

Item 1. In Attendance

Ian Jack (Chair)
Jason Ardler
Joan Templeman
John Delaney
Michael Collins
Reece McDougall

Apologies

Ross Fitzgerald

Also in Attendance (NSW Heritage Office)

Cameron White
Linda Byrne
Bruce Baskerville
Bronwyn Hanna
Bill Nethery
Claudine Loffi

Item 2. Declarations of interest

	Conflict of Interest
Ian Jack	7.2 Portland Cement Works

Item 3. Confirmation of the minutes of the previous meeting

The minutes of the previous meeting held 7 July 2004 were noted and adopted.

Item 4. Action Report

The action report was noted with the following comments:

- a) The Great Synagogue, Sydney

The Director of the Heritage Office and Chair of the Heritage Council met with the owners. The owners support the nomination.

Item 5. Minutes, reports and matters arising from HC Advisory Panels

5.1 SHR Criterion A Guideline

Bruce Baskerville spoke to the matter. The guideline is a major project undertaken by the History Advisory Panel (HAP) which considered this matter in great detail. The actual guideline is contained in pages 394-397 of the report. The guideline has been developed to facilitate concise and consistent use of the criteria for listing on the State Heritage Register for assessing items of state heritage significance.

The Committee noted the importance of this project undertaken by HAP and congratulated Bruce Baskerville and HAP on this achievement. Discussion took place on the relevance and use of the criteria which are fundamental to heritage management. It was suggested that these guidelines could have a wider application in the heritage field.

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HERITAGE COUNCIL
STATE HERITAGE REGISTER COMMITTEE
Meeting of 4 August 2004 at 1.30 Parramatta

Resolved

That the Heritage Council State Heritage Register Committee:

1. **adopts the document titled *Guidelines for Researching and Assessing the Importance of an Item in the Course, or Pattern, of NSW's (or a local area's) Cultural or Natural History*;**
2. **thanks the History Advisory Panel for developing the document titled *Guidelines for Researching and Assessing the Importance of an Item in the Course, or Pattern of NSW's (or a local area's) Cultural or Natural History*; and**
3. **requests that the document be made publicly available and accessible through publications, the website, and other appropriate media and referred to the next National Heritage Chairs and Officials meeting.**

Item 6. Presentations

Nil

Item 7. SHR – Notice of intention to List
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7.1 Bathurst Old School of Arts Library Collection

Bronwyn Hanna and Libby Robertson (Heritage Office Librarian) spoke to the matter. This is a community nomination and there is strong support from the owner; the Bathurst City Council. This is the first book collection proposed for listing on the State Heritage Register.

Libby Robertson examined the collection in Bathurst as resolved by the Committee at the June 2004 meeting. The catalogue of the original collection was recovered during the site visit. The original catalogue of 1899 consists of 299 pages listing contemporary fiction of that time and would have been considered a substantial collection during this period. The collection appears to be unique and rare. Investigations concluded that only two other similar collections exist but these consist of contemporary fiction publications (Casino) and urban, working class materials (Newtown).

This nomination is considered movable heritage, therefore a curtilage is not required. The collection is likely to expand as more books are recovered and integrated into the collection. The Bathurst Library has some storage difficulties but this can be easily resolved.

The Committee discussed legal considerations of the listing that will allow for the expansion and contraction of the collection and a schedule of items may be required. These matters will be considered for the formulation of site specific exemptions.

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Resolved

That the Heritage Council State Heritage Register Committee:

- 1. considers the Old Bathurst School of Arts Library Collection, defined in accordance with the curtilage shown at Annexure B may be of State heritage significance;**
- 2. in accordance with section 33(1)(a) of the Heritage Act, will give each person that it considers to be an affected owner or occupier written notice that it is going to consider whether or not to recommend the listing of the item concerned (*a Notice of Intention to Consider Listing*);**
- 3. in accordance with section 33(1)(b) of the Heritage Act, within 14 days after notice of intention to consider listing is given, will cause a notice of intention to consider listing to be published in a newspaper circulating in the area in which the item is situated, inviting submissions on the listing, specifying a date as the closing date for the receipt of submissions 28 days after publication of the newspaper notice and the manner in which submissions may be made;**
- 4. directs the Heritage Office to commence discussions with the owner about possible exemptions made in accordance with section 57(2) of the Heritage Act to be made in addition to the Heritage Council's Standard Exemptions, to be implemented if the item is listed on the State Heritage Register; and**
- 5. directs the Heritage Office to explore options for obtaining nominations for the School of Arts library collections of Newtown and Casino.**

7.2 Portland Cement Works, Portland

This item was chaired by Michael Collins as Ian Jack declared a conflict of interest and did not participate in proceedings.

The Portland Cement Works has been nominated by a community group and is supported by Lithgow Council. It is proposed to list half of the existing complex of sites which were the original portions of land and consists of the heritage items of interest. The current owners intend to dispose of the site and are not supportive of the nomination. Both the owner (Boral Ltd) and the potential purchaser have been notified of the nomination and potential state heritage significance of the site.

There are time constraints with the listing of the site due to a pending sale which has been in negotiation for 4-5 years. There is also public safety issues associated with the site, which is difficult to rehabilitate. Site specific exemptions may need to include some demolition activities.

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Resolved

That the Heritage Council State Heritage Register Committee:

- 1. considers the Portland Cement Works and Quarries Site, Portland defined in accordance with the curtilage shown at Annexure B may be of State heritage significance;**
- 2. in accordance with section 33(1)(a) of the Heritage Act, will give each person that it considers to be an affected owner or occupier written notice that it is going to consider whether or not to recommend the listing of the item concerned (*a Notice of Intention to Consider Listing*);**
- 3. in accordance with section 33(1)(b) of the Heritage Act, within 14 days after notice of intention to consider listing is given, will cause a notice of intention to consider listing to be published in a newspaper circulating in the area in which the item is situated, inviting submissions on the listing, specifying a date as the closing date for the receipt of submissions 40 days after publication of the newspaper notice and the manner in which submissions may be made;**
- 4. directs the Heritage Office to commence discussions with the owner about possible exemptions made in accordance with section 57(2) of the Heritage Act to be made in addition to the Heritage Council's Standard Exemptions, to be implemented if the item is listed on the State Heritage Register; and**
- 5. request the Heritage Office to continue consultation with the Department of Primary Industries in relation to requirements for the decommissioning of the site.**

7.3 Kenmore Psychiatric Hospital, Goulburn

Bill Nethery spoke to the matter. Photographs of the site were tabled. This is a large and complex site. It is owned by the Department of Health which intend to dispose of the site to developers. The purchase of the site is conditional on the approval of a Development Application (DA) which Goulburn City Council is currently considering. The potential owner and development company (Longreach) support the nomination.

The original Conservation Management Plan was authored by Heritage Consultant, Peter Freeman and endorsed by the Heritage Council in 1993 then reviewed in 1999.

In May 2004 the developers held a public meeting seeking support for a stage one DA and produced a Master Plan. The Master Plan did not sufficiently address heritage matters or provide details on the program for activities associated with heritage items on the site.

Other state government agencies have raised concerns about the DA. The Heritage Office has been approached by a representative of the Department of Environment & Conservation for comments on the DA.

The Committee discussed the proposed curtilage presented in the report which does not show the location of heritage buildings on the site. A plan was tabled showing the building locations within the proposed curtilage. The Committee was advised that the proposed curtilage includes all the heritage items of interest. The land parcels to be excised from the site do not contain heritage items and development would not directly affect the significance of the area proposed for listing.

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Murray Brown advised that this site is of particular community interest and questioned the time frame proposed for notification and advertising. However, submissions in relation to the DA have already been received from major stakeholders and interested parties as well as a letter of support for listing. Therefore, the proposed advertising period of 21 days is considered sufficient.

The Committee requested a detailed curtilage map be presented at the final stage of the listing process which shows the location of all heritage items contained within the proposed curtilage.

Resolved

That the Heritage Council State Heritage Register Committee:

- 1. considers the item, Kenmore Hospital Precinct defined in accordance with the curtilage shown at Annexure 'B' may be of State heritage significance;**
- 2. in accordance with section 33(1)(a) of the Heritage Act, will give each person that it considers to be an affected owner or occupier written notice that it is going to consider whether or not to recommend the listing of the item concerned (a *Notice of Intention to Consider Listing*);**
- 3. in accordance with section 33(1)(b) of the Heritage Act, within 14 days after notice of intention to consider listing is given, will cause a notice of intention to consider listing to be published in a newspaper circulating in the area in which the item is situated, inviting submissions on the listing, specifying a date as the closing date for the receipt of submissions 21 days after publication of the newspaper notice and the manner in which submissions may be made; and**
- 4. directs the Heritage Office to commence discussions with the owner about possible exemptions made in accordance with section 57(2) of the Heritage Act to be made in addition to the Heritage Council's Standard Exemptions, to be implemented if the item is listed on the State Heritage Register.**

Item 8. SHR – Recommendation to Minister

8.1 St Patrick's Estate, Manly

Reece McDougall clarified that the Committee had previously recommended a notice of intention to consider listing. This process took place in April 2003 and during that period the Heritage Office consulted with management of the Estate and major issues were resolved. However, since that time the Estate has come under new management. Therefore, the Director of the Heritage Office and Chair of the Heritage Council will meet with new management to ensure that all parties are aware of the consultation that previously took place and are informed of the implications of listing on the State Heritage Register.

The Committee acknowledged that several presentations were made to the Heritage Council earlier in the process and that after considerable discussion it was agreed listing would proceed. The Committee were advised that additional issues have not been raised since that time and all major issues raised in previous Committee and Heritage Council meetings have been addressed.

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Listing of this site will give the Heritage Council a formal role in matters associated with the site, which until now has only been in a referral capacity. Good relations have been established with all relevant parties and this will be maintained.

Claudine Loffi spoke to the matter. There are issues associated with the timing of formalising the listing with regard to its affect on current development applications. It is intended to manage this issue in consultation with Lend Lease (proponents) and Manly Council.

This matter has been considered by the Aboriginal Heritage Advisory Panel which recommended that further consultation with the local Aboriginal community was required.

The Committee noted that the Conservation Management Plan for the Estate was endorsed by the Heritage Council with an understanding that the item was listed on the State Heritage Register.

Resolved

That the Heritage Council State Heritage Register Committee:

- 1. notes that the Chair of the Heritage Council and the Director will meet with the new Archdiocese representatives prior to proceeding with listing to clarify the listing process;**
- 2. directs the Heritage Office to undertake consultation with the Aboriginal community, as recommended by the Aboriginal Heritage Advisory Panel, on the significance of the site;**
- 3. directs the Heritage Office to consider developing site specific exemptions made in accordance with section 57(2) of the Heritage Act to be implemented if the item is listed on the State Heritage Register;**
- 4. in accordance with section 33 (1)(d) of the Heritage Act 1977 advises the Minister that the item, St Patrick's Estate at Manly, is of State heritage significance as shown in the plan at Annexure B;**
- 5. recommends to the Minister, in accordance with sections 32(1) and (2) of the Heritage Act, that she directs the listing of the item, St Patrick's Estate at Manly, on the State Heritage Register if she considers the item is of State heritage significance; and**
- 6. in accordance with sections 33 (1)(e) of the Heritage Act 1977, gives notice of its decision to persons notified under section 33(1)(a).**

8.2 Bathurst Cathedral Bells

Bronwyn Hanna spoke to the matter. This nomination is strongly supported by the owner. The Cathedral bells are currently grounded but construction of a new bell tower is proposed by the owners to house the bells. The National Trust opposed the listing based on the bells not being housed in the original bell tower site. The bells are considered state significant due to being one of two sets of bells founded by Warner & Sons in NSW, they are representative and have research potential.

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Resolved

That the Heritage Council State Heritage Register Committee:

- 1. in accordance with section 33 (f) of the Heritage Act, 1977 advises the Minister that the Bathurst Cathedral Bells, All Saints Anglican Cathedral Bathurst are of State heritage significance as shown in the plan at Annexure B;**
- 2. recommends to the Minister, in accordance with sections 32(1) and (2) of the Heritage Act, that she directs the listing of the Bathurst Cathedral Bells, All Saints Anglican Cathedral Bathurst, on the State Heritage Register if she considers the item is of State heritage significance;**
- 3. in accordance with sections 33 (e) of the Heritage Act 1977, gives notice of its decision to persons notified under section 33(1)(a); and**
- 4. request the Heritage Office to encourage the development and endorsement of the draft Conservation Management Strategy in consultation with the owner.**

Item 9. Section 170 Registers

Nil

Item 10. Interim Heritage Orders

10.1 Status Report

The status report was noted with the following comments:

(a) Lachlan Vintage Village, Forbes

see Agenda Item 10.2.

b) Peberdy House, Tenterfield

Peberdy House is not considered to be of state significance but will be retained for its local heritage values.

c) Bower Hall, Manly

Discussions with the owner are continuing.

10.2 Lachlan Vintage Village, Forbes

The Village has been determined as a place of primarily local heritage significance with some individual items of potential state significance. The Heritage Office has been in negotiation with the owner and Forbes Shire Council and is recommending revocation of the IHO subject to conditional agreements with the owner and Council.

It is clear from on site assessments and comparative analysis of similar sites in NSW that the site is not of state heritage significance. The extant of original buildings is minor, many buildings were relocated to the site, most of the buildings and structures were replicas and are in very poor condition. A number of original items have been lost due to various auctions carried out since the 1980's.

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An assessment is to be carried out on the extant farm machinery located on the site which has potential state significance.

The Committee noted that it is originally a mining site and not a rural landscape as has been depicted by the Village.

Discussion took place on the validity of the IHO when an assessment has been made and determined as local significance. The IHO will allow time for the Forbes Shire Council to enter the site on the Local Environmental Plan.

Resolved

That the Heritage Council State Heritage Register Committee:

- 1. advise the Minister that upon further investigation, the 'Lachlan Vintage Village' at Newell Highway, Forbes, is not considered to be of State significance and does not warrant listing on the State Heritage Register;**
- 2. accordingly recommend that the Interim Heritage Order on the 'Lachlan Vintage Village' be revoked by the Minister;**
- 3. note that the 'Lachlan Vintage Village' has substantial local heritage significance and requests that the Director of the Heritage Office prepare correspondence that strongly encourages Forbes Shire Council to adopt the conservation/development strategy devised by the Heritage Office and support Forbes Shire Council's intention to include items of environmental heritage in its Local Environmental Plan to enable protection of items of heritage significance such as 'Lachlan Vintage Village'; and**
- 4. requests the Heritage Office to advise the owners of the 'Lachlan Vintage Village' and Forbes Shire Council of the above decision.**

Item 11. Environmental Planning Instruments & Heritage Studies

11.1 Status Report

The status report was noted.

Item 12. Matters for Consideration

12.1 Sheeks, Bayview - Revocation of IHO

Bruce Baskerville spoke to the matter. An archaeological survey was conducted of the site which was destroyed by fire following an IHO. The investigation concluded that fabric of potential state significance has not survived the fire. The auction of the site was deferred immediately after the fire due to uncertainty of the implications of the IHO. The Heritage Office will be investigating possible changes to the Heritage Act, particularly sections 160 and 161, to include penalties that deter such events.

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Resolved

That the Heritage Council State Heritage Register Committee:

- 1. request the Heritage Office to develop the “Sheeks Amendment” of proposed changes to the Heritage Act which will have the effect of addressing issues associated with the demolition and destruction of properties affected by an Interim Heritage Order or listing under the Heritage Act.**

12.2 Evatt House, Wahroonga

The Committee was advised that the notice of intention exhibition period has been extended and the proposed curtilage has been amended. The owner’s heritage consultant suggested that the Committee conduct a site inspection. The Committee noted that the item’s significance is in relation to its historical association and not aesthetic and architectural values. The Committee agreed that a site inspection is not warranted and the listing should proceed.

Item 13. General Business

Nil

Next Meeting

1st September 2004, Bourke