

SOUTH AUSTRALIAN HERITAGE COUNCIL

MINUTES

The 107th Meeting of the South Australian Heritage Council (the Council) was held on Thursday 14 May 2020 via Electronic Means. (This meeting was held via video conference due to the isolation requirements of the COVID-19 pandemic).

Statement of Acknowledgement

The Chairperson acknowledged that this land that the majority of Council members meet on today is the traditional lands for Kaurna people and that the Council respect their spiritual relationship with their country. The Chairperson also acknowledged 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. Ms Jan Ferguson noted she was participating in the video meeting via Beltana and acknowledged the Adnyamathanha people – the traditional owners of Beltana region and paid respect to their spiritual relationship with that country.

PRESENT

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

Apologies: Mr David Stevenson.

Secretariat: Mr David Hanna, Executive Officer, Heritage South Australia, Department for Environment and Water (DEW) and Ms Beverley Voigt, Manager Heritage South Australia, DEW.

1. WELCOME AND APOLOGIES

Mr Conlon welcomed all to the 107th meeting of the South Australian Heritage Council (the Council).

Apologies were received from Mr David Stevenson.

2. ADOPTION OF AGENDA AND DECLARATION OF CONFLICTS OF INTEREST

Agenda

The agenda was adopted with the addition of "Summary of Heritage Protection Report 2020" under Any Other Business.

Ms Taylor indicated that, under the Action Items discussion, she would give the Council an update on Bushfire protection for State Heritage Places.

Declarations of conflict of interest

Mr Rolfe noted that one of his co-Directors at URPS owns a property in Colonel Light Gardens and therefore will not participate in item 6.5. It was noted that Mr Rolfe would depart the meeting for this item.

Mr Schulz declared a conflict with regard the matter that will be discussed in camera at Item 5. It was noted that Mr Schulz would depart the meeting for this item.

Ms Taylor noted that she had worked on components relating to 20th Century Architecture (item 6.2) and worked on the Colonel Light Gardens State Heritage Area management plan (item 6.5) many years ago. Council noted these were not conflicts of interest and that Ms Taylor could participate in these items.

3 PREVIOUS MEETING MINUTES

Council considered the minutes of the 9 April meeting and approved them subject to the following:

- Change '2020' to '2019' on page four.
- Amend wording regarding Ms Taylor's remark on page 8 along the lines of 'Ms Taylor remains concerned that heritage advice is not being adopted in Schedule 10 developments'.

RESOLUTION:

The South Australian Heritage Council:

- **Approved** the minutes of the 9 April meeting subject to the amendments described.

4. ACTION ITEMS

Ms Voigt spoke to the action list and Council noted the progress being made against particular items.

Ms Taylor reported that she has made some enquiries around funding for fire protection infrastructure for at risk State Heritage Places. Ms Taylor has had a discussion with SAFECOM – around the possibility for offering owners of vulnerable State Heritage Places assistance to install things like pumps and sprinklers.

It was noted that State Heritage Places are being included as a mapping overlay to be identified during an emergency situation and protected as a priority.

Ms Taylor will provide Heritage South Australia with a contact to discuss this mapping. Action: Heritage SA to follow up with CFS regarding the mapping of State Heritage Places to be available to first responders.

The Council noted the status of the draft Archaeological Guideline. The Council confirmed it would like to consider the revised version prior to engaging with peak bodies.

RESOLUTION:

The South Australian Heritage Council:

- **Noted** the status of the action list.

5. IN CAMERA DISCUSSION

It was noted that Mr Schulz departed the meeting at this point given his conflict of interest in relation to the matter to be discussed.

The Council held an in camera discussion pursuant to section 7 (6) of the *Heritage Places Act 1993*. *The Council agreed to release the in-camera text below, at its meeting of 7 December 2023.*

Council agreed it would have an in camera discussion about the matter between it and the Royal Agricultural and Horticultural Society of SA; ERD No 93 and 94 of 2019 - Secretary's Office and Sheep Pavilion Heritage Listing - Adelaide Showgrounds.

Council discussed legal advice it had received from the Crown Solicitor's Office.

The Council noted that its role under the *Heritage Places Act 1993* relates to listing and protection.

Council agreed that defining the Place for listing and protection should be the principle upon by which negotiation should proceed where possible to do so. It is recognised that much of what the lawyers on behalf of the RAHS are wanting to achieve is certainty around management through the listing (rather than the listing per se).

With this context in mind, the Council instructs that there may be further negotiation with the Appellant as to the descriptions of each Place on the Register and to the content of a heritage agreement(s), by which a mutually agreeable solution can be found. Ideally, the conciliatory process will achieve an outcome that is practical whilst meeting the legal interpretation of the Act.

RESOLUTIONS:

The South Australian Heritage Council:

- **Discussed** the Crown Solicitors advice.
- **Agreed** to respond to the Crown Solicitor as detailed above.

6. FOR DECISION / DISCUSSION

6.1 Strategy – Action Plan for 2020/21

It was noted that Mr Schulz returned to the meeting.

Ms Voigt introduced this matter and outlined the proposals that Council could take over the next 12 months to further its strategic plan.

The Council proposed some amendments during the discussion and Ms Voigt recorded these directly into the document during the meeting.

Action: Ms Voigt to provide final version back to Council for noting.

RESOLUTION:

The South Australian Heritage Council:

- **Provided** comment on the Council's 2020-21 Action Plan.

6.2 20th Century Architecture

Dr Louise Bird, Heritage South Australia was welcomed to the meeting.

It was noted that places that represent the twentieth century is a gap in the South Australian Heritage Register.

Dr Bird noted that she had met with Council member Ms McDougall and sorted through the 100 buildings in the RAIA (Australian Institute of Architects) List (excluding places of worship built after 1950) and identified 41 extant buildings for assessment. It was noted a further 13 buildings were identified by Heritage SA staff and Stuart Symons (Modernist Adelaide). Places of worship built after 1950 are being considered as a separate project.

It was noted that places that represent post war industrialisation are under represented on the Register.

Dr Bird noted that the former Sisalkraft Factory could be at risk and will be prioritised for assessment.

Council gave its support for a desk top assessment of the 52 places to determine if a full assessment is required.

It was noted that the list relates to architectural qualities only. Council agreed it would be useful to do a thematic triage to take into account other criteria under section 16 of the *Heritage Places Act 1993*.

Ms Taylor and Ms McDougall indicated they can assist Dr Bird if required.

RESOLUTIONS:

The South Australian Heritage Council:

- **Approved** desk top assessments for the 52 places identifies from the RAIA List to determine if a full assessment is required.
- **Noted** that Council members were invited to suggest other places to Dr Bird out of session.

6.3 Marketing and Communication Strategy for the Council

Mr Conlon introduced this item, noting that Mr Hanna and he had prepared the draft Strategy to assist in structuring and prioritising Council's work in this space over the next 12 months.

Council members remarked that the Strategy contains an ambitious programme of actions but all are very worthwhile and will help communicate Council's work in a coordinated manner.

It was agreed that the Strategy would be amended to include communication with the State Planning Commission and also Universities (relevant courses).

Ms Ferguson noted that Beltana community has set up a Facebook site for Beltana – a State Heritage Area. Mr Hanna noted that he would promote their page through Heritage South Australia's Facebook page.

RESOLUTION:

The South Australian Heritage Council:

- **Considered and Approved** the Council's Marketing and Communication Strategy for June 2020 – June 2021 subject to amendments described above.

6.4 Procedure: Provision for consultation before provisional entry of a State Heritage Place

It was noted that Heritage South Australia had produced a draft Procedure relating to consultation before provisional entry of a State Heritage Place - for Council's consideration. This draft was produced as a result of Council's meeting relating to the Salisbury Civic Centre. At this meeting the Council had allowed the owner and nominator to speak to it prior to determining whether to provisionally enter the place given demolition approval had been granted for this property prior to the nomination being received.

Council noted that requirements for consultation are articulated in the *Heritage Places Act 1993*, and they only relate to consultation post provisional entry. Given this, Council determined not to approve a formal policy in relation to consultation that goes above and beyond the requirements of the Act.

RESOLUTION:

The South Australian Heritage Council:

- **Did not** endorse the Procedure as formal policy.

6.5 Colonel Light Gardens State Heritage Area

Mr Michael Queale, Heritage South Australia was welcomed to the meeting.

It was noted that correspondence was received from Mr Philip Knight following the briefing provided to Council summarising the the CLG Character Protection Bill that had been introduced by Tony Piccolo MP, Member for Light into the House of Assembly on 29th April 2020. Mr Conlon summarised the content of Mr Knight's letter to the Council.

The nature of the Bill was also discussed. The Chair noted the good intention of the Bill to protect the heritage of the suburb. He believed, however, this protection was achieved through the

current designation as a State Heritage Area. The Council recognised that existing policy documents could be strengthened to address concerns about impacts particularly in the public realm. Further, development proposals will be sent to Heritage SA for direction under the new planning system which, under the *Development Act 1993*, was for advice only.

On the matter of the management plan for the public realm, it was noted that Heritage South Australia undertake the advisory work for the Mitcham Council. Mr Queale noted that Mr Kevin O'Sullivan, Heritage Architect with Heritage South Australia, is kept very busy with Colonel Light Gardens development advice.

Mr Queale noted that part of his team's strategy is to reinforce what is expected of the park areas and public space planning.

It was noted that Heritage South Australia will look to update both the CLG SHA Development Guidelines and the Conservation Management Plan to strengthen the policy around the public realm and what is determined as Council Works as Part 2 of Schedule 5 in the PDI Regulations 2017.

It was suggested to Mr Queale, that, when finalised, the revised guidelines be provided directly to Mitcham Council Asset Management staff.

Council discussed with Mr Queale the benefits of community consultation to support updating the guidelines. A consultation process via Yoursay was mooted. The community can provide ideas about what heritage they believe is valuable in their areas.

The Council indicated it will wait for advice from Mr Queale's team about which of the seventeen State Heritage Areas Statements of Significance may require updating.

Council confirmed that State Heritage Areas are the appropriate legal mechanism to conserve areas of heritage, but noted that some updates are required relating to the guidelines for the existing State Heritage Areas.

RESOLUTIONS:

The South Australian Heritage Council:

- **Noted** the contents of the agenda paper.
- **Noted** the approach to strengthen policy for managing the public realm of the Colonel Light Gardens State Heritage Area taken by DEW.
- **Agreed** that the entry in the Register is adequate for this State Heritage Area, but noted that some work is required to update the Conservation Management Plan and the Guidelines.

7 ITEMS FOR NOTING

7.1 Chairperson's Report

It was noted that the Adelaide City Council Heritage Advisory Committee has recently been endorsed by the Adelaide City Council and Mr Conlon will be a member of this committee.

Mr Conlon noted that he worked with staff from Heritage SA on a tender relating to the economics of heritage in South Australia. Mr Conlon was pleased this work is occurring and congratulated Mrs Anna Pope on her coordination of the tender process. Mr Conlon indicated the successful applicant will be providing a report by end of June 2020.

RESOLUTION:

The South Australian Heritage Council:

- **Noted** the report provided by the Chair.

7.2 Correspondence

Council noted the correspondence sent and received.

RESOLUTION

The South Australian Heritage Council:

- **Noted** the correspondence.

7.3 DEW Report

Council noted the report provided by DEW.

Council indicated that it appreciates receiving these reports from Heritage South Australia in DEW.

RESOLUTION

The South Australian Heritage Council:

- **Noted** the DEW report.

8 ANY OTHER BUSINESS

Summary - Report on Heritage Protection 2020

Council endorsed the summary document for the website. Council suggested a modification to the wording for the introductory text regarding continuing dialogue with the SA Planning Commission around the planning reforms.

Action: Mr Hanna to arrange for it to be published on the Council's website.

Additional meeting of Council

Council endorsed an additional listing meeting on Thursday 16 July.

Action: Mr Hanna to send out a meeting request.

CLOSE OF MEETING

Mr Conlon closed the meeting at 11:10am.

Mr Keith Conlon OAM

Date:

Chair