

**HERITAGE COUNCIL  
STATE HERITAGE REGISTER COMMITTEE**

**Heritage Council of NSW  
State Heritage Register  
Committee**

Agenda item: 3.0  
Date: 4 July 2005  
File:H99/00007

**MINUTES OF MEETING**

Wednesday 1<sup>st</sup> June 2005

NSW Heritage Office, 3 Marist Place, Parramatta



**1. Attendance**

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**PRESENT** Ian Jack (Chair)  
Jason Ardler  
John Delaney  
Michael Clarke  
Michael Collins  
Reece McDougall  
Ross Fitzgerald

**APOLOGIES** Sharon Sullivan

**ALSO IN ATTENDANCE  
(NSW Heritage Office)** Anthony Mitchell  
Brad Vale  
Bill Nethery  
Bronwyn Hanna  
Bruce Baskerville  
Claudine Loffi  
Linda Byrne  
Mary Ann Hamilton  
Tim Smith

**2.0 Declarations of Interest**

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**Pecuniary Interests**

Nil

**Non Pecuniary Interests**

Nil

**Conflicts of Interest**

Ian Jack Item 11.1 Blue Mountains LEP.

**Other**

Michael Collins Item 7.2 Lidcombe Hospital Precinct

### **3.0 Confirmation of Minutes**

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The minutes of the previous meeting held 5<sup>th</sup> May 2005 were noted and adopted.

### **4.0 Action Report**

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The action report was noted and adopted with the following comments:

a) Tulkiyan, Gordon

The listing was Gazetted on the 27<sup>th</sup> May 2005.

b) Berry Courthouse

This matter is being brought to the Committee for final recommendation at today's meeting.

c) Rosebank, Liverpool

The listing was Gazetted on the 27<sup>th</sup> May 2005.

d) Hampton Villa, Balmain

The listing was Gazetted on the 27<sup>th</sup> May 2005.

### **5.0 Reports**

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Nil.

### **6.0 Presentations**

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#### **6.1 North Beach Precinct - Carol Herben, Illawarra Historical Society**

Refers to Agenda Item 8.2

Carol Herben provided Members with a presentation that showed how the remaining fabric and structures of the site demonstrate the layers of historical use.

The Illawarra Historical Society conducted a heritage assessment and determined that the site has unique historic, archaeological and aesthetic values that meet the criteria for listing on the State Heritage Register.

The Illawarra Historical Society recommend that the Committee consider a listing curtilage that includes the kiosk, pavilion, surf club, tramway cutting, pine trees, salt work structural remains and a sea boundary that extends to the low water mark to include the archaeological remains associated with the salt works.

## **6.2 North Beach Pavilion – Frank Vellar (Developer)**

Refers to Agenda Item 8.2. Although invited to make a presentation to the Committee, Mr Vella declined the offer.

## **7.0 State Heritage Register – Notice of Intention to List**

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### **7.1 Mountain View Homestead and General Store**

Mary Ann Hamilton spoke to the matter. Heather Stocks nominated the item and is the daughter of former owner, Betty Sommerville. The site consists of a Homestead with an adjacent timber framed and iron clad General Store building. The homestead is a two story dwelling that demonstrates unique wattle and daub construction techniques with stylistic features. Construction commenced in the 1880's by David Todd Smith who also took up land and started gold and silver businesses. After the collapse of mining activities, the property was used for farming and the General Store became a shearing shed – fittings for this use still remain. The house remained in the ownership of the original family until 1973 when it was sold to the Somerville's. Soon after, some aspects of the property was restored and the property continued to be used for farming. Church camps were established on the property and eventually a Church Camp Hall was built. In 1989 the property was used for tourism ventures including horse riding and participation in the Japanese Farm Stay Scheme.

The property is currently the subject of an extended contract of sale. Both the current and potential owners have been consulted with all parties supporting the listing. The property currently requires conservation and repair, some of which have recently commenced. The nominator has established a volunteer conservation group which have been involved in stabilisation works. The proposed curtilage incorporates approximately 1ha of the property including the homestead parcel and extends to the creek. A number of dwellings along the same road were constructed by the same family.

Members noted that the house appeared to require considerable conservation works and that it had not been occupied since 1978. It was suggested that the Heritage Office may consider an emergency application for stabilisation works and assistance with the preparation of a conservation management plan. Members also noted that the ownership circumstances is unusual as it is under a 2 year delayed contract of sale. It was confirmed that settlement is due in 18 months time.

#### ***Resolved:***

#### **That the State Heritage Register Committee:**

- 1. considers the item, Mountain View homestead and General Store, 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; and
  4. directs the Heritage Office to finalise 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.

## 7.2 Lidcombe Hospital Precinct

Claudine Loffi spoke to the matter. The Heritage Office has been involved in this matter for some time. The hospital is highly significant for its association with the development of health within NSW. A Conservation Management Plan has been developed along with a master plan and Development Control Plan related to the redevelopment of the land by Australand.

A colour copy of the curtilage map showing detail of the buildings within the complex was circulated to members. Most of the original buildings outside the proposed curtilage have been demolished. The demolished buildings were developed in the 1970's and were of low significance. The proposed curtilage consists of the remaining buildings in the north west corner associated with various periods of its development including early buildings designed by prominent 19<sup>th</sup> and 20<sup>th</sup> century architects.

The original site was nominated by a community group in its entirety some time ago. The community group have in the past, objected to a reduced listing curtilage which excluded buildings of the interwar period.

The development outside the curtilage is ear marked for significant residential development. The remaining buildings could be adaptively reused but proposals have not been put forward at this time.

Members discussed the potential impacts of the proposed development on the amenity of the place. There may be a need for a buffer zone between the curtilage and area for development. It was noted that the curtilage is compatible with the master plan. Members also noted that the curtilage includes individual precinct areas. Members were advised that the precinct orientation was designed around the village green and this has been considered for the proposed curtilage.

The owner/developer was invited to make a presentation to the Committee but declined.

Members discussed the notification time frame with consideration to pending development applications.

**Resolved:**

**That the State Heritage Register Committee:**

- 1. considers the item, Lidcombe Hospital Precinct at Joseph Street, Lidcombe, 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 of 28 days after the publication of the newspaper notice and the manner in which submissions may be made; and**
- 4. directs the Heritage Office to prepare exemptions, where necessary, in addition to the Heritage Council's Standard Exemptions, to be implemented in accordance with section 57(2) of the Heritage Act if the item is listed on the State Heritage Register.**

### **7.3 Former RAAF Radar Station 208, Catherine Hill Bay**

Linda Byrne spoke to the matter. The former World War II RAAF Radar Station is a rare example of its type. There were only nine of these ACO radar stations established in Australia, which were the most sophisticated radar technology available during WWII. It is the only remaining site of the two established in NSW, the other being located in Lilly Pilly in which no trace remains. It demonstrates the characteristics of a military radar installation of WWII, is associated with an innovative period of Australian science and was part of the air warning network established along Australia's coast line. Although over 100 radar stations were established in Australia during the war, very little evidence remains. Most radar stations were either temporary structures or all evidence removed at the end of the war.

The nomination was first made in the form of a submission from a community member in 2003, however a more substantial nomination was not provided until recently. In that time the nominator undertook extensive research including the collection of oral histories from notable RAAF and WAAAF veterans that served at the Radar Station during WWII. The highly secretive nature of this aspect of WWII history was apparent even recently when researchers found that RAAF records relating to the radar operations and development during this period were still classified as top secret. The nomination form is a composite of original research conducted by the Heritage Office, submissions from the nominator and information provided by the Radar Air Defence Branch of the RAAF Veterans Association.

There are two owners of the site, with north and south land parcels dividing the former Radar Station with equally significant fabric contained within each land parcel. The northern section is owned by Lensworth Wallarah Peninsula and is subject to a major master planning scheme. Lensworth Wallarah Peninsula believe that listing is not warranted as sufficient provisions are in place for its protection. The master planning documents identify the northern above ground bunker as a cultural heritage item for retention and incorporation into open space and recreation proposals such as a heritage trail. However, the planning documentation excludes reference to the other remains in the northern section such as the four tower footings and other surface remains.

The owner of the southern section is Rio Tinto Allied Coal who does not object to the listing and is interested in a joint rehabilitation and management arrangement with the adjoining land holder.

The site is situated on a ridge that is 93 metres above sea level amongst dense bushland overlooking the Pacific Ocean. Parts of the remaining fabric in the northern section is located close to the edge of the cliff that has become unstable as a result of past open cut mining activities. Members were shown an ortho photograph that demonstrated the overall location from an aerial perspective and the extent of the mining affected cliff in relation to the site. Members enquired about the capacity to ensure that necessary cliff stabilisation works were carried out. Members were advised that an extensive geophysical assessment was carried out by Lensworth Wallarah Peninsula as part of the master planning process. The geophysical assessment identified options for stabilisation which is a requirement for proposed development within the disturbed sections of the cliff gully located directly below the Radar Station site.

**Resolved:**

**That the State Heritage Register Committee:**

- 1. considers the item, 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; 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.**

#### **7.4 Morella, Clifton Gardens**

A green agenda item paper was tabled at the meeting circulated to members. Anthony Mitchell spoke to the matter. This matter was deferred at the April Committee meeting due to concern about the feasibility for conservation of the building. The building is associated with a significant family owner and architect. The building demonstrates many facets of Griffith's work and Nichols' organic aspects of architectural design such as decorative concrete motifs. The Heritage Office recently funded a study to provide comparative analysis on the work of Nichols which has been difficult assess in the past. As a result of this study, this building has been assessed as being potentially of state significance.

The owner consented to an inspection which took place on the 26<sup>th</sup> May 2005. The inspection party included Professor Ian Jack, Chair of the State Heritage Register Committee; Susan Macdonald, Assistant Director, NSW Heritage Office; Anthony Mitchell, Heritage Office; Paul Connett of Hughes Trueman Consulting Engineers; Robert Staas, Heritage Advisor to Mosman Council; Maxine Bayley of Mosman Council; and James Taylor of James Taylor & Associates Civil & Structural Consulting Engineers (representing the owner).

At the conclusion of the inspection it was determined that conservation was feasible, but would be costly. The outcome of the inspection is consisted with similar recommendations made in 1996 by the owners engineer who detailed a number of works that were required. The house is fairly in-tact however is subject to major safety issues. Restoration would require invasive machinery access, roof works, stabilisation, removal of terraces and replacement of terrace slabs.

It is believed that the owner has not deliberately neglected the house, but has had difficulty in managing the property. The owner has not raised objections to the listing and understands that conservation work needs to occur. Members were advised that the owner indicated that funds are available to restore the house. The Mossman Council have advised that it will be making orders for its demolition if conservation works are not carried out. The Heritage Office needs to assist the owner by providing direction and further discussions to ensure action is initiated.

Members discussed issues about imposing minimum standards of maintenance and repair, given the current condition of the house should it be listed on the State Heritage Register. It was noted by Members that the house requires a significant amount of rebuilding and discussed restoration options, such as through the Historic Houses Trust endangered house listing. Members also noted that during the site inspection the owner indicated the availability of funds to undertake restoration works and has expressed commitment to retaining the house.

Members enquired if the effect of listing had been explained to the owner, such as the application of minimum standards of maintenance and repair. Members were advised that the affects of listing was explained to the owner and that that there will be opportunities to discuss options further. Members recommended that a reasonable amount of time is given to enable the owner to allocate and expend funds, and commence conservation works.

It appears that the owner requires assistance to guide decisions for the site. The owners consultant has advised that giving direction by the Heritage Council to the owner in the form of listing and restoration options is an appropriate approach.

**Resolved:**

**That the State Heritage Register Committee:**

1. note that new research on the life and work of Eric M. Nicholls completed in 2004 with funding assistance from the Heritage Office, indicates that Morella is likely to be of State significance;
2. note that Morella has been unoccupied and subject to severe deterioration due to water ingress for several years;
3. note that at its meeting of 6 April, 2005, the State Heritage Register Committee deferred considering a nomination to list Morella on the State Heritage Register until after an inspection had taken place to assess whether or not its significance could be conserved;
4. note that with the owner's consent an inspection of Morella by relevant experts including an independent heritage engineer took place on 26 May, 2005,
5. note that following the inspection and advice from the attendant experts the Heritage Office has formed the view that the long term conservation of Morella can be achieved;
6. considers the item, Morella, defined in accordance with the curtilage shown at Annexure C may be of State heritage significance;
7. 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*);
8. 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 sixty days after publication of the newspaper notice and the manner in which submissions may be made; and
9. directs the Heritage Office to commence discussions with the owner and his representative about the critical actions and works required so as to avoid the application of minimum standards of maintenance and repair under the Heritage Act, 1977, should Morella be listed on the State Heritage Register.

## **8.0 State Heritage Register – Recommendation to Minister**

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### **8.1 Berry Courthouse**

Mary Ann Hamilton spoke to the matter. Public notifications were placed in metropolitan, regional and indigenous press. One submission was received in support of the nomination from Berry Historical Society. The owner was contacted via telephone and expressed support for the listing.

Consultation with the Aboriginal community involved presentation to the Heritage Council Aboriginal Heritage Advisory Panel, contact with the Aboriginal Community Development Officer with Shoalhaven City Council and advice to local Aboriginal Elders through a local community liaison. The Elders advised that the whole Berry area would have been the site of historic campsites and important to the Aboriginal people.

#### ***Resolved:***

**That the State Heritage Register Committee:**

- 1. in accordance with section 33 (1)(d) of the Heritage Act, 1977 advises the Minister that the Berry Courthouse is of State heritage significance in 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 Berry Courthouse on the State Heritage Register if she considers the item is of State heritage significance; and**
- 3. 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).**

### **8.1 North Beach Precinct, Wollongong**

Refers to Agenda Item 6.1 above.

Bronwyn Hanna spoke to the matter.

Members discussed the extent of the proposed curtilage in detail. It was confirmed that the Heritage Council can include marine environments in a curtilage. The Committee support listing providing the curtilage was refined to include all relevant significant features of the site, in particularly the rock shelf and archaeological remains located within the marine section.

Brad Vale provided a summary of the proposed development of the pavilion. The Heritage Office has raised concerns that the proposal is too voluminous and negatively impacts on the significance of the pavilion building. The Heritage Office undertook negotiations with the developer and presented an alternative single

story development. The developer has expressed reservations in response to the single story development proposal recommended by the Heritage Office and believes it may not be viable. The current proposal consists of two additional levels on the northern and southern sections of the precinct.

The proposed development appears to be a significant change to the landscape elements and is not supported by the Heritage Council in its current form. Members stressed the importance of maintaining the current site presentation which is orientated towards the water.

Stewart Watters briefed the Members on the features outlined on the proposed curtilage plan. The most eastern blue line indicates the high water mark, the intersecting line to the south is a suburb boundary (North Wollongong and Wollongong), the eastern boundary lines consist of the cadastre title boundary. The curtilage plan also shows Crown land situated between the proposed boundary and high water mark which is currently excluded from the proposed curtilage but does include some of the beach area.

Wollongong City Council supports the listing and is in the process of assessing a development proposal for the site.

**Resolved:**

**That the State Heritage Register Committee:**

1. in accordance with section 33 (1)(d) of the *Heritage Act, 1977* advises the Minister that the North Beach Precinct, Cliff Road, Wollongong is of State heritage significance in as shown in the plan at Annexure B excluding the eastern boundary;
2. Delegate to the Director the final definition of the eastern boundary of the curtilage;
3. recommends to the Minister, in accordance with sections 32(1) and (2) of the *Heritage Act*, that she directs the listing of the North Beach Precinct, Cliff Road, Wollongong on the State Heritage Register if she considers the item is of State heritage significance; and
4. 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).

## **9.0 Section 170 Registers**

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Nil.

## **10.0 Interim Heritage Orders**

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### 10.1 Status Report

**The Interim Heritage Order Status Report was noted with the following comments:**

- a) 39 Dunmore Street, Bexley

Heritage Consultant, Terry Kass has completed a study that identified the historical subdivision of the area. The integrity of the area is being reviewed by Godden Mackay Logan on behalf of the Heritage Office. The Heritage Office will be meeting with owner this month.

- b) Fitzroy Ironworks, Mittagong

No further actions have occurred on this matter.

## **11.0 Environmental Planning Instruments & Heritage Studies**

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### **11.1 Status Report**

Member, Ian Jack declared an interest and abstained from discussion. This agenda item was chaired by Michael Collins.

The status report was noted with the following comments:

Gary Pringle spoke to the report. A total of nine Local Environmental Plans have been reviewed by the Heritage Office since the last Committee Meeting. Only one controversial issue was identified in the Blue Mountains LEP involving rezoning of the former 'Froma' site for redevelopment. The Director will be meeting with Blue Mountains Council to discuss this matter in the coming week.

## **12.0 Matters for Consideration**

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### **12.1 State Government Heritage Registers**

Reece McDougal suggested that a regular agenda item is added to the Committee Agenda for matters relating to the progress of the new State Government Heritage Principles and Guidelines released in January 2005.

## **13.0 General Business**

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Nil.

<b>Next Meeting of the Heritage Council State Heritage Register Committee</b>
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9:30 am
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Wednesday 6 <sup>th</sup> July 2005
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NSW Heritage Office
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3 Marist Place
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Parramatta
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