

MINUTES
HERITAGE COUNCIL
STATE HERITAGE REGISTER COMMITTEE
Meeting of 5 November 2003 at Parramatta

Item 1. In Attendance

Ian Jack (Chair)
Joan Templeman
John Delaney
Robert Goodman
Megan Jones
Reece McDougall
Sharon Sullivan

Also in Attendance

David Nutley
Cameron White
Bronwyn Hanna
Linda Byrne
Bill Nethery

Apologies

Michael Collins

Declarations of interest

Ian Jack

Conflict of Interest

Agenda Item 8.2 Australiana Pioneer Village

Item 2. Commonwealth Legislation

A briefing was presented on the Commonwealth Heritage Legislation by Bruce Leaver of Australian Heritage Commission.

Item 3. Presentations

3.1 Jadda Centre: Junee Shire Council

A presentation was made at a joint sitting of the Heritage Council of NSW State Heritage Register Committee and the Approvals Committee. The Junee Shire Council (the Council) presented a case for the demolition of the Jadda Centre. It was conducted by David Campbell, General Manager, Junee Shire Council and aided by James Davis, Junee Shire Council.

Council strongly opposed retention of the building on significance and economic grounds.

3.2 Jadda Centre: Friends of the Athenium

A presentation was made at a joint sitting of the Heritage Council of NSW State Heritage Register Committee and the Approvals Committee. The Friends of the Athenium (Community organisation) presented a case for support to listing the Jadda Centre and objection to the Council's proposal to demolish the building. It was conducted by Neil Smith (chairperson), and aided by Lesley Rogers and Mark Mulhearn.

The Friends outlined their view that the building warranted retention, and was significant.

Item 4. SHR – Notice of intention to list

4.1 Jadda Centre, Junee

The Committee considered a written report, a letter from the Junee Shire Council dated 24 October 2003 and press clippings on the matter were tabled. David Nutley and Cameron White spoke to the matter. The Committee noted that the consultant Dr Ross Thorne (assessed the item as being of heritage significance), those of Junee Council and the Friends of the Theatre.

The Committee noted that the Heritage Council has previously recognised the heritage significance of this building which is demonstrated by a previous grant of \$4,000. David Nutley informed the Committee that the Greater Murray Area Health Service have indicated that a Medical Centre will form part of the new Hospital centre and a particular site has not been identified at this stage. A final decision is due mid 2004.

Resolved

That the Heritage Council State Heritage Register Committee as delegate of the Heritage Council:

- 1. considers the item, the Jadda Centre in Junee, 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.**

4.2 Church of Christ the King, Taralga

The Committee considered a written report and Stewart Watters spoke to the matter.

The local Heritage Advisor agrees that the item is of State significance. The Committee was advised that Council is currently undertaking a community based heritage study. A 60 day public submission period is recommended to allow for the Christmas and New Year period.

Resolved

That the Heritage Council State Heritage Register Committee as delegate of the Heritage Council:

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 60 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 5. Minutes

The minutes of the previous meeting held on 1st October 2003 were adopted.

Item 6. Action Report

The Action Report was noted with the following comments:

- (a) *Oaklands, Pambula*
An Aboriginal site survey has been conducted with the community. The Minister has visited the site. Both owners are very supportive of listing.
- (b) *Dunbar and HMAS Parramatta Shipwreck Sites*
There has been a high level of support of these Shipwreck listings.
- (c) *Wiley's Baths*
This listing has received positive press coverage.

Item 7. Minutes, reports and matters arising from HC Advisory Panels

Nil.

Item 8. SHR – Recommendation to Minister

8.1 Millers Point & Dawes Point Village Precinct

The Committee considered a written report and Cameron White spoke to the matter. Extensive consultation has taken place with Stage Agency owners which are supportive. A total of 124 public submissions have been received

with only one of them objecting to the listing. The sole objector is an owner of a property within the proposed curtilage that has been excluded from the proposed listing.

The Sydney City Council has submitted proposed exemptions for assessment and approval as part of the planned listing.

Resolved

That the Heritage Council State Heritage Register Committee as delegate of the Heritage Council:

- 1. in accordance with section 33 (f) of the Heritage Act, 1977 advises the Minister that the item *Millers Point & Dawes Point Village Precinct* 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 item *Millers Point & Dawes Point Village Precinct* 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);**
- 4. request the Heritage Office to finalise the preparation of site-specific exemptions with Sydney City Council, to the satisfaction of the Director of the Heritage Office, for inclusion in the overall recommendation to the Minister; and**
- 5. in accordance with section 57(2) of the Heritage Act recommend the Minister grant the following exemptions from section 57(1) in addition to the Heritage Council's Standard Conditions:**
 - a. All works and activities set out in any site-specific exemptions developed by Sydney City Council to the satisfaction of the Director of the Heritage Office,**
 - b. All works and activities in accordance with any current development application approval from Sydney City Council in force at the date of gazettal of the listing of Millers Point & Dawes Point Village Precinct on the SHR.**
 - c. All works and activities in accordance with any Department of Housing Protocol endorsed by the Heritage Council.**
 - d. All works and activities, within the existing building envelopes, for The Observatory Hotel, 85-113 Kent Street; Imperial House 65-69 Kent Street, and the terrace at 45a, 45b and 45c Lower Fort Street, except: (a) complete demolition; and (b) works affecting the external appearance and form of these buildings, where such works would materially affect the significance of the precinct.**
 - e. All works and activities by the Roads & Traffic Authority for the maintenance and ongoing use of the roadway and sandstone walls of the Cahill Expressway circular cutting in Observatory Park.**

8.2 Australiana Pioneer Village

A written report was tabled at the meeting and Cameron White & Bill Nethery spoke to the matter.

Resolved

That the Heritage Council State Heritage Register Committee as delegate of the Heritage Council:

- 1. in accordance with section 33 (f) of the Heritage Act, 1977 advises the Minister that the item Australiana Pioneer Village 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 direct the listing of the item Australiana Pioneer Village 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, direct the Heritage Office to give notice of its decision to persons notified under section 33(1)(a); and**
- 4. directs the Heritage Office to proceed with its exploration of management and conservation options for the site with relevant stakeholders including: Hawkesbury Council, the proposed purchaser, the Heritage Council's Aboriginal Heritage Committee and Movable Heritage Panel, the Ministry for the Arts, Tourism NSW, Planning NSW, the Museums and Galleries Foundation of NSW, the National Trust and others, as appropriate.**

Item 9. Section 170 Registers

Nil.

Item 10. Nominations for Interim Heritage Orders

The Nominations Report was noted and Reece McDougall spoke to the matter.

(a) *Sheoks, Bayview*

The Minister signed an Interim Heritage Order for this property on 16th October 2003, the IHO was gazetted on the 17th October 2003 and the property was destroyed by fire on the 18th October 2003.

The fire is currently under Police investigation. The Heritage Office is requesting a Coroner's Inquiry into the matter.

(b) *Ashton, Elizabeth Bay*

This matter received a high level of media attention. The IHO was for a period of three months. A consideration of intention to list has been done under a delegated decision to ensure continual protection under the Act. The Heritage Office has consulted with the purchasers of the property who have strongly requested that an SHR not be made over the entire property.

(d) *Hay Hospital*

The Minister has determined not to make an IHO. The Hay Shire Council supported the demolition of this site. Demolition had commenced and only one building was remaining. The Heritage Office wrote to the NSW Health and asked that it reconsider the proposal. The Minister has requested that consultation take place with NSW Health and that all State significant items be listed on the SHR.

The proposed Section 170 Guidelines under the Heritage Act will address some of the issues surrounding State Agency owned heritage items.

Item 11. Conservation Management Plans

11.1 Status Report

The Minister has approved the CMP regulations and they will be submitted to the Cabinet Committee for endorsement in the week commencing 10th November, 2003.

Resolved

That the Heritage Council State Heritage Register Committee as delegate of the Heritage Council:

notes this status report

11.2 Sydney Opera House, Bennelong Point

The Committee considered a written report, the report by James Semple Kerr and the Utzon Design Principles were tables at the meeting. Susan Macdonald spoke to the matter.

This matter is currently in the public submission stage. The matter will be submitted to the Committee for an SHR Recommendation to Minister at the December 2003 meeting.

Resolved

That the Heritage Council State Heritage Register Committee as a delegate of the Heritage Council:

1. **endorses the conservation management plan titled *Sydney Opera House, A Revised Plan for the Conservation of the Sydney Opera House and Its Site* (3rd ed.), prepared by James Semple Kerr for the Sydney Opera House Trust dated February 2003 with the addition as an appendix of Utzon Design Principles; and**
2. **agrees that this endorsement will apply to the Standard Exemption no 6 issued in accordance with section 57(2) of the Heritage Act, 1977.**
3. **Advise the Sydney Opera House Trust of the Heritage Council's Aboriginal Heritage Committee's advice in relation to interpretative issues at the Sydney Opera House :**
 - a. **That the early history of Aboriginal – European relations on and around Bennelong Point be provided in more detail.**
 - b. **That the significance of the place to Aboriginal people be acknowledged in an appropriate way, and potentially, in the Opera House precinct.**
 - c. **Aboriginal culture significance should be taken into account in management planning and incorporated into interpretation programmes for the Opera House.**

Item 12. Matters for Consideration

Nil

Item 13. General Business

13.1 Amendment to SHRC Reports (Aboriginal Consultation)

The Committee considered a written report and Cameron White spoke to the matter.

Resolved

That the Heritage Council State Heritage Register Committee as delegate of the Heritage Council:

- 1. Notes proposed changes to the Nominations Report subtitle, from 'Aboriginal Significance' to 'Summary of Consultation with Aboriginal People'; and**
- 2. Refer the proposal to the Aboriginal Heritage Committee and request that the AH Committee resolutions be reported to the SHR Committee at the December 2003 meeting.**

Next Meeting

3 December 2003 at the Heritage Office, 3 Marist Place, Parramatta

