

# SOUTH AUSTRALIAN HERITAGE COUNCIL

## MINUTES

The 76<sup>th</sup> Meeting of the South Australian Heritage Council (the Council) was held on Wednesday 7 December 2016 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 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: Mrs Judith Carr; Members: Mrs Carolyn Wigg, Mr Rob Donaldson, Mr Gavin Leydon, Ms Sara Beazley, Mr Jason Schulz, Ms Deborah Lindsay and Mr George Hobbs.

Apologies: Professor Alison Mackinnon.

**Secretariat:** Mr David Hanna, Executive Officer, State Heritage Unit, Department of Environment, Water and Natural Resources (DEWNR) and Mrs Beverley Voigt, Manager Heritage and Major Reform, State Heritage Unit, DEWNR.

**Guests:** Mrs Anna Pope, State Heritage Unit, DEWNR; Mr Simon Carter, formerly of the State Heritage Unit DEWNR; Ms Anita Allen, Department of Planning, Transport and Infrastructure (DPTI); Ms Zoe Delmenico, DPTI and Mr Paul Stark, DPTI.

## 1. WELCOME AND APOLOGIES

The Chair welcomed all present. It was noted that Professor Alison Mackinnon was an apology.

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

The agenda was adopted without any additions.

Mrs Wigg noted she had been contacted by the nominator of the farmhouse at Port Elliot but had not discussed the merits of the nomination with her.

## 3. CONFIRMATION OF PREVIOUS MEETING MINUTES

The Minutes of the 19 October 2016 meeting of the Council were confirmed subject to the following amendments:

- item 3, page 2, 2<sup>nd</sup> paragraph delete the word 'determined' and replace with the word 'considered'; and

- item 4, page 2, delete the fourth paragraph.

**RESOLUTION:**

The South Australian Heritage Council:

- **Approved** the minutes of the 19 October 2016 meeting subject to the above amendments.

**4. ACTION ITEMS**

Mr Hanna discussed the progress with all outstanding actions.

**RESOLUTION:**

The South Australian Heritage Council:

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

**5. SA HERITAGE COUNCIL IN-CAMERA DISCUSSION**

Council members only held a short in-camera discussion on strategic and administrative matters.

**6. PROVISIONAL ENTRY IN THE REGISTER**

**6.1 NORTH ADELAIDE SERVICE RESERVOIR, CORNER OF O'CONNELL STREET AND BARTON TERRACE, NORTH ADELAIDE**

Mr Simon Carter introduced the item and noted the North Adelaide Service Reservoir was identified in a survey as being of potential State Heritage value. Mr Oswald Brown oversaw the construction of the reservoir and it has been in continuous use since 1879.

Council discussed the assessment and agreed the North Adelaide Service Reservoir met criteria a) and e) but did not consider it met criterion b) or criterion g).

The Council agreed that the first sentence of the Statement of Heritage Significance would read as follows:

*'The North Adelaide Service Reservoir represents a significant feat of hydraulic engineering in South Australian history that demonstrates the evolution and pattern of the State's development, particularly the growth of the colony, investment in infrastructure networks, and commitment to public health.'*

The Council amended the last sentence of the Statement of Heritage Significance to read as follows:

*'As a utilitarian structure it demonstrates a high degree of technical accomplishment in construction, materials and design.'*

Council agreed to delete statements relating to criteria b) and g) as the place does not meet these criteria.

The first sentence in relation to criterion e) was amended to read *'The North Adelaide Service Reservoir demonstrates a high degree of technical and aesthetic accomplishment.'*

Council agreed to move all dot points under criteria e) to the 'Commentary on the Listing' section of the Summary of State Heritage Place. The last sentence of criterion e) would be amended to read: *'The Service Reservoir also demonstrates a high degree of technical accomplishment for the time it was constructed, which is demonstrated by its construction techniques and design characteristics, some of which are noted by Statton, 2016.'*

#### **RESOLUTIONS:**

The South Australian Heritage Council:

- **Provisionally entered** the **North Adelaide Service Reservoir** in the South Australian Heritage Register as a State Heritage Place, as it is deemed to fulfil criteria (a) & (e) for State heritage significance under section 16 of the *Heritage Places Act 1993*.
- **Approved** the amended Summary of State Heritage Place for the **North Adelaide Service Reservoir**.

#### **6.2 QUEEN'S THEATRE ARTEFACT COLLECTION, ASSOCIATED WITH FORMER QUEEN'S THEATRE (SOMETIME ROYAL VICTORIA) THEATRE AND HORSE BAZAAR, GILLES ARCADE, ADELAIDE**

Mr Simon Carter introduced this item. It was noted that Crown Solicitor's advice had been received in relation to the listing of a collection of artefacts as a single object in the South Australian Heritage Register.

The Crown Solicitor's Office advice states that the entry may relate to a collection of objects. It is not correct to refer to the collection as a single object. The entry should itemise each object that comprises the collection.

It was noted that the SA Museum has advised DEWNR that it is not currently in a position to take over responsibility for the collection. Therefore the immediate future management of the collection is the responsibility of DEWNR. The collection is currently boxed and labelled at DEWNR's Netley accommodation.

Council discussed this matter in relation to section 16 (2) (c) of the *Heritage Places Act 1993* that states an object is of heritage significance if it is an object that is intrinsically related to the heritage significance of a State Heritage Place or a State Heritage Area.

Council agreed that it was not willing to list the collection of objects given it could not be sure that each and every one was intrinsically related to the heritage significance of the Queen's Theatre. Council also queried what would happen to the integrity of the listing if one object from the collection went missing.

The Council requested DEWNR reconsider this matter and provide additional information in the context of the Crown Law Advice. Council agreed to reject DEWNR's recommendation.

Council suggested DEWNR flag this matter for clarification when the *Heritage Places Act 1993* is reviewed.

**RESOLUTION:**

The South Australian Heritage Council:

- **Rejected** the nomination of the Queen's Theatre Artefact Collection associated with State Heritage Place 10770; and
- **Requested** DEWNR revisit the nomination in the context of the Crown Solicitor's advice.

**6.3 OLD FARMHOUSE WITH OUTBUILDINGS, 234 LINES ROAD, PORT ELLIOT**

Mr Simon Carter briefed Council members in relation to this nomination.

Mrs Pope circulated to Council members an excerpt from a heritage survey that showed 'Wattaberry' had been included in an inventory of places recommended for the local register, however, there was no assessment sheet. It was noted that the place has not been locally listed.

DEWNR noted that there was no site visit associated with the assessment as sufficient information was available via a desk top study to enable DEWNR to recommend to Council that the nomination be rejected as it does not meet any of the criteria under section 16 of the *Heritage Places Act 1993*.

Council reviewed the nomination and associated assessment against each criterion under section 16 of the *Heritage Places Act 1993*.

It was noted that the nominator had indicated the place could be significant under criterion f) given that corroborees had been held on the site. Council indicated that the *Heritage Places Act 1993* specifically excludes Aboriginal heritage and therefore this information would not be taken into consideration.

Council agreed with the DEWNR recommendation that the nomination did not satisfy the criteria under section 16.

DEWNR noted that although it is policy for a full assessment with site visit to be carried out for nominations, on occasion it is clear from a desk top analysis that a nomination clearly has no outstanding values that could be considered to be of state heritage significance. In such cases, Council indicated that DEWNR must first recommend that the place does not require a full assessment, and, if Council agrees, then the second step is to recommend that the nomination be rejected.

Action: Council requested DEWNR reviews the policy in relation to this and provides to Council if amendments are deemed to be required.

**RESOLUTION:**

The South Australian Heritage Council:

- **Rejected** the nomination of **Old Farmhouse, Estate with Outbuildings, Port Elliot (234 Lines Road, Port Elliot)** for entry in the South Australian Heritage Register as a State Heritage Place, as it does not meet the criteria for State heritage significance under section 16 of the *Heritage Place Act 1993*.

## **7 CONFIRMATION OF ENTRIES IN THE REGISTER**

### **7.1 ST PETERS COLLEGE – ‘BIG QUAD PRECINCT’**

Mr Jamie Botten was welcomed to the meeting to provide an oral representation on behalf of St Peter’s College (the College). Mr Botten was accompanied by Mr Jason Haseldine and Mr Ron Danvers.

Mr Botten indicated to the Council that his oral representation would be based on his written representation and made the following key points for Council’s consideration:

- the College treasures its buildings and grounds and particularly those in the big quad precinct, and to a large extent accepts the basis of the provisional entry;
- the College commissioned Mr Ron Danvers to prepare a heritage assessment report;
- the College is concerned about the proposal to list the interior of buildings within the Big Quad Precinct. The College has no quarrel with the intention of listing the external facades of the buildings in the Big Quad Precinct, except for the Former Stables building. The College believe that listing the interiors will hamper its ability to evolve as a school;
- the College does not believe the Former Stables building merits State Heritage listing. It is separated physically from the Big Quad Precinct and the interiors of the Stables have been altered significantly over time and no longer represents in any way its original purposes;
- the College has concerns about the unqualified listing of the open areas and the extent of the Big Quad Precinct.;
- the College has some concerns about the vagueness of the listing and wishes this to be clarified;
- the College request that a Conservation Management Plan be prepared prior to confirmation of the listing of the Big Quad Precinct to give the College surety about any future development plans for this place; and
- the College requested that the Council assist to bring about the removal of the local heritage listing of the place from the Local Council’s development plan, noting it is not the Council’s responsibility to do this.

In consideration of the oral representation the Council made the following points:

- confirmation of a place on the South Australian Heritage Register is about conserving the place rather than preserving the place and therefore adaptive reuse is allowed and encouraged;
- the ongoing management of a place is not a matter the Council considers – it only considers whether a place meets the criteria under Section 16 of the Heritage Places Act 1993;
- many of the buildings within the ‘Big Quad Precinct’ already have the interiors excluded from the listing;
- noted that the building already confirmed on the Register is not subject to discussions today;

- a Conservation Management Plan is generally prepared in response to the registration of a State Heritage Place (not prior to it); and
- the Council is not responsible for removal of local heritage places that are later registered as State Heritage Places.

Council **considered** the specific issues raised by the representatives of the College in its written and oral submissions and decided to confirm the St Peters College Big Quad Precinct as a State Heritage Place subject to the following amendments:

- remove the Former Stables building from the registration;
- register the external fabric only for the Da Costa Hall (former gymnasium);
- adjust the boundary of the Big Quad precinct to align with the northern boundary of the Da Costa Hall and exclude the Former Stables building;
- amend the Site Details (page 9) to take into account the above amendments; and
- remove the photo of the Former Stables building on page 13.

Council noted that it will write to the Local Council to notify them of the State Heritage registration as part of the usual process.

#### **RESOLUTIONS:**

The South Australian Heritage Council:

- **Confirmed the St Peter's College – Big Quad Precinct, Hackney Road, Hackney, SA, 5069 (SGM2\_71)**, as described in the Summary of State Heritage Place, in the South Australian Heritage Register as a State Heritage Place, pursuant to section 18 (4) of the *Heritage Places Act 1993*, as it satisfies criteria (a), (d) and (e) under section 16 (1) of the Act:
  - (a) *it demonstrates important aspects of the evolution or pattern of the State's history;*
  - (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.*
- **Approved** the amended 'Summary of State Heritage Place' for the **St Peter's College – Big Quad Precinct, Hackney Road, Hackney, SA, 5069 (SGM2\_71 H105100)** including the statement of heritage significance, discussion of relevant criteria and site plan.

## **8 ITEMS FOR DECISION / DISCUSSION**

### **8.1 NARACOORTE CAVES AND ADELAIDE GAOL – DEWNR UPDATE**

This item was deferred until the next meeting of the Council given time constraints.

Mr Gary Joyce will be invited to attend the 1<sup>st</sup> March 2017 meeting to give his presentation on iconic tourism sites managed by DEWNR – including the Naracoorte Caves and Adelaide Gaol.

## 8.2 LOCAL GOVERNMENT HERITAGE REFORM

Ms Zoe Delmenico, Ms Anita Allen and Mr Paul Stark were welcomed to the meeting. Ms Delmenico delivered a presentation on local heritage reform and indicated that DPTI would provide a copy of the presentation to the members of Council on a confidential basis.

### RESOLUTIONS:

The South Australian Heritage Council:

- **Noted** the presentation from DPTI on local heritage reform.

## 8.3 DRAFT PROCEDURE: DESIGNATION

DEWNR provided a draft procedure in relation to the designation process for Council's consideration.

Council members provided comments to Mr Hanna on the draft procedure: designation.

Council asked that the procedure be updated and provided back to the Council for endorsement.

### RESOLUTIONS:

The South Australian Heritage Council:

- **Provided** comment on the draft procedure: designation.
- **Requested** that DEWNR updates the procedure and provides it back to Council for endorsement.

## 8.4 DRAFT MINISTERS CODE FOR UPDATING HEALTH AND SAFETY OF EXISTING BUILDINGS

Council members considered the draft Ministers Code for Updating Health and Safety of Existing Buildings. Council acknowledged that the draft Code is very welcome however would like more information about how this specifically affects State Heritage buildings including how heritage values are effected by the Code.

Council requested DEWNR draft a high level response for the Chair's consideration and signature.

### RESOLUTIONS:

The South Australian Heritage Council:

- **Provided** comment on the draft Ministers Code for Updating Health and Safety of Existing Buildings; and
- **Requested** that DEWNR prepare a draft response for the Chairperson's signature.

## 9 ITEMS FOR NOTING

### 9.1 STATUS OF NOMINATIONS AND PROVISIONAL ENTRIES

### 9.2 REPORTS ON DECISIONS MADE UNDER DELEGATION

The Council noted the reports on decisions made under delegation.

### 9.3 MEETING DATES FOR 2017

The Council noted the meeting dates for 2017.

## 10 ANY OTHER BUSINESS

### Heritage Chairs and Officials Meeting – 2017

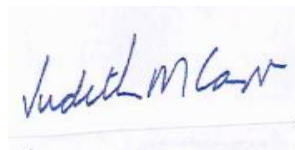
Mrs Voigt noted that DEWNR had agreed to host the Heritage Chairs and Officials meeting in Adelaide in 2017. The date of the meeting is yet to be determined but it is likely to be in either March or April 2017.

### Council representation on Heritage Tourism Alliance

The Council noted that Mr Queale no longer represented it on the Heritage Tourism Alliance as he had resigned from Council. Given that Mrs Carolyn Wigg and Ms Sara Beazley would continue to represent the Council on the Heritage Tourism Alliance, the Council chose not to replace Mr Queale.

## CLOSE OF MEETING

The Chair thanked all in attendance and closed the meeting at 1:15pm.



**Mrs Judith Carr**

**Date: 6 March 2017**

**Chair**