

Heritage Advisory Committee

Minutes

14 December 2016

Advisory Committee Terms of Reference

Aims and Objectives

The Heritage Advisory Committee is to provide heritage advice on:

- * *City-owned heritage assets*
- * *Strategic and statutory planning instruments*
- * *Promotion and education of heritage*
- * *Enhancement of economic development and tourism opportunities*
- * *Matters raised by the general community*

City of Bunbury
4 Stephen Street
Bunbury WA 6230
Western Australia
Correspondence to:
Post Office Box 21
Bunbury WA 6231

Minutes
14 December 2017

Contents

1. Open Meeting.....	2
2. Attendances & Apologies	2
3. Public Question Time.....	2
4. Confirmation of Minutes	2
5. Disclosures of Interest.....	3
6. Reports and Recommendations	4
6.1 Heritage Advisor – Summary of Referrals.....	4
6.2 Presentation on Draft Local Planning Scheme 8.....	Error! Bookmark not defined.
6.3 Headstones at St Mark’s Anglican Church	7
7. Urgent Business.....	9
8. Confidential Items	9
9. Questions from Members	
10. Date of Next Meeting	9
11. Close Meeting*	10

Heritage Advisory Committee

Minutes

14 December 2016

1. Open Meeting

The meeting was opened at 4.10pm

2. Attendances & Apologies

Committee Members:

Member Name	Representing	Attendance
Councillor Brendan Kelly (Presiding)	City of Bunbury	Present
Councillor Wendy Giles	City of Bunbury	Present
Mr Bernhard Bischoff	Community	Present
Mr Morris Johnston	Community	Apology
Mr Richard Sargeant	Community	Present
Mr Peter Suckling	Community	Apology
Ms Megan Lawless	Community	Apology
Mr Kent Lyon	Community	Present
Mr Raymond Parks	Community	Present

Support Staff:

Member Name	Representing	Attendance
Ms Annabel Wills (Heritage Advisor)	City of Bunbury	Present
Mr John Kowal (Executive Officer)	City of Bunbury	Apology
Ms Lacey Brown (Strategic Planning Officer, Heritage)	City of Bunbury	Present
Mr Thor Farnworth (Manager Sustainability, Planning and Development)	City of Bunbury	Present
Ms Cassandra Uren (Minute Taker)	City of Bunbury	Present
Ms Ann-Kristin Jank (Team Leader Development Assessment and Compliance)	City of Bunbury	Present
Mr Anthony Pick (Acting Senior Planning Officer)	City of Bunbury	Present

3. Public Question Time

N/A

4. Confirmation of Minutes

Committee Decision:

The minutes of the Heritage Advisory Committee Meeting held on 12 October 2016, are confirmed as a true and accurate record.

CARRIED
6 votes "for" / Nil votes "against"

5. Disclosures of Interest

IMPORTANT: Committee members to complete a “Disclosure of Interest” form for each item on the agenda in which they wish to disclose a financial/proximity/impartiality interest. They should give the form to the Presiding Member before the meeting commences. After the meeting, the form is to be forwarded to the Administration & Property Services Section for inclusion in the Corporate Financial Disclosures Register.

Kent Lyon disclosed an impartial interest as he is a consultant for the Lyric Theatre and Bunbury Women’s Club projects.

Note - Annabel Wills disclosed that she is undertaking consultancy work for The Rose Hotel, but that was not applicable to reports in this meeting.

6. Reports and Recommendations

6.1 *Heritage Advisor – Summary of Referrals*

A list of referrals was provided by Annabel Wills.

Motion to suspend standing orders Moved Cr Giles Seconded Bernhard Bischoff

Discussion on retrospective development application at #49 Stirling Street (solar panels and hot water system)

Motion to reinstate standing orders Moved Cr Giles Seconded Bernhard Bischoff

Moved to Item 6.2 in agenda

6.2 Presentation on Draft Local Planning Scheme 8

Applicant/Proponent:	Internal Report
Responsible Officer:	Ann-Kristin Jank, Team Leader Development Assessment and Compliance
Executive:	John Kowal, Acting Director Planning and Development Services
Attachments:	Nil

Summary

The Heritage Advisory Committee note the information presented on the proposed Local Planning Scheme No.8 (LPS8) regarding heritage provisions.

Strategic Relevance

Key Priority Area 5: Corporate
Objective 5.1: Facilitate community and stakeholder participation in decision making.

Executive Recommendation

That the Heritage Advisory Committee note the information presented on the proposed LPS8 regarding heritage provisions.

Background

A new Local Planning Strategy and accompanying Local Planning Scheme is expected to open Bunbury to more diverse development and drive growth over the next 20 years once adopted following a public consultation period.

Key elements of the **draft** Local Planning Scheme 8 (LPS8), which has been formulated by the City over a period of several years, will also respond to the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

An inaugural Local Planning Strategy (LPS) is also an important tool that will guide the implementation of the new Scheme and the city's development over the next 20 years. Heritage is a key theme in the LPS.

The Scheme will be available for comment from Wednesday, 14 September to Friday, 16 December with the public encouraged to have their say via a submission form. The draft Scheme can be viewed at the City of Bunbury administration building (4 Stephen Street) or by clicking [here](#). Copies of the draft strategy can be found on Council's website.

Legislative and Council Policy Compliance

The LPS and LPS8 are required under the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*.

Officer Comments

Last year the *Planning and Development (Local Planning Schemes) Regulations 2015* introduced new requirements for local planning schemes. Schedule 2 of the Regulations contain the "Deemed" provisions, which are applicable to every local planning scheme in WA, and generally deal with

requirements that should have the same processes, such as local planning policies, heritage protection, structure plans, procedures for dealing with applications for development approval, exemptions from development approval etc. The Deemed provisions replace any similar clauses in the City's current Scheme and automatically apply to the draft new Scheme. This means that every local planning scheme now has two sections, the model provisions, which can address local issues and requirements, and the Deemed provisions, which are applicable by default. Local governments cannot alter Deemed provisions.

Heritage protection falls into Deemed provision requirements. Accordingly, heritage issues have not been omitted from draft LPS8, but are now captured within the deemed provisions.

Part 3 – Heritage protection of the Deemed provisions outlines requirements in regard to the heritage list, heritage areas, heritage agreements, heritage assessments, variations to local planning scheme provisions for heritage purposes and heritage conservation notices.

Clause 61 of the Deemed provisions also outlines that exemptions from requiring development approval do not apply to properties that are in the Register of Heritage Places (State register) or on a heritage list under the Scheme.

Analysis of Financial and Budget Implications

There are no known financial or budget implications associated with this recommendation.

Community Consultation

The draft LPS and draft LPS8 have been subject to public workshops and stakeholder review, and are now out for community consultation. A community forum held on 7 December 2016 provided the opportunity for further discussion and testing.

Councillor/Officer Consultation

The Councillors and officers have participated in detailed presentations on the content of the draft LPS and draft LPS8.

Outcome of Meeting

The recommendation was moved by Cr Giles and seconded by Mr Lyon.

Committee Decision:

That the Heritage Advisory Committee note the information presented on the proposed LPS8 regarding heritage provisions.

CARRIED

6 votes "for" / Nil vote "against"

6.3 Headstones at St Mark’s Anglican Church, Picton

Applicant/Proponent:	Internal Report
Responsible Officer:	Lacey Brown, Strategic Planning Officer
Executive:	John Kowal, Acting Director Planning and Development Services
Attachments:	Photos

Summary

The purpose of this report is for the Committee to note the current condition of a number of headstones at St Mark’s Anglican Church, Picton.

Strategic Relevance

Key Priority Area 1: Community and Culture
Objective 1.5: Celebrate and recognise the richness of our arts culture and heritage

Executive Recommendation

That the Committee note the current condition of the headstones and grave sites at St Mark’s Anglican Church and that the Committee requests that the CEO facilitate liaison between the St Mark’s Anglican Church and the State Heritage Office on appropriate management strategies and actions.

Background

It has been raised that headstones in the cemetery at St Mark’s Anglican Church, Picton are in a state of disrepair. The site is currently in the ownership of the Bunbury Diocesan (c/- Churchwardens of Saint Elizabeth).

St Mark’s Anglican Church is a timber framed weatherboard clad church building constructed in 1842. The adjacent cemetery contains the graves of many of the pioneer settlers of the area, including those of William and Margaret Forrest (parents of Sir John Forrest) and the Scott and King families. Some are buried beneath unusual bed-post wooden grave markers. Other grave monuments and markers include carved marble monuments and cast and wrought iron fences.

Council Policy Compliance

Not applicable.

Legislative Compliance

Not applicable.

Officer Comments

St Mark’s Anglican Church, graveyard and Moreton Bay Fig Tree is included on the heritage list and is a State registered place. There is a Conservation Management Plan for the place (1998).

It has cultural heritage significance for the following reasons:

- as one of the oldest extant churches in Western Australia, St Mark's Anglican Church is evidence of the Preston River settlement and of early building techniques;
- set within the idyllic landscape of the Preston River meadows, the place has a picturesque aesthetic quality and is a landmark within the Preston riverine precinct;
- the place was built by noted early resident, the Reverend John Ramsden Wollaston, Colonial Chaplain at Bunbury 1841-48 and first Archdeacon of Western Australia;
- the graveyard is the final resting place of many of the district's earliest settlers and provides evidence of their way of life;
- the large Moreton Bay Fig Tree has landmark qualities, contributes to the picturesque setting and marks the site of Reverend Wollaston's home, 'Charterhouse'.

Photos of the damaged grave sites and headstones are attached for your reference.

Analysis of Financial and Budget Implications

There will be costs associated with the refurbishment of the headstones and graveyard. The investigation of grants should be raised with the owner and stakeholders.

Community Consultation

Community members are consulted through the Heritage Advisory Committee.

Councillor/Officer Consultation

Councillor members are consulted through the Heritage Advisory Committee.

Outcome of Meeting

The recommendation was moved by Cr Giles and seconded by Mr Bischoff.

The presiding member put the motion to the vote and it was adopted to become the Committee's decision on the matter.

Committee Decision

That the Committee note the current condition of the headstones and grave sites at St Mark's Anglican Church and that the Committee requests that the CEO facilitate liaison between the St Mark's Anglican Church and the State Heritage Office on appropriate management strategies and actions.

CARRIED

6 votes "for" / Nil votes "against"

7. Urgent Business

Cr Giles moved to suspend standing orders which was seconded by Bernard Bischoff.

Discussion returned to Item 6.1

Cr Giles moved to resume standing orders which was seconded by Bernhard Bischoff.

8. Confidential Items (Pursuant to Section 5.23 of the Local Government Act 1995)

Nil

9. Questions from Members

9.1 Response to Previous Questions from Members taken on Notice

Nil

9.2 Questions from Members

- Leschenault Lady (Megan Lawless) – In Ms Lawless' absence, Ms Brown discussed with Members that the Leschenault Lady was now located at Boyanup in the South West Rail and Heritage Centre and was being restored by the local Men's Shed. There is a Leschenault Lady Love-in on 18/12/16 which will feature talks about the history of this iconic locomotive, the restoration work currently being carried out and stories about her work in this state. It was also noted that the Koombana Queen is operating from Dwellingup as a tourist attraction.
- Shenton Cottage (Ray Parks) – Mr Parks circulated some information regarding Shenton Cottage for members information. Shenton's cottage was picked up by surveyor Ommaney in his survey of Bunbury Townsite. The proclaimed first settlers Scott & Elliot, were not actually situated within the Townsite but on Stirling's Grant. On that basis it could be concluded that the first settler within the gazetted Bunbury Townsite was Shenton. Sadly Shenton drowned early in the piece when ferrying goods ashore. The cottage was approx. 34ft x 10ft. Mr Parks provided a copy of Ommaney's field notes showing the cottage.
- Clifton Street dwelling demolition (Richard Sargeant) – Mr Sargeant brought to the Committee's attention that #6 Clifton Street had just recently been demolished and asked how this occurred. Ms Brown and Ms Wills acknowledged that the place was not on the heritage list and that a street by street survey should be a consideration for future MHI/heritage list reviews.

10. Date of Next Meeting

An interim Heritage Advisory Committee will be held on **13 January 2017** at 4pm, Ocean Room, Council Administration Building to discuss and make a recommendation on a development application.

As scheduled, the next meeting after that will be Wednesday, 8 February 2017.

11. Close Meeting

The Presiding Member closed the meeting at 5.45pm.