

SOUTH AUSTRALIAN HERITAGE COUNCIL

MINUTES

The 64th Meeting of the South Australian Heritage Council (the Council) was held on Wednesday 12 August 2015 in the Coorong Room, Level 2, 1 Richmond Road, Keswick.

Statement of Acknowledgement

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

PRESENT

South Australian Heritage Council: Chair: Mrs Judith Carr; Deputy Chair: Ms Carolyn Wigg; Members: Mr Rob Donaldson (by telephone), Dr Cameron Hartnell, Mr Jason Schulz and Ms Ali Ben Kahn.

Apologies: Mr Michael Queale, Prof Alison Mackinnon, Ms Sara Beazley and Mr Gavin Leydon.

Secretariat: Mr David Hanna, Executive Officer, State Heritage Unit, DEWNR.

Apology: Ms Beverley Voigt, DEWNR

Guests:

Mrs Anna Pope, State Heritage Unit, DEWNR
Mr Simon Carter, State Heritage Unit, DEWNR
Mr Hamish Angas, State Heritage Unit, DEWNR
Mrs Elizabeth Johnson, Owner of Douglas Park Farm
Mr Greg Johnson, son of Owner of Douglas Park Farm
Mr Don Cranwell, Metropolitan Fire Service
Mr Peter Tynan, Director, Greenway Architects

WELCOME

The Chair welcomed all present.

1. ADOPTION OF AGENDA AND DECLARATION OF CONFLICTS OF INTEREST

Agenda adopted without change.

Dr Cameron Hartnell declared a conflict of interest for the following matters:

- Item 6.2 – Mount Salt Limestone Track, as he produced the Heritage Assessment Report.

2. CONFIRMATION OF PREVIOUS MEETING MINUTES

Motion to confirm minutes of 15 July 2015 meeting

The minutes of the 15 July 2015 meeting of the Council were confirmed as a true and correct

record subject to the following amendment:

On page 3, fifth dot point amend the 3rd sentence to read 'DPTI is proposing a tool called an overlay and this may allow designation as distinct to state heritage listing.'

3. ACTION ITEMS

Council members noted the status of the action list.

With regard the first action on the action list, it was noted that the Council's Strategic Plan will include the proposal to hold an annual workshop as an attachment.

Action: Mr Hanna to provide to the Council for consideration at the September meeting.

3.1 UPDATE OF GUIDELINES FOR HERITAGE ASSESSMENTS

Mrs Pope gave an overview of the amendments made to the guidelines which were as a result of Council's comments at the 15 July meeting.

Council requested on page 3 under the heading 'Guidelines indicating this criterion may not be met', that the first dot point be amended to read 'its rarity is only significant in the local context'. Subject to this amendment the Council approved the reviewed guidelines.

RECOMMENDATIONS:

The South Australian Heritage Council:

- **Approved** the revised Heritage Assessment Guidelines subject to the above amendment.

4. REMOVAL OF PROVISIONAL ENTRIES IN THE SOUTH AUSTRALIAN HERITAGE REGISTER

4.1 DOUGLAS PARK FARM, 47 BURTON ROAD, SALISBURY

The Chair noted that the owner of Douglas Park Farm, Mrs Johnson, had written to Council requesting that the Place be removed from the South Australian Heritage Register.

Council discussed and agreed that there were no provisions in the *Heritage Places Act 1993* to re-assess the Place, listed under the provisions of the *South Australian Heritage Act 1978*, against s16 criteria in the Act.

Mrs Johnson (owner) and Mr Johnson (son of owner) were welcomed to the meeting.

The Chair introduced the members of the Council to Mrs Johnson and Mr Johnson and invited them to speak to their request for removal of their property from the Register.

Mr Greg Johnson suggested that the place had been listed in error. Mrs Johnson acknowledged she had signed the nomination form for the Place in 1980 but advised that she had done so on the recommendation of a heritage officer without realising the full consequences of her action.

Mrs Johnson advised of her personal circumstances and the family's desire to sell the property and avoid the ongoing cost of maintenance. The heritage listing is seen by the family as an impediment to the sale at an acceptable price. Mrs Johnson advised that she believed that as the owner she should have more say in what happens to the Place.

The Council noted that the listing is not only about the house, but about the historical association of the property as a whole. The link is with Captain Ellis and then later the McNicol family and the environmental association - a large block adjacent to the river, reflecting the agriculture with which it was originally associated.

Mrs Johnson quoted from a Salisbury history book and noted that the Ellis families and the McNicol families were only mentioned in passing which raises issues as to their standing and importance in South Australia and the value of having a Place associated with them on the Register. The Johnsons did not dispute the facts that the land was owned by Captain Ellis and the house was built by John McNicol.

Mrs Johnson indicated that the linear park (adjacent to their property) achieves the purpose of protecting the historical association with pastoralism, suggesting that there is no need for their block to achieve the same.

The Council provided some background to the Johnson's about how state heritage listings were made under the previous heritage legislation. This is applicable to their property.

The Chair noted that many heritage places tell a story about a particular part of our history, however it was noted that the extent of a listing does not necessarily encompass the whole extent of that story. This is the case with Douglas Park Farm. This place tells a story about early pastoralism of the area and it was noted that residential development has now overtaken much of the land that used to be used for pastoralism.

The Chair advised Mrs Johnson and Mr Johnson that it had legal advice to the effect that it had very limited powers to remove places from the South Australian Heritage Register. They were further advised that Council cannot undertake a reassessment of the Place which was confirmed on the Register on 19 August 1993 under section 12 (1) of the *South Australian Heritage Act 1978*.

In this circumstance, only if it was brought to the attention of Council that the factual basis for the listing was incorrect e.g. Captain Ellis and John McNicol were not associated with the Place, could there be a basis for removal.

In regard to development of the property, the Johnsons were advised that heritage listing did not mean there was no prospect for development of the site and heritage officers in the Department of Environment, Water and Natural Resources could provide advice, although that process is not associated with the Council.

The Council agreed that the property was correctly listed in that it had associations with one of the colony's early pastoralists Captain John Ellis and later with the McNicol family. The statement in the heritage survey that the physical development closely reflects the physical and social history of European settlement in the district is correct.

Mrs Johnson advised that she helped build the stone wall fence in the 1970's and therefore the stone wall fence has no association with early pastoralism or the Ellis or McNicol family. The Council agreed and determined that the Register be corrected to remove reference to the stone wall fence.

The Chair indicated to the Johnsons that the Council would provide a response to them in writing. The Chair thanked the Johnsons for upkeep of their property and for their attendance. Mr Johnson indicated that they will seek legal advice, given the Council's decision.

RECOMMENDATIONS:

The South Australian Heritage Council:

- **Noted** the request by the owner, Mrs Johnson, for removal from the South Australian Heritage Register of Douglas Park Farm, 47 Burton Road, Salisbury.
- **Noted** the advice from the Crown Solicitor's Office to the Heritage Council that neither section 23 nor section 24 offers the Council any significant power to remove from the Register places that are now thought not to have warranted inclusion.
- **Rejected** the application that Douglas Park Farm be removed from the South Australian Heritage Register.

- **Agreed** to correct the Register to remove reference to the stone wall fence and revert to the original name that was gazetted – 'Douglas Park Farm, 47 Burton Road, Salisbury 5108' pursuant to section 21 (1) of the Heritage Places Act 1993.
- **Resolved** to write a letter to the Johnsons outlining the decision of the Council.

5. PROVISIONAL ENTRY IN THE SOUTH AUSTRALIAN HERITAGE REGISTER

5.1 BURRA JINKER, ASSOCIATED WITH THE BURRA MINES HISTORIC SITE [OBJECT]

Mrs Pope introduced the item and noted this will be the first Object listed in the South Australian Heritage Register if Council agree. DEWNR has suggested in the paper to the Council the proposed administration process for listing an object in the South Australian Heritage Register.

An object must be related to a State Heritage Place. The Burra Jinker is associated with the Burra Mines Historic Site.

The Council noted Section 14 (2) (b) of the *Heritage Places Act 1993* that states the Council may, in relation to a place or area entered in the Register include as part of the Register any **object** (not necessarily being located at the relevant place or area) that is, in the opinion of the Council, an **object** of heritage significance.

It was noted that the Burra Jinker is currently located in the Burra township and not on the actual mine site.

It was suggested that a development application would be required if a listed Object was to be moved, however, it was noted that this would be tricky to enforce, as there will not be a heritage encumbrance on titles where objects are no longer at the original place.

It was suggested that the details of the object be kept with the record of the place on the Register.

Council agreed to provisionally list the Burra Jinker.

With regard the Statement of Heritage Significance for the object, the Council requested that the following sentence be deleted 'The Jinker may also have been used to transport the engine for the Schneider shaft in 1852, when Bell (aka Joe) Freeman drove 72 oxen from Port Adelaide to Burra.'

The first sentence of the last paragraph should be amended to read 'The Jinker not only has important associations with the copper mines at Burra, but also demonstrates the evolution of early transport in South Australia, and in particular remarkable carting achievements'

RECOMMENDATIONS:

The South Australian Heritage Council:

- **Approved** the proposed approach for listing objects associated with State Heritage Places, contacting owners regarding the process of listing objects, and maintaining records of the object in the South Australian Heritage Register.
- **Provisionally entered** the Burra Jinker, Market Street, Burra (CT 5562//624 DP24484 A101&102), as an object associated with a State Heritage Place (SHP 10970), pursuant to section 14 (2) (b) of the *Heritage Places Act 1993*.
- **Approved** the proposed 'Summary of State Heritage Object' for the Burra Jinker subject to the amendments listed above.

5.2 PRINCE ALFRED COPPER MINE PRECINCT, VIA CRADOCK

Mr Angas gave an overview of the paper provided to Council by DEWNR.

It was noted that the Report includes an assessment of the Prince Alfred Copper Mine Precinct against each of the criteria under section 16 of the *Heritage Places Act 1993*, and suggests that it fulfils criteria (a), (b), (c), (d) and (e).

It is also recommended that this place be designated as a place of archaeological significance.

It was noted that the precinct includes one of only four surviving crusher houses in Australia.

Council discussed each criterion under section 16 of the *Heritage Places Act 1993* and considered the information provided through the assessment report. Council determined to list the place against criteria (a), (b) and (c).

Council requested that criteria (d) and (e), and the last sentence under criteria (a) be deleted from the Statement of Heritage Significance.

RECOMMENDATIONS:

The South Australian Heritage Council:

- **Provisionally entered** Prince Alfred Copper Mine Precinct, off Prince Alfred Road, via Craddock (CR 5769/172, Section 1011, Hundred 8353000), as described in the Summary of State Heritage Place, in the South Australian Heritage Register as a State Heritage Place, pursuant to section 17(2)(a) of the *Heritage Places Act 1993*, as it satisfies criteria (a), (b) and (c) under section 16 (1) of the Act:
 - (a) *it demonstrates important aspects of the evolution or pattern of the State's history;*
 - (b) *it has rare, uncommon or endangered qualities that are of cultural significance,*
 - (c) *it may yield information that will contribute to an understanding of the State's history, including its natural history.*
- **Designated** the Prince Alfred Copper Mine Precinct, off Prince Alfred Road, via Craddock (CR 5769/172, Section 1011, Hundred 8353000), as a place of archaeological significance, pursuant to section 14(7)(b) of the *Heritage Places Act 1993*.
- **Approved** the proposed 'Summary of State Heritage Place' for the Prince Alfred Copper Mine Precinct, off Prince Alfred Road, via Craddock, including the statement of heritage significance, statement of archaeological designation, discussion of relevant criteria, and site plan (subject to the changes requested in the discussion above).

5.3 FOREST LODGE GARDENER'S COTTAGE (FORMER) 21 PINE STREET, STIRLING, 5152

Council considered the paper provided by DEWNR in relation to the nomination of this place. The assessment report considered the place against each criterion under Section 16 of the *Heritage Places Act 1993* and recommended that the place did not meet any of the criteria.

Council discussed the assessment and agreed to reject the nomination of this place.

Council agreed with the recommendation by DEWNR to write a letter to the Adelaide Hills Council to advise that the Council has rejected the nomination, however the Adelaide Hills Council may like to consider it for inclusion in its local heritage register.

Action: DEWNR to write letter to Adelaide Hills Council.

RECOMMENDATIONS:

The South Australian Heritage Council:

- **Rejected** the nomination of Former Gardener's Cottage, 'Forest Lodge', 21 Pine Street, Stirling, 5152 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 Place Act 1993*.
- **Agreed** that DEWNR would write to the Adelaide Hills Council that Former Gardener's Cottage, 'Forest Lodge', 21 Pine Street, Stirling, 5152 had been rejected and may be considered for inclusion in its local heritage register.

6. CONFIRMATIONS IN THE SOUTH AUSTRALIAN HERITAGE REGISTER

6.1 ADELAIDE FIRE STATION

Mr Cranwell, Metropolitan Fire Station (MFS) and Mr Tynan (Director, Greenway Architects) were welcomed to the meeting.

Mr Cranwell had made a written submission in relation to the entry of the Adelaide Fire Station on behalf of the MFS.

Mr Cranwell advised that the MFS asset management revolves around getting their appliances to an incident in 7 minutes, 90% of the time. There are structural issues with the main building, Mr Tynan, Director of Greenway architects, said that it is important the main building has a better earthquake resistance rating. The building fabric needs to be underpinned and reinforced and external work will be done in sympathy with the heritage of the building. It was noted that the money to be spent on the main building needs to happen regardless of heritage status.

Mr Cranwell advised that the MFS is sympathetic to the confirmation of the listing of the main building, but the balance of the site is for operational purposes and should not be listed.

It was noted that the MFS is currently negotiating with the Government to position all emergency services at the site with a significant frontage onto Angas Street. The MFS has engaged Greenways Architects to draw up plans for the redevelopment of the site, which include a multi storey building on Angas Street.

Mr Cranwell advised that there is not space to add more fire engine bays to the Wakefield Street frontage and therefore the Angas Street frontage is being considered for this expansion. The site needs a station that can manage special large-scale operations and response through Angas Street. The MFS proposes a large central facility where all emergency services can train together. If heritage listing includes the rear of the site, it will cause additional development process for the MFS.

It was noted that the development assessment process allows for an examination of possible works on the site of a Place.

Council noted that the Register Committee provisionally listed the site as a whole, as it was designed as an integrated whole. DEWNR has recommended that the extent of the listing be reduced and provided a site plan that assessed each of the buildings as being of either high, medium or low heritage significance. Council noted that there was limited information to substantiate the basis of the reduced site area or the high, medium or low assessment given these aspects had not been considered by the Register Committee. Council also noted that MFS has not responded to repeated requests for access to the Site as part of the assessment process.

The Council indicated the full information made available to the Register Committee had not been tabled, nor had the basis of the reduced site area and ranking and therefore it was not in a position to make a decision.

Council agreed to defer this item pending additional information being provided to address the concerns raised. DEWNR agreed to provide further information to the September 2015 meeting of the Council.

Mr Cranwell offered to facilitate a site visit to enable more information to be collected.

Action: DEWNR to arrange a site visit and to provide further information to the September meeting of the Council as discussed above.

RECOMMENDATION

The South Australian Heritage Council:

- **Agreed to defer** consideration of confirmation of the Adelaide Fire Station, 81-129 Wakefield Street, Adelaide pending further information to be provided by DEWNR.

6.2 MOUNT SALT LIMESTONE TRACK, MACLEANS ROAD, MOUNT SCHANK

Mr Angas gave a brief overview of the paper that DEWNR had prepared for Council's consideration.

Noted that Dr Cameron Hartnell prepared the assessment report so he would not vote on this matter.

All Council members agreed to the confirmation against criterion (b) of section 16 of the *Heritage Places Act 1993* and approved the proposed Summary of State Heritage Place without amendment.

RECOMMENDATION

The South Australian Heritage Council:

- **Confirmed** the Mount Salt Limestone Track, 640 McLeans Road, Mount Schank (CT 6152/401, A57, FP 935, Hundred of Macdonnell), 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 the following criterion:
(b) *it has rare, uncommon or endangered qualities that are of cultural significance.*
- **Approved** the proposed 'Summary of State Heritage Place' for the Mount Salt Limestone Track, including the statement of heritage significance, discussion of the relevant criteria, and site plan.

7. DESIGNATION OF EXISTING STATE HERITAGE PLACE

7.1 HALLETT COVE CONSERVATION PARK, SANDISON RESERVE AND ENVIRONS GEOLOGICAL SITE

Mrs Pope introduced this item, explaining that none of the pre-1993 listings had yet been considered for designation, and proposing that DEWNR develop a project to identify and process places that could be considered for retrospective designation. Places likely to be prioritised would include those that might be at risk from mining, excavating, digging, etc. Designation will provide an additional layer of protection, in particular, that all digging and excavation would require a permit, and that the work will need to be undertaken by someone with the appropriate skills.

The Hallett Cove site was suggested as a test case for the retrospective designation process. It has outstanding geological qualities and is subject to relatively high visitation. Designation will help to protect the place from damage, particularly in relation to compliance. The place is owned by DEWNR and the National Trust, and discussion with the relevant caretakers has been undertaken.

It was noted that DEWNR had done some good work preparing this matter, however Council asked DEWNR to do some more work on the purpose of designation and test the reasons for designation. In particular, draft guidelines are to be developed to help determine when and how the designation process could be triggered, and how places should be prioritised for processing.

It was noted that the number of places that might be eligible for retrospective designation is probably less than 100. DEWNR will do some further work to prioritise these for Council's consideration.

It was agreed that designation would be an addition to the listing.

It was noted that DEWNR may need to consider seeking Crown Law advice.

RECOMMENDATION:

The South Australian Heritage Council:

- **Requested** DEWNR to provide some further information regarding the proposed approach for retrospective designation of state heritage places.
- **Deferred** consideration of retrospective designation of the Hallett Cove Conservation Park, Sandison Reserve and Environs Geological Site, pending further information from DEWNR.

8. REPORT FROM DEWNR

8.1 STATUS OF NOMINATIONS AND PROVISIONAL ENTRIES

Noted that there has been one new nomination, that of the Victor Harbor Horse Tram.

DEWNR agreed to prepare a paper for Council regarding corrections.

8.2 REPORT FROM DEWNR

Mrs Pope gave a summary of the report provided to Council members, including talking through the powerpoint presentation summarising some of the Unit's achievements during the past financial year. The presentation was originally prepared for the Conservation and Land Management Branch leaders, and included projects relating to maritime heritage, heritage conservation and sharing information about heritage.

Council noted that DEWNR has published Guidelines for Goolwa, Mintaro & Penola State Heritage Areas, and also Guidelines for defining the Curtilage of Heritage Places.

Council members noted the work of the State Heritage Unit, DEWNR.

Action: Send Council members a copy of the Guidelines for defining the Curtilage of Heritage Places.

9. REPORT FROM CHAIRPERSON (verbal)

Nil.

10. ITEMS FOR NOTING

10.1 CORRESPONDENCE

Council noted the correspondence received and sent.

10.2 REPORTS ON DECISION MADE UNDER DELEGATION

Council noted the reports on decisions made under delegation.

11. ANY OTHER BUSINESS

Mr Schulz suggested that DEWNR consider contacting Postcards or SA Life to assist with promoting heritage through tourism. Noted that SA Life is very receptive to good content.

CLOSE OF MEETING

The Chair thanked all in attendance and closed the meeting at 12:45pm.



Ms Judith Carr
Chair

6.10.15

Date: