

# MINUTES

HERITAGE COUNCIL  
STATE HERITAGE REGISTER COMMITTEE  
Meeting of 3 November 2004 at 9.30

Heritage Council of NSW  
State Heritage Register  
Committee  
Agenda item: 3.1  
Date: 1 December 2004  
File:H99/00007

## Item 1. In Attendance

Ian Jack (Chair)  
Joan Templeman  
John Delaney  
Michael Collins  
Reece McDougall  
Teresa Gay (for Department of Environment & Conservation)

### Apologies

Joan Templeman  
Ross Fitzgerald

### Also in Attendance (NSW Heritage Office)

Bill Nethery  
Bruce Baskerville  
Cameron White  
Claudine Loffi  
Linda Byrne  
Tim Smith

## Item 2. Declarations of interest

Name	Conflict of Interest
Ian Jack	Agenda Item 8.2 Vineyard Haven, New Italy

## Item 3. Confirmation of the minutes of the previous meeting

The minutes of the previous meeting held 6 October 2004 were noted and adopted.

## Item 4. Action Report

The action report was noted with the following comments:

- a) St Patrick's Estate, Manly

Members were advised that the Heritage Office will meet with senior property managers of the Catholic Church and the proponent Lend Lease this month to discuss the management implications of listing. Following finalisation of discussions with the owner and proponent a recommendation for listing to the Minister will be finalised.

- b) Colonial Landscapes of the Cumberland Plain (South West sector)

Members were advised that the Minister is still considering the matter as part of broader considerations regarding the Metropolitan Strategy.

- c) Brewarinna Mission

This matter will be presented at the Committee meeting of December 2004.

# MINUTES

## HERITAGE COUNCIL STATE HERITAGE REGISTER COMMITTEE Meeting of 3 November 2004 at 9.30

### d) Portland Cement Works

The owner, Boral Ltd, has requested a deferral of this matter for a period of 3-6 months to allow for the completion of a heritage assessment. The Heritage Office has no objection to a deferral and will be aiming for a submission to the Committee to recommend listing at the March 2005 meeting. The Committee discussed the length of time requested by the owner to extend the notification period.

### Resolved

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

- 1. note the owners request for an extension of time;**
- 2. Agree to deferral of this matter for no more than four months to allow additional consultation with the owner and the community and to provide the opportunity for further assessments in relation to the proposed curtilage,**
- 3. request that the matter be brought back to the Heritage Council at its March 2005 meeting for consideration.**

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

Nil

### **Item 6. Presentations**

#### **6.1 The Priory, Hunters Hill**

Presentation was made by Michael Morgan of Nettleton Tribe Architects on behalf of the owners (Keppel Land Development Pty Ltd) of a portion of the site. The presentation was also attended by Ken Litting, Loh Guat Eong, Jimmy Ling representing the owners.

The owners now do not object to the listing but initially objected due to a lack of clarity about its implications for the portion of the nominated curtilage in their ownership.

In 2002 a Development Application (DA) had been subject to extensive discussions with Hunters Hill Council. In response to Council's advice, a revised DA was lodged on the 27<sup>th</sup> of September.

The Committee was shown site area overlays that displayed existing subdivisions and viewsheds. **These justified the recommended curtilage on heritage grounds including original subdivision parcels and important viewsheds.** The proponent acknowledged the value of the vistas which were identified in the Godden Mackay Logan report.

Part of an open space reserve was sold to Keppel Land Development and has since been developed (refer to Lot 17 of DP270279) which is zoned as 2C attached houses. Members agreed that this area should be excluded from any listing curtilage.

# MINUTES

## HERITAGE COUNCIL STATE HERITAGE REGISTER COMMITTEE Meeting of 3 November 2004 at 9.30

A chronology of the subdivision and development that has occurred was presented to the Committee by Michael Morgan.

The proponent believed that the original DA was being dealt with as undetermined and were not aware that Hunters Hill Council are treating the original DA as lapsed. The original DA proposed development of a three storey building, single dwellings and attached dwellings. The proponent agreed to resubmit the proposal. One of Council's primary concerns was the impact of development on the views, in particular those around Manning Road. The Council suggested a change in the density of development within each zoned area.

The current DA includes a five storey proposal located in the southwest portion of the site, two separate townhouse proposals, a long drive way servicing a proposed freestanding single storey residence and an area dedicated as open space.

The proponent cited earlier advice of Godden Mackay Logan that the residential development is compatible.

The Committee clarified that listing of the Priory sited does not preclude development.

### **Item 7. SHR – Notice of intention to List**

#### **7.1 landra Homestead Pastoral Estate, Greenethorpe**

Claudine Loffi spoke to the matter. The owners support the listing including the proposed curtilage. The Committee asked for clarification on the location of the site within the State. This item is also an exceptional example of reinforced concrete.

Discussion took place on the possibility of listing the entire village, however this will be pursued for local listing on the LEP. The Heritage Office advised that amending the listed curtilage to include the village could occur at a later date, in consultation with residents.

The Committee noted the proposed extension to the standard consultation period.

### **Resolved**

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

- 1. considers that the item, the landra Homestead Pastoral Estate, 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 45 days after publication of the newspaper notice and the manner in which**

# MINUTES

HERITAGE COUNCIL  
STATE HERITAGE REGISTER COMMITTEE  
Meeting of 3 November 2004 at 9.30

- 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.

## 7.2 Cook's Galley, Museum of the Riverina

Tim Smith spoke to the matter. This is a rare movable heritage item, as one of only two extant mobile kitchens recorded in NSW. It was used to feed workers on Riverina properties during the 1930's and 40's. It has been retained in possession of the original owner family with little alteration. Discussions have commenced with the local Aboriginal community and further consultation will take place during the notification period.

### Resolved

That the Heritage Council State Heritage Register Committee:

1. considers the item, defined in accordance with the curtilage description 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 being Wednesday 17 November 2004 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 The Priory, Hunters Hill

*Pre Presentation discussions (refer to Agenda Item 6.1):*

Discussions took place to clarify the proposed listing curtilage prior to the presentation.

Bill Nethery spoke to the matter and clarified the location of different land use zoning and subdivision that has taken place within the proposed curtilage. Gladesville Reserve is Council managed land. The other major parcel is partially owned by Council and Keppel Land. The main land parcel subjected to development and owned by Keppel Land is identified as zone 5A on page 106 of the report. The location of existing and proposed buildings is shown on page 112 of the report.

# MINUTES

## HERITAGE COUNCIL STATE HERITAGE REGISTER COMMITTEE Meeting of 3 November 2004 at 9.30

A development application was lodged two days prior to the closing of the notification period.

The Tarban Creek has been identified by the local Aboriginal community as an area of potentially high Aboriginal significance.

The Committee identified the importance of highlighting the significance of the site to the Aboriginal community. A study is currently being carried out on the significance of the site to the local Aboriginal community.

The proposed curtilage is based on original land grant and assessment by heritage consultant Penny Pike. Godden Mackay Logan undertook an assessment on the significance of the curtilage which is included in the report.

### *Post presentation discussions:*

The Committee noted that the owner, Keppel Land, do not object to the listing.

The land parcels identified in the presentation, where development has already occurred, will be removed from the proposed curtilage.

<b>Resolved</b>
-----------------

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

- 1. in accordance with section 33 (1)(d) of the Heritage Act, 1977 advises the Minister that the The Priory (Formerly Villa Maria), Manning Road & Salter Street, together with the Riverglade Reserve, Hunters Hill is of State heritage significance shown in the plan at Annexure B as amended to exclude Lot 17 in DP270179 and all land parcels contained within the lot boundary;**
- 2. recommends to the Minister, in accordance with sections 32(1) and (2) of the Heritage Act, that she directs the listing of the The Priory (Formerly Villa Maria), Manning Road & Salter Street, together with the Riverglade Reserve, Hunters Hill 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).**

### **8.2 Vineyard Haven, New Italy**

Michael Collins chaired the Committee for this item as Chair Ian Jack declared a conflict of interest.

This item is part of an archaeological landscape and is the first nomination of a site within the New Italy area that is privately owned. Consultation has taken place with the owner who is very supportive of the listing. A Voluntary Conservation Agreement has been in place for the site since 1999.

The Committee noted that the New Italy site is now receiving many visitors since it was listed on the SHR.

# MINUTES

HERITAGE COUNCIL  
STATE HERITAGE REGISTER COMMITTEE  
Meeting of 3 November 2004 at 9.30

Exemptions have been developed in consultation with the owner. The owner expressed concern about detailed information in relation to the site being publicly available. The Heritage Office has responded to these concerns by excluding some information that will be displayed on the Heritage Office's website.

The exemptions were originally developed by heritage consultant Barbara Hickson.

<b>Resolved</b>
-----------------

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

1. in accordance with section 33 (1)(d) of the Heritage Act, 1977 advises the Minister that the Vineyard Haven at New Italy 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 Vineyard Haven at New Italy on the State Heritage Register if she considers the item is of State heritage significance;
3. in accordance with section 57(2) of the Heritage Act recommends the Minister grant the following exemptions from section 57(1):
  - a. Any works or activities in accordance with a Voluntary Conservation Agreement made between the NSW Minister for the Environment and the owner dated 29 July 1999;
  - b. the creek channel that currently feeds into the hand-dug dam site may be diverted around the dam structure until such time as an appropriate archaeological study can be made and conservation works undertaken
  - c. work on existing nearby vegetation can occur where it will either not have an impact on the relic, or will have a positive impact. (eg removal of weeds, self sewn unwanted trees or dangerous trees);
  - d. the clearing of surface water trenches for better interpretation of their purpose and extent where this will not materially affect the significance of the trenches;
  - e. the burial of the owner and any members of the owner's family on the site, and the erection of headstones and other grave furnishings can be carried out, provided this does not involve the destruction of any relics;
  - f. the collection of meteorological and other weather recording equipment (including a Stevenson Screen, Pluviographs, Wind Vane and an Anomometer) may be moved or disposed of by the Vayo family at any time;
  - g. interpretative signage may be established within the curtilage of the relics after consultation with the Heritage Office or an approved consultant;
  - h. new development can occur outside the defined curtilage area, in accordance with the Voluntary Conservation Agreement;
4. encourages the Heritage Office to provide appropriate financial assistance to the owner for fencing and defining the curtilage and managing the relics within the curtilage; and
5. 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).

# MINUTES

HERITAGE COUNCIL  
STATE HERITAGE REGISTER COMMITTEE  
Meeting of 3 November 2004 at 9.30

## 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) Bower Hall, Manly

Discussions are continuing with the owners.

- b) 39 Dunmore Street, Bexley

Members were advised that an IHO was placed on this property on the 26 October 2004. The owners declined to meet with the Heritage Office prior to the order being made despite a meeting having been arranged. The house is considered to have heritage significance (the level of which is yet to be determined), is sited in a significant precinct and the proposed development is likely to have negative impacts on that precinct.

## Item 11. Environmental Planning Instruments & Heritage Studies

### 11.1 Status Report

Garry Pringle spoke to the matter. There have not been any significant heritage issues considered by the Office during recent LEP reviews. Members considered and noted the report.

### 11.2 Lord Howe Island Regional Environmental Plan

The Department of Infrastructure and Natural Resources and the Lord Howe Island Board have proposed changes to the REP which includes, updates to terminology and identification of development sites on the island allowing for 25 new dwellings in the next 20 years. The provisions do not include changes to tourist accommodation levels. The Heritage Office has recommended modifications to the heritage provisions to align with standard clauses used elsewhere.

## Resolved

**That the Heritage Council advise the Department of Infrastructure Planning and Natural Resources that it commends the Department and the Board for the preparation of the Draft REP but seeks amendment to the Draft Lord Howe Island REP in the following respects in accordance with section 83(1) of the Heritage Act:**

- 1. Additional heritage objectives should be included which specifically refer to conserving the heritage significance of heritage items and archaeological sites. The reference to World Heritage values is not sufficient to protect items with other levels of heritage significance.**
- 2. The definition of "heritage item" needs to be amended to include relics and trees.**

# MINUTES

HERITAGE COUNCIL  
STATE HERITAGE REGISTER COMMITTEE  
Meeting of 3 November 2004 at 9.30

3. The schedule of heritage items should be reviewed to clarify the curtilage boundaries and that they be indicated on the map as such.
4. Definitions of "relic" or "archaeological site" and a clause requiring consent to disturb them should be included in accordance with the Heritage Model Provisions.

## Item 12. Matters for Consideration

### 12.1 Patrick White House, Centennial Park

Susan Macdonald spoke to the matter. The House is due for auction on the 24<sup>th</sup> November 2004 and the contents were auctioned on the 27<sup>th</sup> October 2004. Notice of Intention to Consider Listing was commenced under delegation. The Office considered that it was desirable for the market to be informed of the heritage significance of the house prior to its auction.

Many of the contents of the house were left to cultural institutions. The auction of the house contents attracted considerable attention. The Heritage Office purchased the front garden fountain which will be returned to the site. A catalogue is being prepared which identifies the repository of the auctioned contents.

The Committee resolved to hold a special meeting via teleconference at 10:00 am on the 19<sup>th</sup> November 2004 to consider the report outlining the recommendation to the Minister. Claudine Loffi will provide members with a summary of submissions prior to the meeting.

## Resolved

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

1. Note the actions of the Heritage Office for listing the item, "The Patrick White House" at 20 Martin Road, Centennial Park, on the State Heritage Register.

## Item 13. General Business

### 13.1 Pettit & Sevitt Exhibition Centre No. 1 Precinct, St Ives

Cameron White tabled a paper on a Land and Environment Court judgement which upheld Ku-ring-gai Council's refusal of an application to demolish No. 27 Richmond Avenue based on heritage grounds. The Committee noted the Court's recognition of the heritage significance of the place.

### 13.2 Historic Commemorative Plaques Program

The Heritage Office is co-ordinating the Premier's Historic Commemorative Plaque Program. The program is based on sites of historic importance to the State and will emphasize people and historic events.

# MINUTES

## HERITAGE COUNCIL STATE HERITAGE REGISTER COMMITTEE Meeting of 3 November 2004 at 9.30

The Heritage Office has formed a strategy committee to co-ordinate the process and decide on issues such as plaque topics, locations and design.

Nominations will be considered by the strategy committee in preparation for announcement on Australia Day by the Premier. The strategy committee's next meeting is scheduled for Friday 12<sup>th</sup> November 2004.

### **13.3 Committee Meeting Time**

The Committee determined that future meetings, held when the full Heritage Council is not meeting, will commence at **9:30** am.

### **Next Meeting**

Special Meeting 19<sup>th</sup> November 2004.  
Wednesday, 1<sup>st</sup> December 2004, Heritage Office Library, 3 Marist Place Parramatta.