Insurance building) meets criteria (d) and (e) of Section 16(1) of the *Heritage Places Act 1993*.

It was noted that the nominated building is a Post-war International Style commercial building commissioned by the Eagle Star Insurance Company for its South Australian head office. The building was designed by Melbourne firm Yuncken Freeman Architects Pty Ltd who took direct inspiration for the design of the building from Mies van der Rohe.

Dr Bird suggested it is an outstanding representative of the Post-war International Style, exhibiting an elegantly articulated curtain wall made from grey-tinted glazing and anodised aluminium spandrels and 'I' beam mullions. The building has received critical recognition by the South Australian Chapter of the Australian Institute of Architects and is included in its top 100 'Significant Twentieth Century Architecture Register'.

The assessment concludes that Ferrari House is an outstanding representative of the commercial skyscrapers that transformed Adelaide's skyline between 1955 and c1970.

Dr Bird discussed previous consideration of Ferrari House for State Heritage listing as outlined in the paper provided to Council members.

Dr Bird noted that Ferrari House (former Eagle Star Insurance building) has a number of different owners under a strata title. A letter informing them of the nomination for State heritage listing was sent to each of the owners. One owner is opposed to heritage listing as he believes it will restrict

his firm from realising the full economic benefit of the property. Most owners are not concerned about the possibility of it being State heritage listed.

Council discussed the nomination and assessment report. It was noted that the focus of its consideration is on the external elements of the building given that the internal elements have been largely altered over time. Council discussed the appearance and style of the building and compared it to other similarly styled buildings, particularly others with a curtain wall.

Dr Bird noted that pre our current heritage legislation a convention was developed with the State Heritage Branch to use the *South Australian Heritage Act 1978* to provide protection by interim listing the places until they were entered by the City of Adelaide on its local heritage list. The Eagle Star Insurance building, then known as Office – Eagle House was interim listed on 13 June 1991. As a result of this the owners of the Eagle Star Insurance building made a written objection to the interim listing of their property. These objections were listed in the agenda paper presented to the Council. Mr Conlon tested these objections that were presented through the Heritage South Australia paper. Council disagreed with all the objections listed.

Council agreed that the nominated building is rare and it is an outstanding example of the Post-war International Style.

Council agreed to provisionally enter this place under criteria (d) – ‘it is an outstanding representative of a particular class of places of cultural significance’ and (e) – ‘it demonstrates a high degree of creative, aesthetic or technical accomplishment or is an outstanding representative of particular construction techniques or design characteristics’ of Section 16 (1) of the Heritage Places Act 1993.

Council approved the Summary of State Heritage Place without amendment.

## RESOLUTIONS

The South Australian Heritage Council:

- **Provisionally entered** Ferrari House (Former Eagle Star Insurance Building), 28-30 Grenfell Street, Adelaide in the South Australian Heritage Register as a State Heritage Place, as it fulfils criteria (d) and (e) for State heritage listing under section 16(1) of the *Heritage Places Act 1993*.
- **Approved** the Summary of State Heritage Place for Ferrari House (Former Eagle Star Insurance Building).

### 7.2 Marion Cultural Centre, 287 Diagonal Road, Oaklands Park

Mr Jason Schulz returned to the meeting.

Dr Bird noted that the Marion Cultural Centre is a multi-purpose building constructed in a postmodern style that provides a public library, art gallery and shop, theatre, café and meeting rooms for the residents of the City of Marion. The building was commissioned by the City of

Marion in 1999 and was designed by Melbourne-based architectural firm ARM in association with Adelaide-based architectural firm Philips Pilkington.

During its discussion on 11 April 2019, the Council was uncertain about whether or not the Marion Cultural Centre met criterion (d), and in particular, whether a cultural centre would be considered to be a class of place of cultural significance in South Australia. The Council, on 11 April 2019, asked Heritage South Australia to provide additional information about cultural centres. This information was included in the Comparability / Rarity / Representation section of the Assessment Report.

The arguments presented under criterion (d) in the Assessment Report were redrafted for Council's consideration and incorporated the additional information requested about cultural centres.

While cultural centres are a newer class of place, the recommendation to Council was that they do have cultural significance to South Australia, and that the Marion Cultural Centre is an outstanding representative of the class of place.

It was noted that the City of Marion had been informed that the Council will be considering whether or not to provisionally list the Marion Cultural Centre at this meeting.

Dr Bird said that a cultural centre is a newer type of place in SA, and a range of cultural centres fulfil this function, with the Festival Theatre as the prime example of this.

Dr Bird suggested that the Marion Cultural Centre meets criteria (d) and (e) under section 16 (1) of the *Heritage Places Act 1993*.

The following matters were raised when discussed by Council:

- It was noted that Marion Council decided to build a complex separate to the local government civic function and only include cultural elements within the Cultural Centre.
- There are few community based cultural centres in South Australia.
- It was noted that 260,000 people visit the Marion Cultural Centre each year which speaks to it being successful.
- In relation to criterion (d), the Council discussed what elements point to its outstanding cultural significance.
- Council discussed the relatively young age of the nominated place and what bearing this has on its significance.
- Council concluded that it does not reach the threshold to be listed under criterion (d).
- Council discussed the architectural elements relating to criterion (e) and agreed it is an excellent example of post-modern architecture.
- Agreed that it is a striking example of a local community centre.
- It was noted there is no other building in South Australia with semiotic design.

- It was noted that Ashton, Raggatt, McDougall Architectural firm (ARM) was awarded the Australian Institute of Architects Gold Medal and ARM's work on the Marion Cultural Centre contributing to the firm receiving this medal.
- It was noted that it was very unusual for a local council to produce a building so architecturally striking that stands out from the norm.
- Council agreed that it meets criterion (e).

Council agreed to provisionally enter the Marion Cultural Centre under criterion (e) of section 16 (1) of the *Heritage Places Act 1993*.

Action: Council noted that the Summary of State Heritage Place document needed to be updated to reflect Council's decision to list only under criterion (e) and therefore it would be provided to Council members out of session for approval.

## RESOLUTIONS

The South Australian Heritage Council:

- **Provisionally entered** the Marion Cultural Centre, Warracowie Way, Oaklands Park in the South Australian Heritage Register as a State Heritage Place, as it fulfils criterion (e) for State heritage listing under section 16(1) of the *Heritage Places Act 1993*.
- **Requested** that the Summary of State Heritage Place for the Marion Cultural Centre, Warracowie Way Oaklands Park be amended and provided to Council out of session for approval.

### 7.3 Objects associated with Cummins House, 19-23 Sheoak Avenue, Novar Gardens

Dr Bird noted that, in January 2019, 13 State Heritage listed Places were transferred from the Department of Planning Transport and Infrastructure (DPTI) to the Department for Environment and Water (DEW) as a part of the machinery of government change. Cummins House is one of the 13 Places and contains a large collection of items related to the Morphett family who built and furnished Cummins House.

While Cummins House as a State Heritage Place is protected by the *Heritage Places Act 1993* the moveable cultural items located at the property are not. Consideration of the items for listing as State Heritage Objects has formed part of the ongoing management of the property by DEW.

A collection of furniture owned by the Morphett family and acquired by them to furnish Cummins House is presented to the Council for their consideration for listing as State Heritage Objects under section 14(2) of the Heritage Places Act 1993. A Summary of State Heritage Objects and an Assessment Report were provided to assist the Council in determining whether or not the collection of 21 items are State Heritage Objects intrinsically related to the heritage significance of Cummins House

It was noted that ownership of the items is varied and includes the State government, the Cummins Society and members of the public. Some items still belong to members of the Morphett family, who have loaned them to the Cummins Society to display in the house.

Due to the numbers and different types of objects, Heritage South Australia has decided to focus on identifying objects that are 'intrinsically related' to the heritage significance of Cummins House and have further categorised them into three groups, namely:

- Morphett Family Furniture Collection
- Morphett Family Memorabilia and Ephemera Collection
- Fittings and Fixtures

Council discussed the consequences of listing objects that are owned by various owners and requested Heritage South Australia seek legal advice in this regard. Council queried whether legal agreements need to be entered into as a result of listing objects that are moveable. In essence, the Council would like to know what is the consequence of listing objects for the owners and what compliance provisions are in place for the government?

Council acknowledged that there are significant numbers of objects associated with State places that are vulnerable.

Council is very interested to list the objects associated with Cummins House, but wants to ensure that it is done correctly and the obligations on all parties including owners is clear before the Council undertake such listings.

Council noted that there are objects associated with Ayers House and other government owned heritage places that may not be located at the place they are associated with. It was suggested that Heritage South Australia investigate the possibility of listing these objects as intrinsically associated with Ayers House, and seek advice with regards to listing objects that are not located with the place.

The following comments were made in relation to Objects:

- It was queried whether movement of an Object constitutes development under the Development Act?
- There is a half round table at Cummins House thought to be made from the timber of the Buffalo wreck.
- It was noted that the Marianne Fisher chair is not recorded on the inventory sheet. Suggested that a caveat be applied to the statement that it is 'thought to be' the chair brought out on the Buffalo.
- It was queried whether the curtains could be listed as objects or are they considered fixtures? Noted that curtains are difficult to manage as a heritage item as they will rot with time and the fabric will eventually have to be replaced.

- It was queried whether alteration to an object (such as upholstering a chair) is deemed as development?
- Some owners' rights are removed through listing and therefore Council were taking this process seriously.

Action: Heritage South Australia to seek legal advice to address queries raised above.

#### Statement of Heritage Place for Cummins House

Dr Bird noted there is currently no Statement of State Heritage Place associated with the listing of Cummins House and it would be appropriate for Council to consider endorsing one, given that it will soon be considering objects intrinsically associated with the place.

Council agreed to consider the provided Statement and the following comments were made:

- Change the words 'Most likely designed by Kingston' to 'thought to be designed by Kingston'
- It was noted that John Bannon has undertaken significant research on the area surrounding Cummins House and he could not clearly determine that Kingston designed Cummins House.
- Add the word 'Elizabeth' to 'John' to make "John and Elizabeth".
- Council discussed adding reference to the Australian Dictionary of Biography but agreed it was not required.

#### **RESOLUTION**

That the South Australian Heritage Council:

1. **Approved** the Statement of Heritage Significance for Cummins House, 18-23 Sheoak Avenue Novar Gardens 5040, subject to the amendments described above.
2. **Requested** Heritage South Australia to seek legal advice in relation to the management of objects as described above.

## **8 ITEMS FOR NOTING / DISCUSSION**

### **8.1 Status of Assessments Report**

Council noted the status of assessing 'Pewsey Vale' and Heritage South Australia's attempts to try to facilitate a discussion with owners.

#### **RESOLUTION**

The South Australian Heritage Council:

- **Noted** the status of assessments report.

### **8.2 Correspondence**

Council noted correspondence received from City of Onkaparinga re Willunga Planning Policy Review. There are a couple of workshops being held in August to gain feedback on planning considerations for Willunga. Ms Taylor indicated that she could attend a meeting.

Some feedback was provided by Ms Ferguson in relation to the roll out of planning reform in relation to the Beltana State Heritage Area, in particular how it relates to development applications.

Action: Council requested an update from Mr Michael Queale at its September 2019 meeting in relation to planning reform, in particular the following:

- Is there going to be an overlay for each State Heritage Area?
- Are there any risks relating to development of State Heritage Areas during the transition of legislation?
- How will compliance be applied in the new framework? Are State Heritage Areas at particular risk?

Action: Invite Mr Michael Lennon, SA Planning Commission to attend the December 2019 meeting of the Council.

## RESOLUTION

The South Australian Heritage Council:

- **Noted** the correspondence received.

### 8.3 Chairpersons Update

A written update was circulated for Council's members' information.

## RESOLUTION

The South Australian Heritage Council:

- **Noted** the update on the Chairperson's activities.

### 8.4 Delegations Report

Noted.

## RESOLUTION

The South Australian Heritage Council:

- **Noted** the delegations report.

### 8.5 Meeting Dates for 2020

The Council approved the following meeting dates for 2020:

- Thursday 13 February
- Thursday 9 April

- Thursday 11 June
- Thursday 13 August
- Thursday 22 October
- Thursday 10 December

In regards to location of meetings, the Council asked the Secretariat to explore holding one or two meetings in a State Heritage Place outside of Adelaide in 2020.

It was also suggested that the LGA House be used for some meetings in 2020.

## RESOLUTION

The South Australian Heritage Council:

- **Endorsed** meeting dates for 2020.

## 9 ANY OTHER BUSINESS

### VERNADOC drawings

Mr Conlon welcomed Dr Julie Nichols, Mr Darren Fong and Selina (student) from the University of South Australia to the meeting to showcase student drawings of the Former Queen's Theatre, a State Heritage Place.

Dr Nichols described VERNADOC method as a return to free hand drawing using pencils and T squares. The students do all the work on site, working from the outside in. It was noted it is not a measured drawing exercise. The intent is to catch the mood and feel of the place through the drawing. This gives a sense of context and environment, the materials, how it was used at a time.

Mr Conlon thanked the representatives of the University of South Australia School of Architecture for taking time to come and talk to the Council.

## CLOSE OF MEETING

Mr Conlon thanked the Council and staff for their contributions today.

Mr Conlon paid special thanks to the Cummins Society who were very generous with their hospitality and congratulated them on the wonderful volunteer work they do to upkeep the house and grounds of Cummins House. Mr Conlon noted the Council particularly enjoyed meeting in a State Heritage Place.

Mr Conlon closed the meeting at 1:30pm.



**Mr Keith Conlon OAM**

**Date:** 12 September 2019

**Chair**