

SOUTH AUSTRALIAN HERITAGE COUNCIL

MINUTES

The 142nd Meeting of the South Australian Heritage Council (the Council) was held via Microsoft Teams (electronic means) on Friday 12 January 2024.

Statement of Acknowledgement

The Chairperson acknowledged that the land that the Council members meet on today is the traditional lands for Kurna people and that the Council respect their spiritual relationship with their country. The Chairperson also acknowledged 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.

Heritage Council: Chair: Ms Sandy Verschoor Members: Mr Stephen Schrapel, Mr Marcus Rolfe, Mr Gavin Leydon, Mr David Brooks, Ms Kate McDougall, Ms Jan Ferguson and Mr Rob Donaldson.

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

Ms Verschoor welcomed all to the 142nd meeting of the South Australian Heritage Council (the Council).

It was noted that further to Ms Voigt and Mr Hanna attending from the department, Ms Kym Pryde, Director; Mr Leonard Blazeby, Principal Policy Officer and Dr Louise Bird, Senior Heritage Assessment Officer were present at the meeting.

Apologies were received from Ms Eleanor Walters and Mrs Deborah Lindsay.

2. ADOPTION OF AGENDA AND DECLARATION OF CONFLICTS OF INTEREST

Agenda

The agenda was adopted.

Declarations of conflict of interest

None expressed at meeting but prior declarations of conflict of interest were noted.

It was noted that Mrs Lindsay and Ms Walters did not attend the meeting due to the fact they had declared a conflict of interest in the sole matter being considered.

3 IN CAMERA DISCUSSION

The Council had an in-camera discussion pursuant to section 7 (6) of the *Heritage Places Act 1993*.

The following text was approved for release at Council's 14 August 2025 meeting.

Dr Kent's Paddock Housing complex - Appeal

It was noted that the SA Housing Authority lodged a Notice of Appeal on 22 December 2023 in relation to the confirmation of Dr Kent's Paddock Housing Complex.

Ms Pryde noted that, as this is a matter between two government agencies, the Crown Solicitor will not act for either party and instead an exemption has been provided to engage a private solicitor to represent you. Ms Felicity Niemann of Wallmans Lawyers has been engaged by the Department to represent the Council.

The Council confirmed that it would defend its decision to list under criteria a) and g) of section 16 of the *Heritage Places Act 1993*.

It was noted that Dr Louise Bird of Heritage SA would likely be an expert witness for Council as the author of the Heritage Assessment Report.

Council discussed independent expert witnesses that it could call upon in relation to, among other things, the association of Dr Kent's Paddock with Newell Platten and the SA Housing Trust. The Council asked that the department provide a paper in relation to the recommended expert witnesses so it could make a considered decision.

Council discussed and agreed a barrister should be appointed to represent the Council in Court, instructed by the solicitor.

Council delegated authority to Ms Kym Pryde, Director Planning, Heritage, and Dog & Cat Management to represent the position of the Council in liaison with the solicitor. It was noted that Ms Voigt and Mr Blazeby would support Ms Pryde in this role.

Council agreed that Mr Gavin Leydon would have a role of providing informal support to department staff in liaising with the Solicitor.

Action: Council requested media communication be prepared in case of any questions on this matter.

Action: Council agreed it would prepare a communique to the Minister to communicate the outcomes of this meeting.

Action: A barrister should be appointed and the solicitor consulted on who this should be.

RESOLUTIONS

The South Australian Heritage Council:

OFFICIAL

- **Established** that its position is to defend its decision to confirm Dr Kent's Paddock Housing Complex under criterion a) and g) of section 16 of the *Heritage Places Act 1993*.
- **Delegated** authority to Ms Kym Pryde, Director Planning, Heritage, Coast Protection and Dog & Cat Management (DEW Position P47318) to represent the Heritage Council in relation to the Council's established position and provide instructions to the appointed solicitor acting for the Council in the conduct of the appeal.
- **Noted** that Ms Voigt, Manager Heritage SA (DEW Position M20323) and Mr Blazeby, Principal Policy Officer (DEW Position 3099218) will support Ms Kym Pryde in liaising with the appointed solicitor.
- **Nominated** Mr Gavin Leydon to offer guidance and support to the departmental delegate in deliberations pertaining to the appeal.
- **Discussed** who could be called as expert witnesses and agreed that it would confirm via email correspondence.

4 Any Other Business

Nil.

CLOSE OF MEETING

Ms Verschoor closed the meeting at 10:25am



Ms Sandy Verschoor

Date: 15 February 2024

Chair