

SOUTH AUSTRALIAN HERITAGE COUNCIL

MINUTES

The 83rd Meeting of the South Australian Heritage Council (the Council) was held on Wednesday 6 December 2017 in the Conference Room, Level 10, 81-95 Waymouth Street.

Statement of Acknowledgement

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

PRESENT

South Australian Heritage Council: Chair: Mrs Judith Carr; Members, Ms Deborah Lindsay, Mr George Hobbs, Mr Gavin Leydon, Mr Jason Schulz, Mrs Carolyn Wigg; Professor Alison Mackinnon and Ms Ali Ben Kahn.

Apologies: Ms Sara Beazley

Secretariat: Mr David Hanna, Executive Officer, Heritage South Australia, Department of Environment, Water and Natural Resources (DEWNR) and Ms Beverley Voigt, Manager Heritage South Australia, DEWNR.

Guests: Mr Jamie Botten, Botten Levinson lawyers, Mr Paul Hollitt, Genesee Wyoming; Mr Peter Langhans, Mrs Anna Pope, Team Leader, Heritage South Australia, Dr Louise Bird, Assessment Officer, Heritage South Australia, DEWNR; and Ms Kirsty Nield, Assessment Officer, Heritage South Australia, DEWNR.

1. WELCOME AND APOLOGIES

The Chair welcomed all present and noted that Ms Sara Beazley was an apology.

2. ADOPTION OF AGENDA AND DECLARATION OF CONFLICTS OF INTEREST

The agenda was adopted with the addition of 'Adelaide Showgrounds correspondence' for discussion under the correspondence item and 'Bells Plumbers Shop' was added to Any Other Business.

Mr Schulz and Mrs Lindsay declared conflicts of interest in relation to Item 5.2 Manunka Mission as their firm was commissioned to write the assessment report; and also in relation to the 'Adelaide Showgrounds correspondence'.

3. CONFIRMATION OF PREVIOUS MEETING MINUTES

The minutes of the 18 October 2017 meeting of the Council were confirmed subject to one amendment:

- Page six, eighth dot point, delete the words 'who SATC is targeting' at the end of the first sentence.

RESOLUTION:

The South Australian Heritage Council:

- **Approved** the minutes of 18 October 2017 meeting subject to the amendment above.

4. ACTION ITEMS

Ms Voigt discussed progress against actions outstanding.

With regard the action 'Prioritisation of places suggested for designation', Council asked DEWNR to confirm that the process for prioritisation had been completed. If it had this can be removed from the action list. If not DEWNR to provide to Council for approval. With regard the retrospective designation part of the action – this can be ear marked with an appropriate due date that demonstrates it is a low priority.

Ms Voigt noted she had spoken to Mr Nick Jones from the South Australian Tourism Commission regarding heritage related tourism data. Mr Jones indicated there was limited data available.

Action: DEWNR to confirm whether the process for prioritisation of places suggested for designation is completed.

RESOLUTION:

The South Australian Heritage Council:

- **Noted** progress of the action items.

5. PROVISIONAL ENTRY IN THE REGISTER

5.1 BUNGALA HOUSE, 34 MAIN STREET, YANKALILLA

Ms Nield was welcomed to the meeting and provided an overview of the assessment.

Council noted that Yankalilla Council do not have a local heritage register.

It was noted that the current owners of Bungala House have plans to refurbish it as a high end bed and breakfast accommodation.

DEWNR recommended that the nomination did not satisfy any of the criteria under section 16 of the *Heritage Places Act 1993*.

Council agreed with the DEWNR recommendation.

It was suggested that DEWNR flag in correspondence to the owner that a pathway to pursue heritage listing could be through recognition of the places local heritage values, however this would need to be discussed with the relevant local Council.

RESOLUTION:

The South Australian Heritage Council:

- **Resolved** to reject the nomination of Bungala House, 34 Main Road, Yankalilla for entry in the South Australian Heritage Register as a State Heritage Place, as it does not meet any of the criteria for State heritage significance under section 16 of the *Heritage Places Act 1993*.

5.2 MANUNKA MISSION SITE, OFF MANUNKA ROAD, FORESTER

Mrs Voigt provided an overview of the assessment. It was noted that DEWNR commissioned DASH Architects to undertake the heritage assessment of the former Manunka Mission Site at Forester.

The assessment report recommended that the nomination did not satisfy any of the criteria under section 16 of the *Heritage Places Act 1993*.

Council agreed to reject the nomination.

RESOLUTION:

The South Australian Heritage Council:

- **Resolved** to reject the nomination of former Manunka Mission Site, Manunka Road, Forester for entry in the South Australian Heritage Register as a State Heritage Place, as it does not meet any of the criteria for State heritage-listing under section 16 of the *Heritage Places Act 1993*.

ITEMS FOR DECISION / DISCUSSION

6.1 ISLINGTON RAILWAY WORKSHOPS – TRAVERSERS AND OLD BULK STORE

The Chair, Mrs Carr, welcomed Mr Peter Langhans, Mr Jamie Botten, Mr Paul Hollitt and Mr James Jordan to the meeting. The Chair indicated that the Council has been directed by the Minister not to make a decision on whether to confirm these places in the Register or not. Instead, the information provided through the representations today will assist the Council in providing written advice to the Minister around the request by Genesee & Wyoming Australia (GWA) to the Minister to direct that the State Heritage Places be removed from the South Australian Heritage Register in the public interest.

The following is a summary of the points made by Mr Peter Langhans:

- The Islington Railway Workshops formed the core part of the South Australian Railways, which was instrumental to the development of the colony of South Australia.

- It demonstrates the evolution of railway building design from the 19th century through the Webb era.
- It demonstrates the evolution and changes to railway technology and railway buildings over time.
- The opposition to listing by GWA is heavily based on Donovan & Associates Survey, which confuses some details about the Foundry, Old Bulk Store and Electrical Shop. It also incorrectly lists the complex as being established in 1891 rather than the correct date of 1882.
- Given the confusion around the Old Bulk Store in the Donavon & Associates Survey, it should not be implied that the Old Bulk Store was not meant to be considered for listing.
- Noted that the Twentieth Century Heritage Survey Stage 2 report makes no comment in regard to inclusion or exclusion of the Old Bulk Store and Traversers 1 & 2.
- The report of 16/2/2011 only addresses northern complex of site which is now a shopping complex.
- The Heritage Assessment report dated 15/06/2011 states the Old Bulk Store is a remnant of a much larger building known as the Carriage and Wagon Shop. This report does not recommend rejection of the Old Bulk Store for heritage listing. With regard the traversers, the report assessed them as meeting criterion (b) – has rare, uncommon or endangered qualities that are of cultural significance.
- The two traversers were installed in the Webb era and were integral to the efficient movement of rolling stock between the workshops.
- Photos from the late 1920's suggest that traverser # 1 does still bear resemblance to its original state.
- The heritage assessment report dated 10/08/2011 assessed the traversers as meeting criteria (a) and (b).
- The heritage assessment report dated 2/03/2012 recommended that the traversers met criteria (b) and (e).
- The retention of the Old Bulk Store is important as it provides tangible evidence of the southern facade of the impressive Carriage and Wagon Shop.
- Traversers are rare and only known remaining thing to move rolling stock in South Australia. Only possible surviving examples of this technology.
- Noted that a traverser and a turntable have similar functions. There are five turntables on the South Australian Heritage Register but no traversers. It seems appropriate that the Heritage Register should include examples of historic traversers.

The following is a summary of the points made by Mr Jamie Botten

- Comments provided are not in relation to the request to remove these places in the public interest. Firstly the oral representation will be about the Traversers and then secondly about the Old Bulk Store.

- GWA argues against the heritage listing of both the traversers and the Old Bulk Store.
- The dictionary describes a traverser as 'a platform on wheels'.
- Noted that the traversers were listed against criterion (a). Therefore another way to say this is that the Council did not believe the traversers warranted state heritage listing against any of the other criteria under section 16 of the *Heritage Places Act 1993*.
- GWA does not believe the traversers satisfy criterion (a). It is not a remarkable or significant piece of engineering.
- The traversers are not significant pieces of engineering. They have also both been modified significantly since first constructed.
- Noted that while the fabrication shop is in use the traversers will continue to be used.
- The traversers are coming to the end of their working lives with approximately eight years remaining and then they will require significant modification to continue to be able to move heavier rolling stock.
- Noted that there are several heritage reports produced since 1991 that did not identify the Traversers as of heritage significance.
- There are already several places on the Islington Railway site that are State Heritage Places which more than adequately represent the heritage values of the site.
- Extensive alterations to flatbed machine means it does not (See quote from Louise paper).
- Mr Botten noted that the Old Bulk Store was provisionally entered under criteria (a) and (e) under section 16 of the Heritage Places Act 1993.
- The Old Bulk Store was not purpose built as a Bulk Store and further its use for storage has not been meaningful.
- The Old Bulk Store was not built to hold large plant and equipment. It is used mainly to hold 'odds and sods'.
- Argued that heritage is amply represented through several other listings on the Islington site including the Fabrication Store.
- There have been at least 10 heritage surveys since 1990 and none of them have resulted in the Old Bulk Store being listed.
- The report by Morgan and Samuels (2011) indicated that the Old Bulk Store did not meet criterion (e) - represent a high degree of technical accomplishment.
- The Old Bulk store by its remaining fabric does not satisfy the requisite criteria for confirmation of entry.
- Finally, if Council is of different view to that of GWA, namely that the Council believes it ought to be confirmed on the Register, GWA indicated that the extent of listing outlined in the report by Dr Louise Bird should be adopted.

The Chair thanked Mr Langhans, Mr Hollitt and Mr Botten for their oral representations and they departed the meeting.

Consideration by Council (in camera)

Traversers

Council considered the submissions and what was learnt from the site visit. GWA provided more information on the history of upgrade/removal of elements from Traversers 1 and 2.

The Council reached consensus that in circumstances where it was making a decision under section 18(4) of the Heritage Places Act 1993, it would vary the entry in the South Australian Heritage Register and confirm Traverser 1 only as a State Heritage Place. The place includes the machine itself and the tracks on which it runs.

Traverser 1 is more intact and properly represents its function, the association with adjacent buildings and key elements of its heritage significance.

Old Bulk Store

The Council agreed that in circumstances where it was making a decision under section 18(4) of the Heritage Places Act 1993 i.e. the Minister had not directed that the entry be removed under section 18(7), it would confirm the entry in the South Australian Heritage Register. The Council would add the 'extent of listing' as suggested by GWA as being of assistance to the ongoing management of the State Heritage Place.

Action: DEWNR to draft correspondence to Minister and forward to Chair for signature.

RESOLUTION:

The South Australian Heritage Council:

- **Considered** the oral representations from Mr Langhams and Mr Botten and Mr Hollitt.
- **Discussed and determined** its advice to the Minister.

6.2 ST PETER'S COLLEGE – BIG QUAD PRECINCT

The Chair welcomed Mrs Pope to the meeting.

It was noted that St Peter's College lodged an appeal with the ERD Court on 16 February 2017.

Since the appeal was lodged, DEWNR representatives have attended several Conciliation Conferences with the latest being on 26 October 2017 in the ERD Court.

Conciliation conferences held as part of ERD Court were attended by Jamie Botten appearing for the College, with Ron Danvers as their expert witness.

Mrs Pope noted that some of the matters raised by the College relate more to the management of the place rather than the listing process itself, however, the College's position is that the listing information should be clearer to help it manage the heritage significance of the place. In particular, it wants clarity on what exactly is listed, the exact boundary and the definition of the listed place.

The Council discussed the College's position and agreed that it would support moving the boundary on the site plan.

RESOLUTION:

The South Australian Heritage Council:

- **Agreed** to the addition of the proposed 'Detailed Site Plan' provided by DEWNR.

6.3 PLACES IN SA OF POSSIBLE NATIONAL HERITAGE SIGNIFICANCE

It was noted that Council had considered a range of places for potential nomination at its meeting of 18 October 2017. DEWNR provided a draft letter for Council's consideration.

Council agreed to include Woomera in its advice to the Australian Heritage Council. The key historic sites at Woomera - Woomera Village, Range Head and Aerodrome played a crucial role in defence activities in Australia during the Cold War, particularly through atomic and long range (rockets) weapons testing.

Council agreed also include Maralinga and Emu Fields and the Overland Telegraph (repeater stations) in its advice, but to remove the Museum of Economic Botany.

Hans Heysen's 'The Cedars' was discussed as a possible place of national interest to be further considered at a later date.

Action: DEWNR to revise draft letter and forward to Chair for signature out of session.

RESOLUTION:

The South Australian Heritage Council:

- **Approved** the draft letter to Australian Heritage Council subject to the amendment described above.
- **Noted** that the Chair will sign and send the letter on behalf of Council out of session.

6.4 PROTECTION OF COMMEMORATIVE PLACES AND MONUMENTS

Ms Voigt provided an overview of the paper provided by the branch.

Dr David Kemp wrote to Council on 31 October 2017. In the letter he requested advice on the adequacy of existing legal protections in South Australia for commemorative places and monuments related to Australia's early colonial history and interactions between European explorers, early settlers and Australian Indigenous peoples.

DEWNR prepared a draft letter that was provided for Council's consideration.

It was agreed that Council should not highlight the matter of Bell's Plumbers Shop as a compliance example in the letter.

Council agreed that the penalty could be higher for damage of State Heritage Place as the maximum of \$120,000 is too low.

Council agreed to advise through the letter to Dr Kemp that areas of the *Heritage Places Act 1993* could be improved, including the possibility of introducing expiation notices and the current maximum penalties for damage to, destruction of or reducing the heritage value of a State Heritage Place.

It was noted that there is not a specific offence for damaging a local heritage place, but Council agreed this does not need to be advised.

RESOLUTION:

The South Australian Heritage Council:

- **Approved** the draft letter subject to the amendments described above.
- **Noted** that the Chair will sign and send the letter out of session.

6.5 HERITAGE PLACES ACT 1993 – DISCUSSION PAPER FOR THE MINISTER

The Chair requested a working group of Council assist DEWNR staff in preparing a paper for Council to workshop at its February 2018 meeting.

Mrs Wigg, Mr Leydon and Mrs Lindsay volunteered for membership of the working group.

Action: Mrs Voigt will convene a working group meeting early in the New Year.

RESOLUTION:

The South Australian Heritage Council:

- **Agreed** to establish a working group of Council to assist in preparation of a discussion paper for consideration at its 21 February 2018 meeting.

6.6 WOOMERA / MARALINGA DISCUSSION PAPER

Dr Bird provided an overview of the agenda paper provided to Council members.

It was noted that if a Commonwealth site is registered as a State Heritage Place under the Heritage Places Act 1993 (SA) the Commonwealth owner is not legally obliged to comply with management matters contained within the State legislation. State listing however would give a Commonwealth site formal recognition at the state level.

Before the Australian Heritage Council can list a National place, the owner's approval is required.

If either Woomera or Maralinga are nationally listed, the site managers would be required to prepare a Conservation Management plan.

With regards Woomera, it is the aerodrome, range head and village that are the three historic sites that could be recommended for State and National listing.

Council agreed that both Woomera and the Maralinga /Emu Fields sites ought to be considered for National heritage listing and therefore they would be two of the places that the Council will write to The Australian Heritage Council about along with the Overland Telegraph (repeater stations).

The Council agreed not to pursue a formal nomination at this time for any of these places, but dependent on resourcing in DEWNR, will consider this matter again in 2018.

RESOLUTION:

The South Australian Heritage Council:

- **Discussed** the paper relating to the National and State heritage significance of Woomera Village, Woomera Range Head, Woomera Aerodrome, Emu Field Village and Test Site and Maralinga Village and Test Site.
- **Agreed** to include Woomera and Maralinga / Emu Field in the letter to the Australian Heritage Council regarding places in South Australia of possible national significance.

7 ITEMS FOR NOTING

7.1 STATUS OF ASSESSMENTS REPORT

Mrs Voigt gave a brief update on progress with nominations under assessment.

RESOLUTION:

The South Australian Heritage Council:

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

7.2 CORRESPONDENCE

It was noted that the Council received a letter from Botten Levinson lawyers on behalf of the Royal Horticultural Society of South Australia. The letter requested that the Royal Horticultural Society of South Australia be given the opportunity to provide written submissions and be heard by Council at the time that Council considers the nominations for structures in the Showground for provisional entry. Council discussed and agreed that it would refuse this request given it was in contradiction with its procedure.

Action: DEWNR to draft a letter of reply for the Chair's signature.

RESOLUTION:

The South Australian Heritage Council:

- **Noted** the correspondence received and sent.
- **Noted** that DEWNR will prepare a letter of reply for the Chair's signature out of session.

8 ANY OTHER BUSINESS

Bells Plumbers Shop.

It was noted that Council conducted a site visit of the former Bell's Plumbers Shop on Monday 4 December 2017.

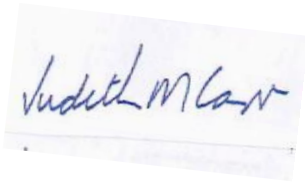
The Chair indicated that Council needs to determine whether or not the place ought to remain on the South Australian Heritage Register given the amount of damage and deterioration it has suffered.

Council discussed and agreed that it is firming in its view that the place has lost much of the heritage fabric present when originally listed. Council asked DEWNR to prepare a paper so it could consider this matter in more detail at its February 2018 meeting.

Action: DEWNR to prepare a paper discussing the Former Bell's Plumbers Shop for Council's 21 February 2018 meeting.

CLOSE OF MEETING

The Chair closed the meeting at 13:20pm.



Mrs Judith Carr

Date: 23 February 2018

Chair