

## **8.2 No. 2 Kent Street, Minto - St James Anglican Church - Heritage Listing**

### **Reporting Officer**

Director City Development  
City Development

### **Community Strategic Plan**

<b>Objective</b>	<b>Strategy</b>
1 Outcome One: A Vibrant, Liveable City	1.7 - Promote the city's heritage and history, with strong respect for our Aboriginal and Torres Strait Islander history

### **Officer's Recommendation**

1. That Council endorse the recommendations of the Heritage 21 Report (attachment 3) to list the old St James Anglican Church as an item of (local) environmental heritage under Schedule 5 of Campbelltown Local Environmental Plan.
2. That Council prepare a planning proposal and seek a Gateway Determination to list the old St James Anglican Church as an item of (local) environmental heritage under Schedule 5 of Campbelltown Local Environmental Plan 2015.
3. That subject to the adoption of Recommendations 1 and 2, the landowner be notified of Council's decision.

### **Purpose**

To assist Council's decision on the heritage listing of the old St James Anglican Church, following the Interim Heritage Order issued for the building by Council on 13 October 2017.

### **History**

Development application 2837/2016/DA-DEM was lodged with Council on 30 August 2016 for the demolition of the old St James Anglican Church at No. 2 Kent Street, Minto. Council publicly exhibited the proposal and received eight written submissions and two petitions objecting to the proposed demolition, generally for reasons relating to the potential heritage significance of the building.

The justification provided by the applicant for the proposed demolition referred to the poor structural condition of the building, the associated safety hazard posed to the public and users of the site, and prohibitive cost of repairs. The use of the building for church services had also been surpassed by the multi-purpose church centre building located on the adjacent allotment, providing a more contemporary venue for the local congregation.

Council at its meeting held 18 April 2017, considered a report on the subject development application and resolved to refuse the proposed demolition for the following reason:

Pursuant to the provisions of Sections 79C(1)(d) and 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, it is considered that having regard for the number of public submissions, the development is not considered to be in the public interest.

The applicant subsequently lodged an appeal with the Land and Environment Court seeking to have the refusal put aside and the proposed demolition of the building approved. As part of Council's legal defence, specialist heritage advice was obtained to consider the building's potential heritage significance. This advice confirmed the potential heritage significance of the subject building, and recommended Council utilise its delegation under the *Heritage Act 1977* to issue an Interim Heritage Order (IHO) to protect the subject building for a six month period so that further detailed heritage investigations could be undertaken.

Council at its meeting held 10 October 2017 considered a report on the proposed IHO for the old St James Anglican Church (attachment 1), in the context of the Land and Environment Court appeal, and resolved:

1. That Council resolve to make an Interim Heritage Order, pursuant to Section 25 of the *Heritage Act 1977* and the delegations provided to it by the Ministerial Order dated 22 April 2013 in the manner detailed in attachment 3 of this report.
2. That subject to recommendation No. 1, Council notify the owner of the subject property that an Interim Heritage Order has been made and notify the public in accordance with Section 28 of the *Heritage Act 1977*.
3. That Council commission further detailed investigations in relation to the site's potential heritage significance and the condition of the building, which can be utilised to determine a final position on listing the site as an item of local heritage significance within Campbelltown Local Environmental Plan 2015.

An IHO for the subject property was prepared and notified by Council in accordance with the above resolution, and became effective on 13 October 2017 for a six month period expiring on 13 April 2018. A copy of the IHO is provided at attachment 2.

Following the making of the IHO by Council, the appeal to the Land and Environment Court was discontinued on 27 October 2018 by consent of all relevant parties. Accordingly, Council's refusal of the subject development application stands, meaning that there is no active appeal or proposal for demolition or works that may impact the subject building.

The following report details the additional investigations undertaken by Heritage 21 to assist Council making an informed determination on the potential heritage listing of the subject building. Should Council formally resolve to heritage list the building prior to the IHO lapsing on 13 April 2018, then the IHO expiration date would be extended by a further six months to enable a planning proposal to be prepared to amend the Campbelltown Local Environmental Plan, 2015 by including St James in the list of heritage items in schedule 5 of the plan.

The subject land at No.2 Kent Street (Lot 12 DP712566) Minto is legally described as Lot 12 DP 712566, and has an area of approximately 3395 square metres. The site has street frontage to Redfern Road and secondary street frontage to Kent Street.

The site contains the old St James Anglican Church, a rectory and church hall. Vehicular access to the land is from Kent Street and via an internal service road through the adjacent property at No.2 Redfern Road, which is under the same ownership and occupied by the St James Anglican Church Centre.

The old St James Anglican Church was originally built on the corner of Minto Road and Cumberland Road in 1897. It was dismantled and re-erected on the subject land in 1918. The building is not listed in Campbelltown Local Environmental Plan, 2015 as an item of heritage significance.

The St James Anglican Church Centre is a multi-purpose facility has been used by the local congregation for church services since it was completed in 1985. In this respect, the old St James Anglican Church ceased its primary function as a church in 1985, and was completely vacated in 2014 due to safety concerns relating to the structural deterioration of the building.



Council at its meeting held 10 October 2017, resolved to undertake further detailed investigations to determine a final position on listing the old St James Anglican Church as an item of local heritage significance under Campbelltown Local Environmental Plan 2015 (CLEP 2015). These investigations have been undertaken by independent heritage consultants Heritage 21, and the final report on the matter is provided as attachment 3.

The Heritage 21 report identifies that the old St James Anglican Church has a sufficient level of heritage significance to qualify for listing as an item of local heritage significance under CLEP 2015, having regard to its historical, associative, aesthetic, social and representative values. A summary of the recommendations of the Heritage 21 report are provided as follows:

- the site should be listed as an item of environmental heritage on Schedule 5 of the Campbelltown Local Environmental Plan 2015
- the old St James Anglican Church (including significant landscape elements) should be retained and conserved within an appropriate curtilage
- repair works should be undertaken in order to restore full integrity to the building. A suitably qualified heritage practitioner should be engaged to prepare a Schedule of Conservation Works and to subsequently supervise conservation works
- the heritage values of the site should be managed in accordance with best practice conservation principles offered by The Burra Charter: Australia ICOMOS Charter for Places of Cultural Significance, 2013 and pertinent documentation produced by the NSW Office of Environment and Heritage
- any work at the site which carries the potential to impact upon identified heritage values should entail the preparation of a Heritage Impact Statement, to be written by a suitably qualified heritage practitioner
- any approved works undertaken at the site should be supervised by a suitably-qualified heritage architect and be undertaken by tradespeople experienced with historical building fabric.

Council's decision on whether to endorse the heritage listing of the old St James Anglican Church needs to be considered having regard to the full suite of recommendations outlined above. In this respect, it is emphasised that listing the building as an item of local heritage significance under CLEP 2015 would not in itself resolve the poor structural condition of the building, as a local heritage listing would not place any legal obligation on the landowner to undertake maintenance or restoration works.

The landowner has made a submission to the proposed IHO (attachment 4) that advises the cost of repairing the old church building is not an economically feasible proposition for the local parish. This position is supported by a scope of conservation works prepared by Paul Davies Heritage Consultants, and corresponding quotes of \$566,115 and \$667,205 from two separate building companies to complete these works.

Having regard to the above, if an application is to be made to Council for assistance with the required heritage restoration works, the current limit of Council's financial assistance for heritage restoration works is \$2000 for each property.

The landowner has also confirmed that the use of the building for church services has been surpassed by the multi-purpose church centre building located on the adjacent allotment, providing a more contemporary venue for the local congregation. Accordingly, there appears to be no current need for the old St James Church to return to regular use.

It is noted that the recommendation of the Heritage 21 report to proceed with the heritage listing is inconsistent with the previous practice of Council. Council at its meeting held 5 April 2011, when considering the draft Campbelltown Heritage Study and Register Review (2010) prepared in support of the draft Consolidated LEP, resolved (in part) to not heritage list private properties without the owner's consent. This approach has been consistently maintained by Council for potential heritage items, providing certainty for all stakeholders and generally promoting a better working relationship with property owners of potential heritage items.

## **Conclusion**

Development application 2837/2016/DA-DEM for the demolition of the old St James Anglican Church at No. 2 Kent Street Minto was submitted to Council on 30 August 2016. The justification provided by the applicant for the proposed demolition referred to the poor structural condition of the building, the associated safety hazard posed to the public and users of the site, and prohibitive cost of repairs. The use of the building for church services had also been surpassed by the multi-purpose church centre building located on the adjacent allotment, providing a more contemporary venue for the local congregation.

Council publicly exhibited the development application and received eight written submissions and two petitions objecting to the proposed demolition. The application was refused by Council on 18 April 2017 for reasons relating to the public interest and impacts on potential heritage significance. The applicant appealed to the Land and Environment Court, however this appeal was discontinued following Council's making of an Interim Heritage Order (IHO) for the subject property on 13 October 2017.

The IHO will lapse on 13 April 2018, however can be extended for a further six months if Council formally resolves to heritage list the building prior to the expiry date. Council engaged Heritage 21 to undertake further investigations and report on the potential heritage listing of the subject building. The Heritage 21 report (attached) provides a number of recommendations, fore mostly being for Council to list the site as an item of local heritage significance under CLEP 2015 and for the building to be restored to its full integrity.

The landowner has advised that repairing the building is not an economically feasible option, citing two quotes of \$566,115 and \$667,205 to complete a schedule of conservation works prepared by Paul Davies Heritage Consultants.

Further, to list the building without the owner's consent is not consistent with past Council practice, however, given the recommendations of the Heritage 21 report, it is recommended that the old St James Anglican Church building be added to the list of heritage items in Schedule 5 of Campbelltown Local Environmental Plan, 2015.

## **Attachments**

1. Previous report to Council dated 10 October 2017 including Council Resolution (contained within this report)
2. Interim Heritage Order (contained within this report)
3. Heritage 21 Report (contained within this report)
4. Submission on behalf of landowner (contained within this report)



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#### 14.1 No. 2 Kent Street, Minto - St James Anglican Church Interim Heritage Protection Order

##### Reporting Officer

Director City Development  
City Development

##### Community Strategic Plan

Objective	Strategy
1 Outcome One: A Vibrant, Liveable City	1.7 - Promote the city's heritage and history, with strong respect for our Aboriginal and Torres Strait Islander history

##### Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(e) and (g) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

information that would, if disclosed, prejudice the maintenance of law and advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

##### Officer's Recommendation

1. That Council resolve to make an Interim Heritage Order, pursuant to Section 25 of the *Heritage Act 1977* and the delegations provided to it by the Ministerial Order dated 22 April 2013 in the manner detailed in attachment 3 of this report.
2. That subject to recommendation No. 1, Council notify the owner of the subject property that an Interim Heritage Order has been made and notify the public in accordance with Section 28 of the *Heritage Act 1977*.
3. That Council commission further detailed investigations in relation to the site's potential heritage significance and the condition of the building, which can be utilised to determine a final position on listing the site as an item of local heritage significance within Campbelltown Local Environmental Plan 2015.

##### Purpose

To assist Council with its consideration of using certain provisions within the *Heritage Act 1977* in relation to an ongoing Land and Environment Court appeal following the Council's refusal of a development application proposing the demolition of the original St James Anglican Church building.

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<b>Property Description</b>	Lot 12 DP 712566, No. 2 Kent Street, Minto
<b>Application No</b>	2837/2016/DA-DEM
<b>Applicant</b>	St James Anglican Parish
<b>Owner</b>	Anglican Church Property Trust, Diocese of Sydney
<b>Provisions</b>	<i>Heritage Act 1977</i> <i>Land and Environment Court Act 1979</i> <i>Environmental Planning and Assessment Act 1979</i>

### History

Council received a development application seeking approval to demolish the original St James church building at the subject property in August 2016.

During the assessment and exhibition of the development application, Council received a number of submissions in objection to the proposal.

Council at its meeting held 18 April 2017 resolved to refuse the development application for the following reason:

Pursuant to the provisions of Sections 79C(1)(d) and 79C(1)(e) of the *Environmental Planning and Assessment Act 1979*, it is considered that having regard for the number of public submissions, the development is not considered to be in the public interest.

Upon receipt of the refusal, the applicant lodged an appeal against Council's decision with the Land and Environment Court, seeking to have the refusal put aside and the demolition of the building approved.

### Report

On receipt of the notice of appeal lodged against Council's decision to refuse the application for the demolition of the St James Church, officers engaged the services of Marsdens Law Group to represent Council in its defence of the refusal. As part of the representation offer and with the agreement of officers, it was considered prudent to seek independent heritage significance advice regarding the church building.

At present, the building is not listed as an item of heritage significance.

Marsdens engaged a well-known heritage specialist firm (Rappoport Pty Ltd, trading as Heritage 21) to consider the heritage significance of the church. The firm has completed its study of the church and provided a report on the heritage significance of the church. This report/study will be used to assist Council's position, and defence of its refusal of the application to demolish the building.

The heritage significance assessment can be found in its entirety at Attachment 1 to this report.

In summary, the heritage significance assessment found that:

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- a. Despite some minor structural issues, the building seems relatively intact from the exterior; and
- b. St James Anglican Church embodies historical, associative, aesthetic, social, and representative values, and is also significant for its rarity in the local context. The building demonstrates continuing links with the Anglican community of New South Wales, was designed by a prominent Federation-era architect, and is a rare and highly intact relic of the early development of Minto Village.

Further to this, the assessment report makes three key recommendations, which are reproduced below:

**1. Listing on Campbelltown Local Environmental Plan 2015 (CLEP)**

The building should be listed as a locally significant item of environmental heritage in Schedule 5 of the Campbelltown Local Environmental Plan 2015, in recognition of the contribution the place makes to the historical environment of Minto. The rarity of places in Minto, listed as heritage items in Schedule 5 of the CLEP, makes this action all the more important.

**2. Interim Heritage Order**

Heritage 21 strongly recommends Campbelltown Council, as a delegate of the NSW Heritage Minister, place an Interim Heritage Order on St James Anglican Church. This action would impose a moratorium on any works at the site for a period of up to 12 months, to allow Council to make a full assessment of the heritage significance of the place (such as the one presented in this report).

**3. Remedial Works**

An assessment of the current condition of the subject building should be undertaken by a suitably-qualified structural engineer. Such a report should also detail remedial works to be undertaken to restore the building and address the identified structural failures.

Of relevance in the immediate short term, and with particular regard to the ongoing Court matter is recommendation 2, which is discussed in more detail later in this report.

**Interim Heritage Order – Heritage Act 1977**

The *Heritage Act 1977* is the pre-eminent piece of legislation created for the protection of post European settlement heritage in NSW. The *Heritage Act 1977* (the Act) provides for various means to protect heritage items, including (but not limited to) listing in state and local registers and the issuance of conservation orders.

One such means of limited protection of potential heritage items available to Council under the Act, is the issuing of an Interim Heritage Order (IHO).

A short explanation of interim orders is located on the Office of Environment's website. It reads:

Interim Heritage Orders are made by the Minister on the recommendation of the Heritage Council, or by local councils under delegation.



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The purpose of an Interim Heritage Order is to provide a breathing space of no more than 12 months during which a full heritage assessment can be completed. Temporary in nature, the majority of Interim Heritage Orders are made in response to community representations or concerns raised by local government.

Councils can only make IHO in those circumstances where a potential heritage item, place or area:

- is or is likely to be of heritage significance
- is under threat of demolition or unsympathetic alteration
- does not have statutory heritage protection under the *Environmental Planning and Assessment Act 1979* or the *Heritage Act 1977*.

The above circumstances are considered to apply to the subject site and its current situation.

In this regard, Council is conferred delegations to impose IHOs pursuant to an instrument made under the *Heritage Act 1977* in 2002 and a more recent update in 2013.

Additional information prepared by the Office of Environment and Heritage regarding the IHO process is provided at Attachment 2 to this report.

Correspondence received from Marsdens during preparations for a hearing on the matter, suggests that Council's position in defending its refusal would be strengthened should an IHO be imposed on the subject item.

The IHO process can be commenced by way of Council resolution, with the interim order made pursuant to Section 25(2) of the *Heritage Act 1977*, which reads:

A council authorised under this section may make an Interim Heritage Order for a place, building, work, relic, moveable object or precinct in the council's area that the council considers may, on further inquiry or investigation, be found to be of local heritage significance, and that the council considers is being or is likely to be harmed.

A draft IHO made in the prescribed format is found at attachment 3 to this report.

Under Council's delegation, the maximum period of time an IHO can be made is 6 months. However, this can be extended by way of a further resolution within that initial 6 month period to place an item on a local heritage register. In these circumstances, the Order's expiry period extends to 12 months from the date of its making.

According to the NSW Heritage Office's Local Government Heritage Guidelines publication:

Council must establish whether a potential heritage item is of local or State significance within a reasonable time frame. As soon as possible after an Interim Heritage Order is made, the Heritage Advisor, council heritage officer or consultant should undertake a detailed assessment of the heritage significance of the item. The assessment should be prepared in accordance with Heritage Council guidelines. In some instances it may be necessary for council to engage a consultant with particular expertise to carry out the assessment.

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It would be intended to undertake the further necessary studies to support the site's listing as an item of heritage significance should the IHO be made. As mentioned earlier, it is considered likely that this additional work would assist Council's defence of its decision to refuse the application to demolish the church.

Pursuant to Section 26 of the Act, a council is not required, before making an IHO, to notify any person who will be affected by the order of the intention to make the order.

The IHO becomes effective upon its appearance in the Government Gazette and upon notification of its making to the owner.

Council already has an extensive listing of heritage significant items under its planning instruments, which has ensured that to date there has been no need to utilise the protection mechanisms of the IHO process.

It is important to note that where the Land and Environment Court decides to approve the demolition of the subject building, Council would no longer have the power to make an IHO on the subject building i.e. the making of an IHO must be completed before the Court (or any other authority) makes a decision that allows the demolition of the subject building.

An owner can appeal the making of an IHO to the Land and Environment Court. It is considered likely that should such an appeal be made with the Court against the IHO, such an appeal would be joined to the existing appeal against Council's refusal of the development application.

### **Conclusion**

Council has refused a development application to demolish the original St James Church building at No. 2 Kent Street, Minto.

The applicant subsequently lodged an appeal with the NSW Land and Environment Court against Council's refusal of the application to demolish the church.

As part of Council's defence of its decision to refuse the application, specialist heritage advice was sought to consider the building's potential heritage significance.

The specialist advice has found that the church has potential heritage significance and recommends that Council issue an Interim Heritage Order on the property and the item to protect it for a maximum of 12 months until such time that further detailed investigations can be undertaken, moving to the item being listed as locally significant in Council's local environmental plan.

Council's established position in relation to listing items of heritage significance has been that it would not do so without the agreement of the landowner. Council's position was held to ensure that there is no motive for owners wanting to diminish the heritage value of properties (by way of neglect) that are being considered for listing.

Council's legal representative has suggested that Council's position in defending its refusal would be strengthened should an Interim Heritage Order be imposed on the site.

The Interim Heritage Order can be made within days of Council's resolution according to the procedures outlined by the NSW Government Parliamentary Counsel.

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It would be intended to gazette the Interim Heritage Order with some haste as the initial conciliation conferencing on the applicant's appeal is being held in late October.

Further recommendations would be provided to Council in the coming months in regard to the future listing of the item in Council's local environmental plan once additional detailed heritage significance and building condition reports is received.

**Attachments**

1. St James Anglican Church, Minto - Assessment of Significance (distributed under separate cover - confidential in accordance with Section 10A(2)(e) of the *Local Government Act 1993*)
2. Office of Environment and Heritage Interim Heritage Order Information sheet (distributed under separate cover - confidential in accordance with Section 10A(2)(e) of the *Local Government Act 1993*)
3. Proposed Interim Heritage Order to be published in the NSW Government Gazette (contained within this report - confidential in accordance with Section 10A(2)(e) of the *Local Government Act 1993*)

**14.1 No. 2 Kent Street, Minto - St James Anglican Church Interim Heritage Protection Order**

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It was **Moved** Councillor Hunt, **Seconded** Councillor Chivers:

1. That Council resolve to make an Interim Heritage Order, pursuant to Section 25 of the *Heritage Act 1977* and the delegations provided to it by the Ministerial Order dated 22 April 2013 in the manner detailed in attachment 3 of this report.
2. That subject to recommendation No. 1, Council notify the owner of the subject property that an Interim Heritage Order has been made and notify the public in accordance with Section 28 of the *Heritage Act 1977*.
3. That Council commission further detailed investigations in relation to the site's potential heritage significance and the condition of the building, which can be utilised to determine a final position on listing the site as an item of local heritage significance within Campbelltown Local Environmental Plan 2015.

**001** The Motion on being Put was **CARRIED**.

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**CAMPBELLTOWN CITY COUNCIL****INTERIM HERITAGE ORDER NO 1**

Under section 25 of the Heritage Act 1977 Campbelltown City Council does by this order:

- i. make an Interim Heritage Order to cover the item of the environmental heritage specified or described in Schedule "A"; and
- ii. declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule "B".

This Interim Heritage Order will lapse six months from the date that it is made unless the local Council has passed a resolution before that date either:

1. in the case of an item which, in the Council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
2. in the case of an item which in the Council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Sydney 10<sup>th</sup> October 2017

LINDY DEITZ, General Manager, Campbelltown City Council

**Schedule "A"**

The property known as St James Anglican Church, situated at 2 Kent Street, Minto on land described in Schedule B.

**Schedule "B"**

All those pieces and parcels of land known as Lot 12, DP 712599 in the Parish of Minto, County of Cumberland.

## *Heritage Data Form*

ITEM DETAILS					
<b>Name of Item</b>	St James Anglican Church				
<b>Other Name/s Former Name/s</b>	-				
<b>Item type (if known)</b>	Built				
<b>Item group (if known)</b>	Religion				
<b>Item category (if known)</b>	Church				
<b>Area, Group, or Collection Name</b>	-				
<b>Street number</b>	2				
<b>Street name</b>	Kent Street				
<b>Suburb/town</b>	Minto	<b>Postcode</b>		2566	
<b>Local Government Area/s</b>	Campbelltown				
<b>Property description</b>	Lot 12 / DP 712599				
<b>Location - Lat/long</b>	<b>Latitude</b>	-34.028673		<b>Longitude</b>	150.846923
<b>Location - AMG (if no street address)</b>	<b>Zone</b>		<b>Easting</b>		<b>Northing</b>
<b>Owner</b>	Anglican Church of Australia				
<b>Current use</b>	Vacant				
<b>Former Use</b>	Church				
<b>Statement of significance</b>	<p>St James Anglican Church embodies historical, associative, aesthetic, social, and representative values, and is also significant for its rarity in the local context.</p> <p>St James Anglican Church exhibits historical significance at the local level as remnant evidence of the historical development of the local area and the increasing population of the late-nineteenth century. Its relocation represents the growth of Minto as a distinct township and has served the needs of the Anglican community of Minto for nearly a century.</p> <p>The building is associated with two prominent architects of the Federation period – Henry Austin Wilshire (who designed the original building) and John Burcham Clamp (who oversaw the relocation project). Together, Wilshire and Burcham Clamp are associated with over 40 buildings and / or works which are statutorily protected as heritage items in New South Wales. The subject building forms part of their legacies.</p> <p>Although the building is not notable for displaying any particular creative achievement, the building does demonstrate landmark qualities in the area as one of the last remnant buildings from the original Minto Village. It is intact and its original form, scale, and dimensions are readily legible from all perspectives. Its setting – including early pine tree plantings and intact front fence from c. 1930s – remains intact, and serves to enhance the landmark qualities of the building. Additionally, the building displays significant technical achievement, having been dismantled and reconstructed entirely by hand within 10 weeks, with minimal change to original fabric (save the deletion of the front veranda).</p> <p>St James Anglican Church represents the continuing presence of the Anglican community in the locale for over a century. Its built fabric displays evidence of community involvement – several renovation works have been undertaken by members of the local community, including extensive working bees in the 1970s. The place also demonstrates ties to the Anglican community of New South Wales, with Wilshire (the original architect) designing the building pro bono, and donations towards the original</p>				

## *Heritage Data Form*

	<p>building made by the trustees of St James Church, Sydney and St Phillips Church, Glebe. In general, the site represents a continuing link between the Anglican Church of NSW and the Anglican community of Minto, and is socially significant.</p> <p>The subject building is one of the last remnant buildings that date to the early beginnings of Minto Village, and its original form, scale, and setting is readily legible. It is a locally rare item. At the same time, the building is a highly intact example of a simple, late-nineteenth century church building, and its continued legibility means that it is a fine representation of this type of building.</p>				
<b>Level of Significance</b>	State <input type="checkbox"/>		<u>Local</u> <input checked="" type="checkbox"/>		
<b>DESCRIPTION</b>					
<b>Designer</b>	Henry Austin Wilshire				
<b>Builder/ maker</b>	T. P. Latter				
<b>Physical Description</b>	<p><u><b>Exterior:</b></u></p> <p>The subject site is a large allotment located at the intersection of Redfern Road and Kent Street. The property frontage displays a wire and timber fence which, although not original, likely dates to the Inter-War period. Between the fence and the Church building are a series of palm trees, which were planted in the late 1910s. The relatively large, grassed allotment gives ample curtilage for the Church building to stand out as the prominent built form at the site.</p> <p>The Church building itself is of simple form – a single-storey building with a prominent gabled roof with a slight parapet at the front and back. The structure is of polychromatic brick masonry construction, with a roof of cement tile sheeting. At the front of the building is a smaller, enclosed gable element with a pointed arch window fronting the street, which serves as the entry point to the Church. Near the apex of the primary gable, at both sides, is a decorative oeil de boeuf opening.</p> <p>At the side elevations to the east and west, the structure is punctured by an identical fenestration pattern of three, pointed arch windows set into bays created by non-load bearing piers, with doors at the northern ends.</p> <p>At the rear, the Church is supported by two buttresses of brick masonry in a polychromatic tonality similar to that of the primary structure. These were added after the building was reconstructed at the present site in 1918.</p> <p><u><b>Interior:</b></u></p> <p>Originally, the site would have been divided into two spaces: the front gable entrance, and the nave.</p> <p>Currently, the interior is divided into four spaces: the entrance, a makeshift narthex, the nave, and an upper level (above the narthex, facing into the nave). The narthex and upper level are recent additions of timber construction.</p> <p>The ceiling is of timber planks, with evenly-spaced hardwood trusses. Flooring is timber, and likely early to the construction of the Church.</p> <p>Stained glass windows at the rear wall are visible from within the building.</p>				
<b>Physical condition</b>	A preliminary visual inspection was undertaken in January 2018, which found that the item is in fair condition.				
<b>Archaeological potential</b>	Low – none.				
<b>Construction years</b>	<b>Start year</b>	1897	<b>Finish year</b>	1898 (dismantled and reconstructed 1918)	<b>Circa</b> <input type="checkbox"/>
<b>Modifications and dates</b>	<p>The original building – located on a different site between the townships of Minto and Ingleburn – was dismantled and reconstructed in its present location in Minto in 1918. The reconstructed Church was exactly the same as the original, although the original veranda which extended across the primary elevation of the building had been deleted in the building's second iteration.</p> <p>Other modifications and alterations to the building and the site include:</p>				

## *Heritage Data Form*

	<p>Late 1910s: Planting of palm trees at the property frontage, Redfern Road</p> <p>1920: Construction of tennis court</p> <p>Late 1920s: Replacement of four Miller kerosene lights – used to illuminate the interior – with three Aladdin lamps (donated by parishioners)</p> <p>August 1938: Installation of electric lights in interior</p> <p>1948: Connection to new city water supply</p> <p>1962: Expansion of Church to obtain adjacent Guild Hall (currently in use at the Children's Centre)</p> <p>1966: Construction of Sunday School Hall (later demolished to make way for new Church building)</p> <p>1975: Erection of rectory building; Retiling of roof of Church building (the cost of which was borne through an interest-free loan from Mary Monkley, a late parishioner)</p> <p>1977: Internal floor varnished; vestry and broom room removed from interior to allow space for organ, communion table, and dais</p> <p>Late 1970s: Renovation of stained glass window at northern end of building in memory of Mr Apps, a late parishioner; Community working bees – repainting all windows and doors of building; clearing moss from southern end of building; replacement of most fencing around Church and rectory buildings</p> <p>1 December 1984: Laying of foundation stone for new Church building, to the south of the original Church – the new Church building, which is currently in use, was opened on 25 May 1985</p>
<b>Further comments</b>	None.

### HISTORY

<b>Historical notes</b>	<p><b><u>Beginnings:</u></b></p> <p>As a result of significant population growth in the region, St James Church of England was first erected on the corner of Minto and Cumberland Roads in 1897 to serve the suburbs of Glenfield, Ingleburn, and Minto. The architect of the building was Henry Austin Wilshire, the youngest son of James Robert Wilshire MLC, second elected Lord Mayor of Sydney. Henry Wilshire was a prominent social figure and architect in the late nineteenth and early twentieth centuries, and at present 12 of his buildings have been afforded statutory protection as heritage items in NSW. Wilshire provided his services pro bono to the Anglican Church for the design of St James Church. Prior to construction of the Church, a sum of approximately £200 was donated by the trustees of St James Church in central Sydney, with a smaller amount given by St Phillips Church in Glebe.</p> <p><b><u>Construction and Opening:</u></b></p> <p>The foundation stone for the Church was laid on 13 September 1897 by the Bishop of Bathurst, the Right Reverend Dr C.E. Camidge. The ceremony was seen as a "means of bringing a large gathering of the residents together," and was a well-attended affair which was followed by a fundraising concert. Copies of Sydney and local newspapers from the day of the ceremony were placed in a bottle, which in turn was placed into a portion of the foundation stone. Also in the bottle was a written document recording the names of the principal figures in the ceremony.</p> <p>St James Church was officially opened on Saturday 5 February 1898. The Cumberland Herald wrote at length on the Church's opening, describing a service which had "a very large attendance, which included visitors from all parts of the [Minto-Ingleburn-Glenfield] district." The article goes on to describe the building:</p> <p><i>The foundations are built in solid cement, the walls being 9in. with a 3in. cavity. The gables are 14in. with 3in. cavity, dark grey, with red bricks as a string course; also, door and window openings which are Gothic. The frames are Oregon with Kauri linings and architraves. The roof is open with framed principals, lined on the top with colonial mahogany and covered with Terra Cotta roofing [sic] tiles. The floors are 4in. x 1in. T.G. best tallow-wood. The chancel windows are fitted with lead lights and tinted glass; all other windows are frosted. The vestry and organ screens are formed of Oregon and diagonal panels of best Kauri. The whole of the seats, pulpit, reading-desk, and front-table are of the same material. The decoration of interior of walls are French grey Alabastine, with a stencil design</i></p>
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## *Heritage Data Form*

	<p>over a dark dado. The principals and rafters are grained, and all other woodwork and furniture varnished throughout, thus producing a very pleasing effect.</p> <p>St James would soon become a focal point for community gatherings, with many fundraising events held at the Church grounds. For one such event, a marquee was lent gratis to the Church by Dudley and Co., sailmakers located in Sussex Street, Sydney. Captain Thomas Dudley, of Dudley and Co., was a somewhat infamous figure in the late nineteenth and early twentieth centuries. In July 1884, Dudley was on voyage from Southampton, England to Australia on the yacht Mignonette, which became foundered some 1800 miles from the closest shoreline. Dudley, two men, and a young boy were fortunate enough to escape on a boat, but without any provisions. After two weeks with no food or water, Dudley and one of the other men decided to execute and consume the young boy. The three survivors were eventually rescued and taken to Falmouth. Dudley and the other man responsible for the death of the boy were tried at the assizes of Exeter, where they were sentenced to death for cannibalism on the high seas. The sentence, however, was immediately commuted to six months' prison with no hard labour. After moving to Sydney and finding commercial success as a sail maker and ship chandler, Dudley would become the first person in Australia to die of the bubonic plague in February 1900.</p> <p><b><u>Relocation:</u></b></p> <p>Rising populations in the townships of Minto and Ingleburn in the early twentieth century saw St James increasingly unable to serve the two communities for which it was established. A meeting was convened on 25 June 1915 by the Rural Dean of Cobbity and attended by the rectors of Campbelltown and Ingleburn, together with their wardens. Ingleburn expressed a desire for a new church and St James, in its original location on the border of the two towns, was not seen as adequately central to either one or the other. On 15 February 1915, the people of Minto had purchased two blocks of land in proximity to Minto Village, on Kent Street at the intersection with Redfern Road. This would eventually become the new location for St James Church (where it still stands), although at the time there were inadequate funds to move the structure to a new location.</p> <p>By the mid-1910s St James was only occasionally being used for Church services, with services mainly being held at the Minto School of Arts. During this time, St James would become something of a haven for 'swaggies' – transient itinerant labourers who would pass through on their way to find employment opportunities wherever they existed.</p> <p>Research suggests that the initial plan was for the final services at the original St James to be held towards the end of 1915. An article from the Campbelltown Herald dated 25 September 1915 writes of a wedding which was "in all probability" the final service to be held at the Church before the relocation.</p> <p>However, Church records indicate that the final service to be held at the original St James was on Sunday, 21 July 1918. No records detailing the specifics of this service were kept, however following this and through the end of July, workers began the process of cleaning and clearing the new Kent Street site and dismantling the original Church building.</p> <p><b><u>The New Church:</u></b></p> <p>In July 1918, a contract was signed with builder Syd A. Cross and architect John Burcham Clamp for the dismantling and rebuilding of St James Church on the allotment purchased by the parishioners of Minto in 1915. Burcham Clamp was a prominent architect in the late-nineteenth and early-twentieth centuries, responsible for the original St James Hall on Phillip Street, Sydney (since demolished), Victoria Hall, Manly (since demolished to make way for St Matthews Church), and the conversion of a two-storey residence in Rushcutters Bay to house St Luke's Hospital. Clamp was also an active Anglican and served as the building surveyor for the diocese of Sydney – he designed St Matthews Church, Manly and the Sydney Church of England Grammar School (Shore) chapel, North Sydney, and was a founder of the prestigious Cranbrook School in Rose Bay. At present, 29 works designed by or associated with Burcham Clamp have been afforded statutory protection as heritage items in NSW, including two items listed on the State Heritage Register.</p> <p>The contract for the relocation of St James included a time allowance of 10 weeks, and included the dismantling of the original building, transportation of all material and fabric from the original site to the new, and reconstruction of the Church at the new site. All transport was done by horse and dray, and all work done by hand.</p>
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## *Heritage Data Form*

	<p>The foundation stone for the rebuilt St James – in its current location on Kent Street, Minto – was laid by Anglican Archbishop of Sydney, John Charles Wright, on Saturday 24 August 1918. The day's editions of the Daily Telegraph and Campbelltown Herald were placed in the cavity, along with details of the Church and a silver coin struck in 1918. The original foundation stone was also laid at this ceremony.</p> <p>The rebuilt St James was open for worship by the end of 1918, with a dedication service being held on 19 November and conducted by the Dean and Archdeacon of Sydney, Albert Edward Talbot. Records indicate that it was a well-attended affair, with 162 seated guests and many others standing.</p> <p>The Church in its new location was almost identical to its original iteration, save for the deletion of the original veranda which extended along the primary elevation of the building. There were also plans to insert a Gothic arched-extension to the north of the building to lead to the Chancel and vestry door, although this plan never came to fruition.</p> <p>The Church was officially consecrated on Sunday, 14 October 1934 by the Archbishop of Sydney, Howard W. K. Mowll.</p>
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THEMES	
<b>National historical theme</b>	3. Developing local, regional and national economies 4. Building settlements, towns and cities 8. Developing Australia's cultural life
<b>State historical theme</b>	Events Land tenure Religion

## *Heritage Data Form*

<b>APPLICATION OF CRITERIA</b>	
<b>Historical significance</b> SHR criteria (a)	<p>St James Anglican Church demonstrates the development of the Minto-Ingleburn locale towards the end of the nineteenth century, and was constructed to serve the needs of the growing population of the area. The original foundation stone is intact and exhibits this early development of the area.</p> <p>In its current location, the site represents the growth of Minto as a distinct locality and is located within the grounds of the first subdivision of the Minto Township, in the original Minto Village. The second foundation stone is intact and demonstrates this early development of Minto. Today, the Church is one of the final extant buildings from the original Minto Village.</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting historical significance at the local level.</p>
<b>Historical association significance</b> SHR criteria (b)	<p>The original design for the Church was that of Henry Austin Wilshire, who was the youngest son of James Robert Wilshire MLC, second elected Lord Mayor of Sydney. Henry Wilshire was a prominent architect in the late nineteenth and early twentieth centuries, and at present 12 of his buildings have been afforded statutory protection as heritage items in NSW. Wilshire provided his services pro bono to the Anglican Church for the design of St James Church.</p> <p>The relocation of St James Church in 1918 was overseen by architect John Burcham Clamp, a prominent architect in the late-nineteenth and early-twentieth centuries. At present, 29 works designed by or associated with Burcham Clamp have been afforded statutory protection as heritage items in NSW, including two items listed on the State Heritage Register.</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting associative significance at the State level.</p>
<b>Aesthetic significance</b> SHR criteria (c)	<p>The subject building is not notable for demonstrating any creative achievement, being of a simple form typical of church buildings. Despite its associations with two prominent late-nineteenth and early-twentieth century architects, the building is not considered a major work by either of these designers.</p> <p>However, the building does demonstrate landmark qualities in the area, being one of the last remnant buildings from the original Minto Village. It is intact, and its original form, scale, and dimensions are readily legible from all perspectives. Its setting – including early pine tree plantings and intact front fence from c. 1930s – remains intact, and serves to enhance the landmark qualities of the building.</p> <p>The subject building also displays significant technical achievement, having been dismantled and reconstructed entirely by hand within 10 weeks, with minimal change to original fabric (save the deletion of the front veranda).</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting aesthetic significance at the local level.</p>
<b>Social significance</b> SHR criteria (d)	<p>St James Anglican Church represents the continuing presence of the Anglican community in the locale for over a century. Its built fabric displays evidence of community involvement – several renovation works have been undertaken by members of the local community.</p> <p>The site exhibits ties to the Anglican community of New South Wales, with the building's original architect Henry Austin Wilshire undertaking the work pro bono and donations made for the original building by the trustees of St James Church, Sydney and St Phillips Church, Glebe. The relocation work was overseen by John Burcham Clamp, who was also a prominent figure in the Anglican Church in the early twentieth century.</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting social significance at the local level.</p>
<b>Technical/Research significance</b> SHR criteria (e)	<p>There is no evidence to suggest that the building demonstrates construction techniques other than those commonly employed at the time.</p> <p>The subject site therefore does not meet the requirements of this criterion.</p>
<b>Rarity</b> SHR criteria (f)	<p>The subject building is one of the last extant buildings that date to the early beginnings of Minto Village.</p> <p>As such, the site meets the threshold of this criterion and is assessed as being locally rare.</p>

## *Heritage Data Form*

<b>Representativeness</b> SHR criteria (g)	<p>Although not of notable design, the subject building is a highly intact example of simple, late-nineteenth century local church buildings in New South Wales. Its original form, scale, and dimensions remain highly legible, and its historical setting – including palm trees and front fence – has been retained, despite later development on the allotment.</p> <p>As such, the site meets the threshold of this criterion and is assessed as exhibiting representative significance at the local level.</p>
<b>Integrity</b>	<p>The original form, scale, and dimensions of the Church are readily legible to the present day.</p> <p>Internally, some intrusive fabric has been recently introduced (namely the timber partitions which have created the narthex and the upper level – including the staircase), however this is readily distinguishable from the original fabric.</p> <p>Extant original / early fabric includes: front fence, palm trees, building envelope of brick masonry, timber window frames, roofing, timber doors and surrounds, stained glass windows, and internal flooring.</p>

### HERITAGE LISTINGS

<b>Heritage listing/s</b>	None.
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### INFORMATION SOURCES

Include conservation and/or management plans and other heritage studies.

Type	Author/Client	Title	Year	Repository
Newspaper	Biz; Camden News; Campbelltown Herald; Daily Telegraph; Evening News; Liverpool Herald; Morning Bulletin; The Sydney Morning Herald.		Various	'Trove': National Library of Australia
Publication	Olaf Brockenhuus-Schack	The Church of St James Parish of Minto, Wollongong Region, Anglican Diocese of Sydney	2010	Myrrh – The Moore Institutional Repository, Moore College Library
Online	Manly Library Local Studies Blog	A Cannibal on North Head	16 January, 2014	Northern Beaches Library
Online	Peter Reynolds	Clamp, John Burcham (1869-1931)	1981	Australian Dictionary of Biography
Online	NSW Office of Environment & Heritage	State Heritage Inventory	Various	NSW Office of Environment & Heritage

### RECOMMENDATIONS

<b>Recommendations</b>	<p>Retain and conserve building and setting (including significant landscape elements) within an appropriate curtilage. Repair works should be undertaken – in keeping with the maxim of doing “as much as necessary, but as little as possible” – in order to restore full structural integrity to the building. A suitably-qualified heritage practitioner should be engaged to prepare a Schedule of Conservation Works and to subsequently supervise conservation works.</p> <p>The site should be listed as an item of environmental heritage on Schedule 5 of the Campbelltown Local Environmental Plan 2015.</p> <p>In general, the identified heritage values of the site should be managed in accordance with best practice conservation principles offered by <i>The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance</i>, 2013 and pertinent documentation produced by the NSW Office of Environment and Heritage.</p> <p>Any work at the site which carries the potential to impact upon identified heritage values should entail</p>
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## *Heritage Data Form*

	<p>the preparation of a Heritage Impact Statement, to be written by a suitably-qualified heritage practitioner.</p> <p>Any approved works undertaken at the site should be supervised by a suitably-qualified heritage architect and be undertaken by tradespeople experienced with historical building fabric.</p>
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SOURCE OF THIS INFORMATION			
<b>Name of study or report</b>	N/A	<b>Year of study or report</b>	N/A
<b>Item number in study or report</b>	N/A		
<b>Author of study or report</b>	N/A		
<b>Inspected by</b>	N/A		
<b>NSW Heritage Manual guidelines used?</b>		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<b>This form completed by</b>	Heritage 21	<b>Date</b>	February 2018

## *Heritage Data Form*

### IMAGES

Image caption	Primary (western) elevation and front landscape elements (front fence, palm trees).				
Image year	2018	Image by	Heritage 21	Image copyright holder	Heritage 21





## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Southern elevation.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Rear (eastern) elevation.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21

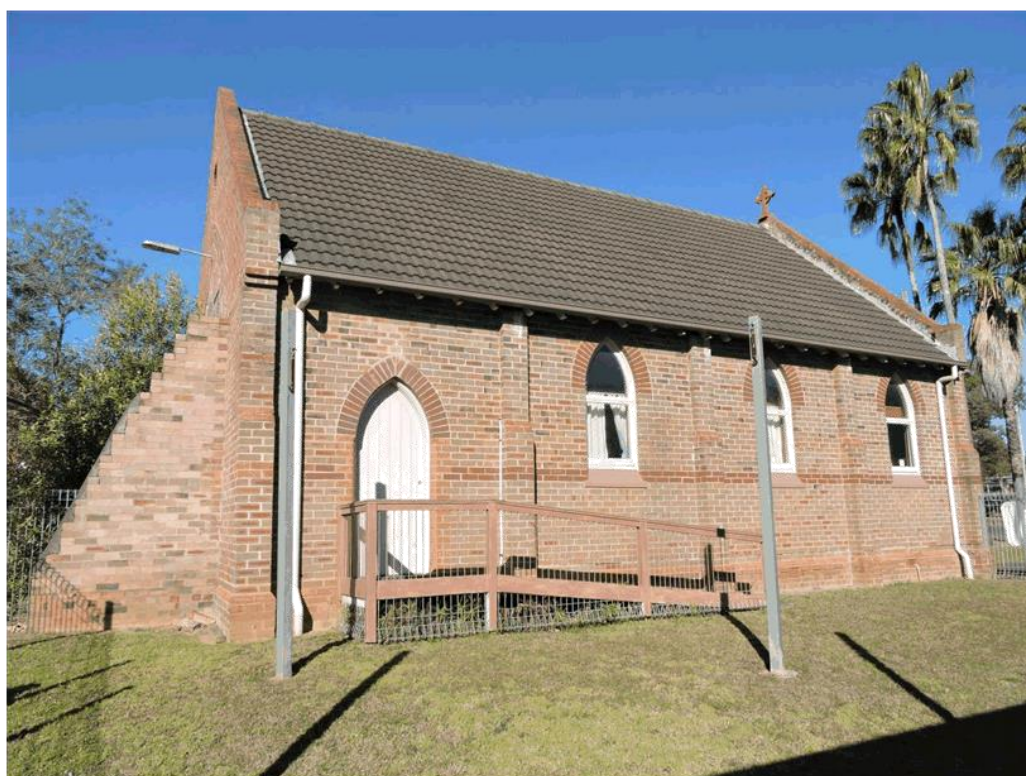




## *Heritage Data Form*

### IMAGES

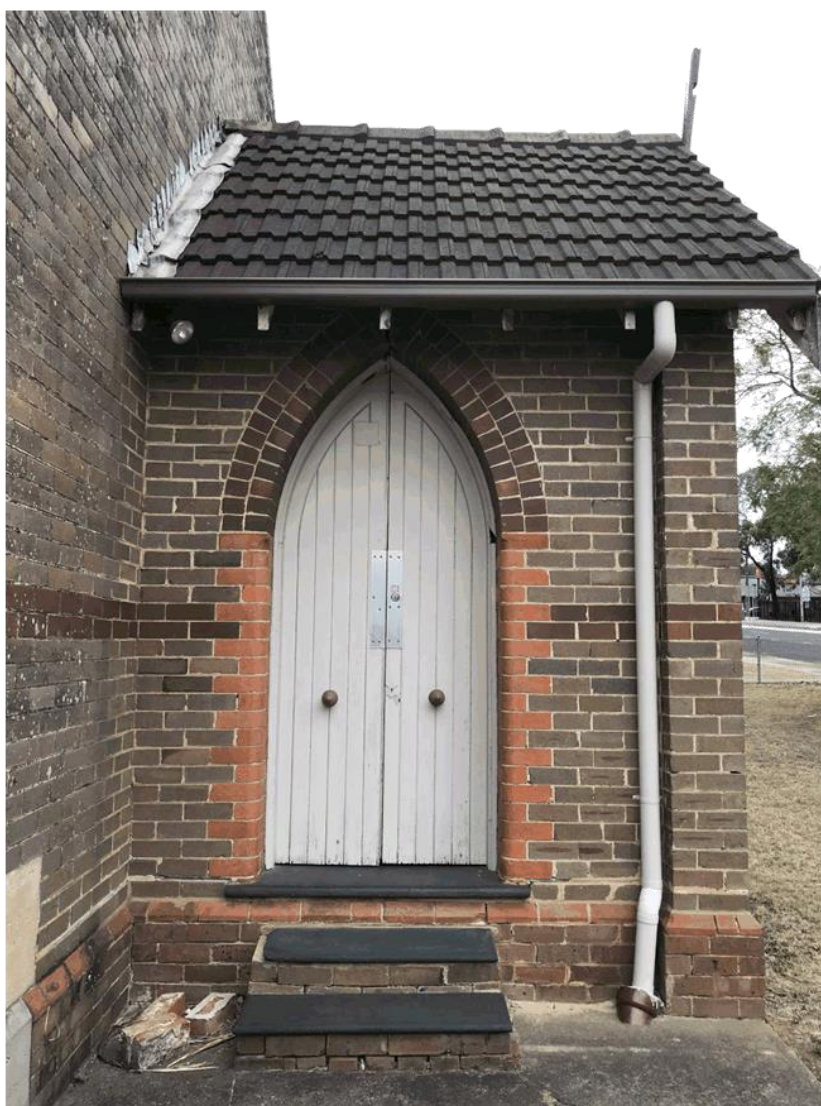
<b>Image caption</b>	Northern elevation.				
<b>Image year</b>	2017	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Entrance at front gable.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

Image caption	Foundation stones, next to front entrance.				
Image year	2017	Image by	Heritage 21	Image copyright holder	Heritage 21





## *Heritage Data Form*

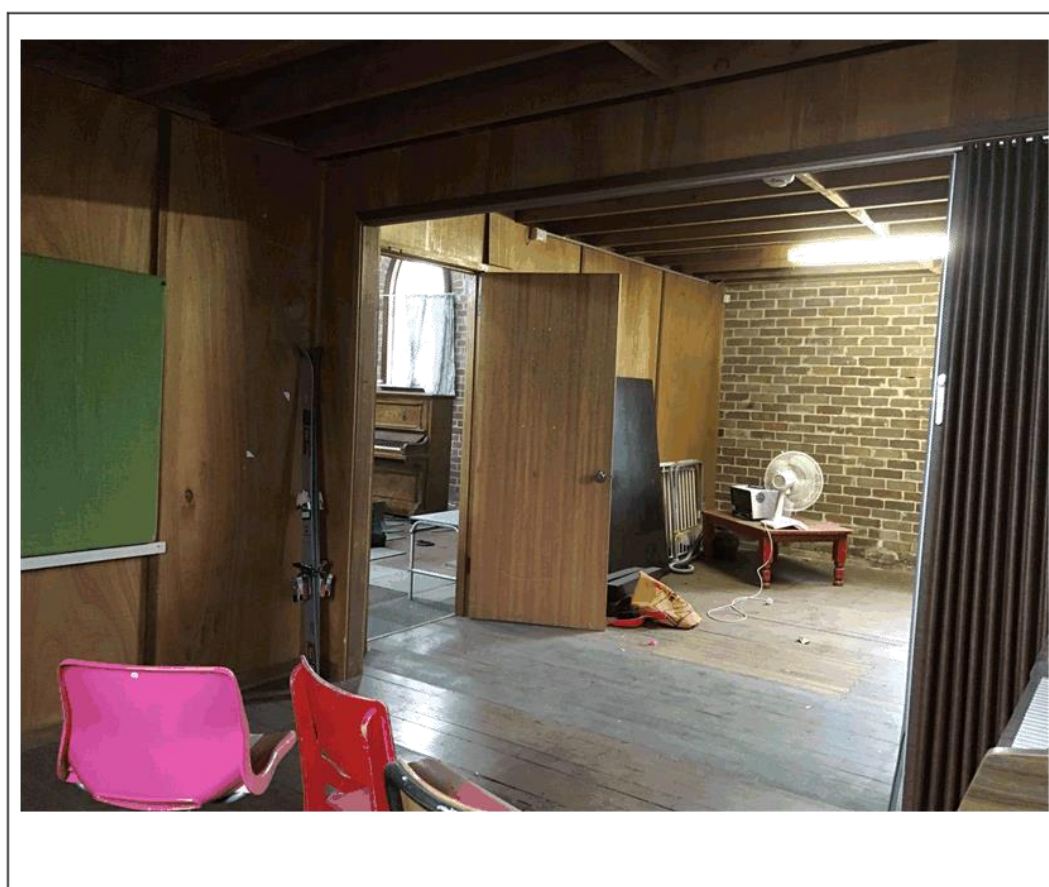
### IMAGES

<b>Image caption</b>	Entrance to Church inside front gable.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

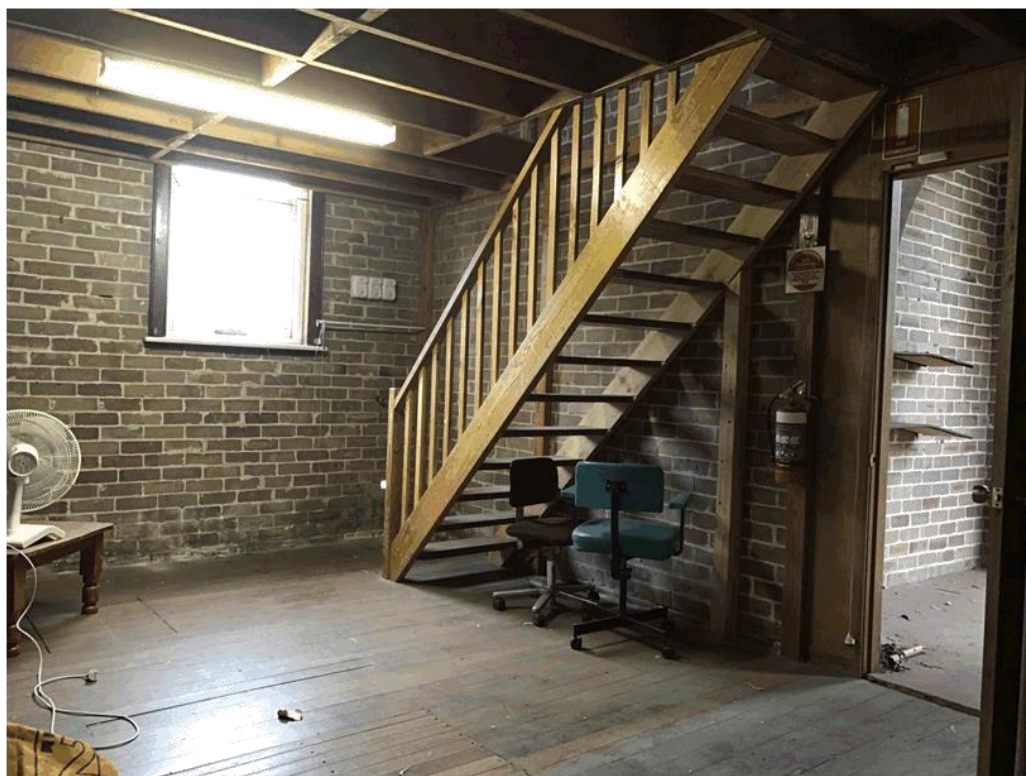
IMAGES					
<b>Image caption</b>	Narthex.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Staircase in narthex.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21

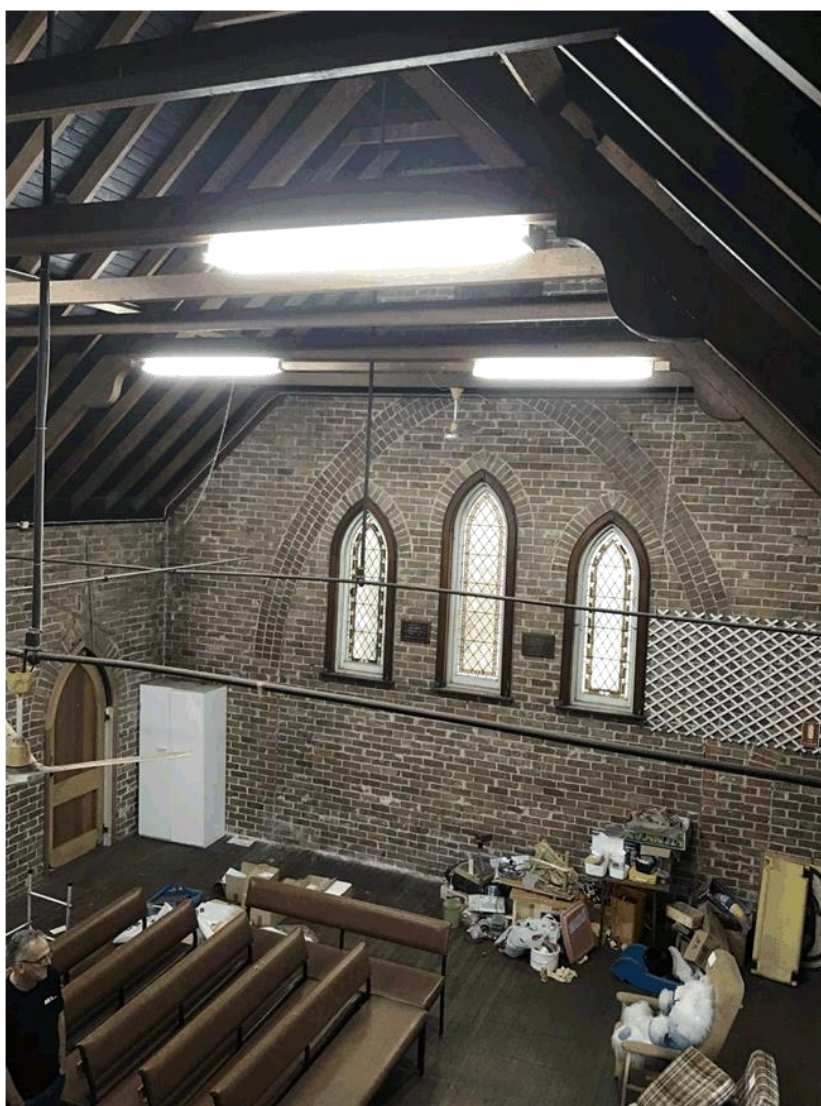




## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Nave, as viewed from upper level.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

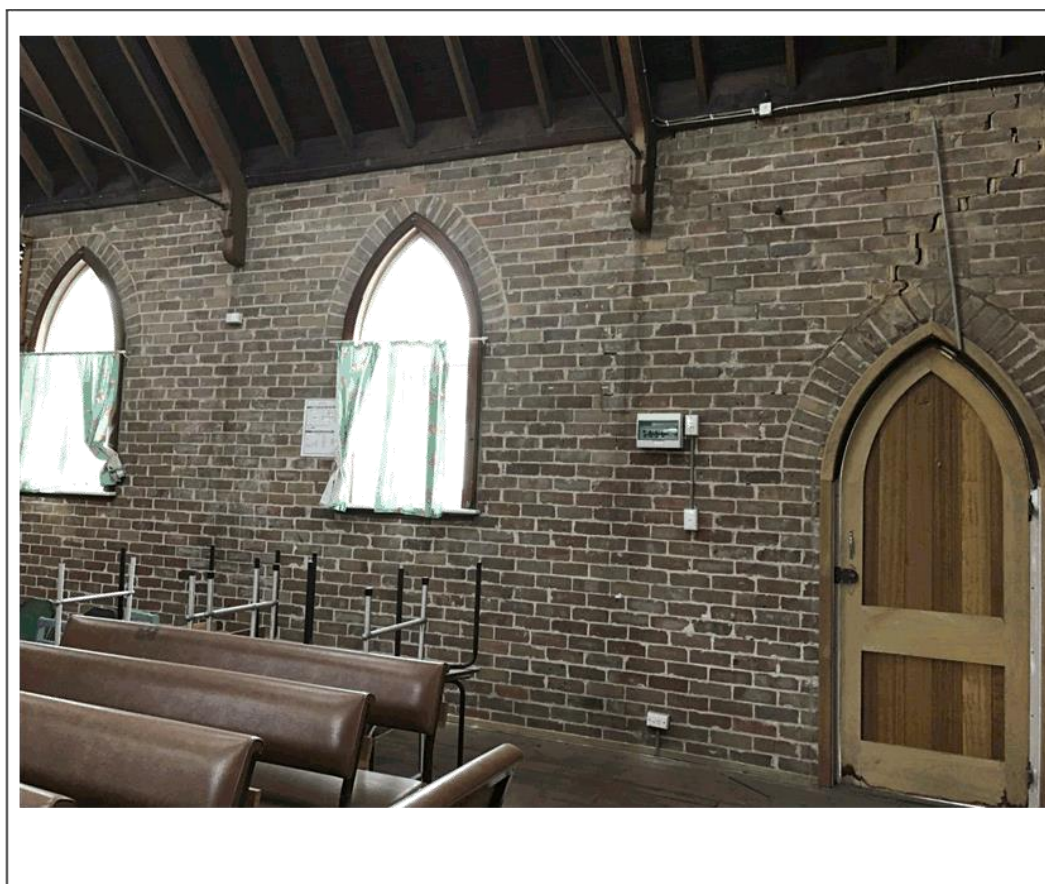
<b>Image caption</b>	Stained glass windows at rear (eastern) elevation.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21





## *Heritage Data Form*

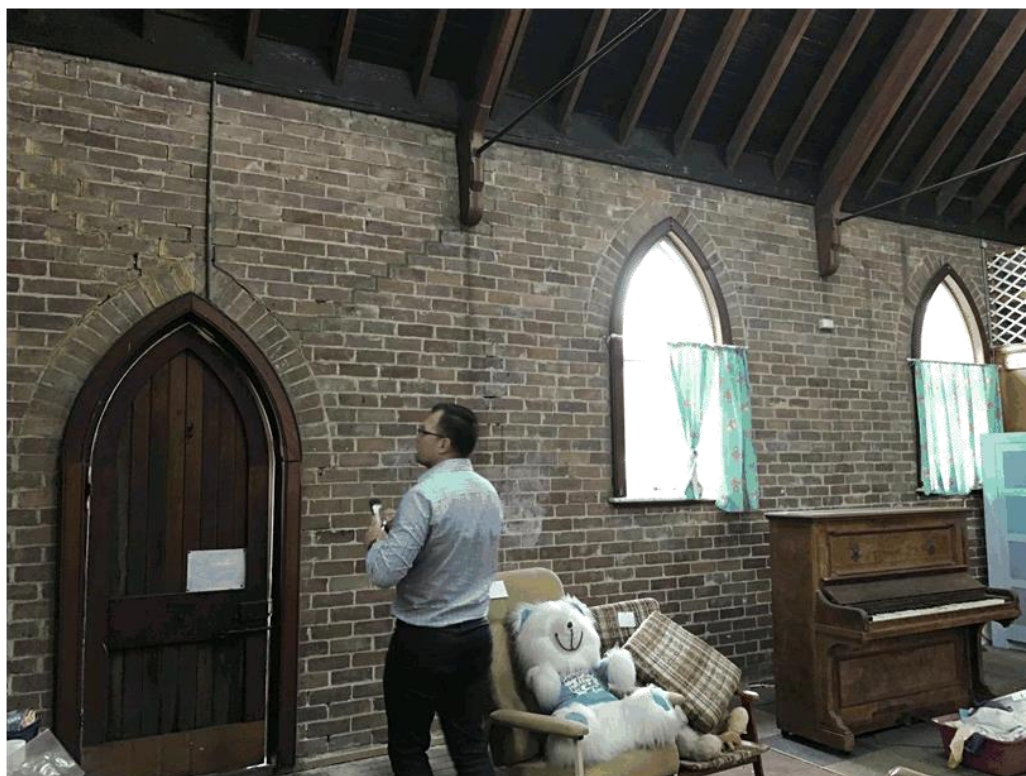
IMAGES					
<b>Image caption</b>	Northern elevation, internal view.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Southern elevation, internal view.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

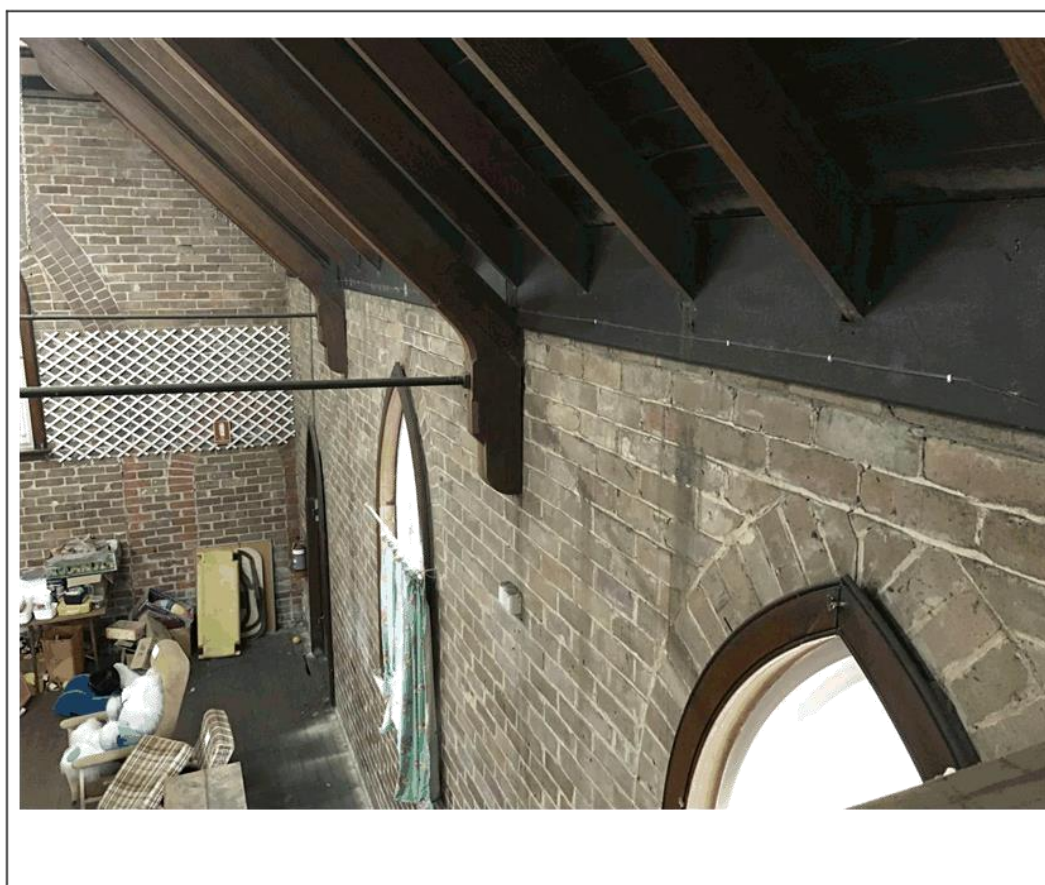
<b>Image caption</b>	Roofing, internal view.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21





## *Heritage Data Form*

IMAGES					
<b>Image caption</b>	Detail of roofing.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Detail of floor.				
<b>Image year</b>	2018	<b>Image by</b>	Heritage 21	<b>Image copyright holder</b>	Heritage 21



## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Original St James Church, located on the intersection of Minto and Cumberland Roads.				
<b>Image year</b>	n.d.	<b>Image by</b>	Unknown	<b>Image copyright holder</b>	Campbelltown & Airds Historical Society



## *Heritage Data Form*

### IMAGES

Image caption	St James Church in its current form and location.				
Image year	c.1937	Image by	Unknown	Image copyright holder	Campbelltown City Council (Follan Collection, Local Studies Collection)





## *Heritage Data Form*

### IMAGES

<b>Image caption</b>	Current St James Church, with palm trees at front.				
<b>Image year</b>	n.d.	<b>Image by</b>	Unknown	<b>Image copyright holder</b>	Campbelltown City Council (William Bayley Collection, Local Studies Collection)





## *Heritage Data Form*

### IMAGES

Image caption	Current St James Church, as viewed from Kent Street				
Image year	1979	Image by	Unknown	Image copyright holder	Campbelltown City Council (Local Studies Collection)



## **The former St James Anglican Church Building Minto Submission on behalf of the Anglican Church Property Trust with regard to the IHO on the building.**

prepared by

Paul Davies

Paul Davies Pty Ltd – Architects Heritage Consultants

I have been requested by the Anglican Church Property Trust to make a submission in relation to the IHO on the former church building that is currently under consideration by Council.

The background to the IHO, the application for demolition and the consequent appeal against Council's refusal of the DA are well known and are not set again in this submission.

The question before Council is whether to proceed to list the building as a heritage item on the LEP or to not proceed with the IHO.

Council based the IHO on a heritage report that Council commissioned prepared to inform that process.

We provide, as part of this submission, our heritage assessment of the property along with supporting material that points to the property not being of sufficient heritage significance to be included as a heritage item. This is material that was prepared for the appeal that has now been abandoned.

We would suggest that simply finding a ground for significance (which is not hard given that the place is a church) to support heritage listing, is not the only consideration that should inform Council's decision.

While we maintain that the church should not be heritage listed, as set out in the supporting material, we understand that the community wish to see the building retained as there is almost nothing of heritage value in the locality or suburb. Being only one of a few possible heritage places does not though equate to significance in itself.

There also has to be an understanding of why the place was not previously recommended for listing. If the building is worthy of being a heritage item, given the prominence of the place, it is very hard to understand how it was overlooked when heritage studies were undertaken. At best this suggests that the place was not seen as an important site or it would have been listed.

My practice has supported Council's heritage initiatives through studies, advice, defending council in court appeals etc. and is very aware of the heritage issues of the council area. Consequently, we do not make this representation lightly and rarely support the removal of a building that may have some value.

If Council determine to proceed with heritage listing in the LEP, the issue that immediately arises is what then happens to the building.

As the supporting report sets out, the building is quite small, in very poor condition and while it could be used for church related purposes if it was in sound condition, has no use as it is now found. If the building were usable and sound, the parish would use it as any space is valuable and the parish are not able to easily undertake the construction of new facilities. Until its condition deteriorated significantly it was used for church uses.

It is not difficult to see that the parish is not well-resourced financially and is not able to simply replace the building. The parish able to undertake the required structural repair and conservation/ maintenance work that would be necessary to use the building as part of the parish life.

The proposal is not part of an application to redevelop the site where a building is 'in the way'. The church site contains several buildings that are quite separate and the small hall to the west is separated from the main church building by the former church building. This also means that the prospect of excising part of the church lands and selling the church is not viable as it is centrally located on the site and would make the site unviable.

The first task we undertook when considering the future of the building was to seek costings to ascertain if it was viable to retain the building in use. The parish had expected that repair work would be in the order of \$150,000 and that could not be afforded. We prepared a scope of works and sought three builders quotes to understand the range of costs. Two quotes were received at \$560,000 and \$660,000. Council have copies of that material and it is appended to this submission.

In the supporting material we also looked at doing less work but even at half the quoted costs the work is not viable for the parish.

There are also no grant or funding sources available for buildings such as this that have marginal heritage value.

Each parish or church is self-funded and has not assistance in funding from the diocese. Quite the reverse is the case where all parishes contribute funds to support the diocese. The only funds available at parish level are those that the parish holds or can raise through donations.

There is also very little chance of raising say \$500,000 from the community.

This represents a significant problem as if the building were to be heritage listed there is no practical or viable way to repair it or use it. If there were the parish would continue to use the building.

Summary

We understand that council may take the view that the building has some heritage value and should be protected but we wish to make sure that Council understands that the consequences of the listing are very significant and onerous for the parish.

Where, as we argue, the significance of the building is nominal and where the condition and ability to manage the building are very difficult we submit that Council should not heritage list the building and, even if reluctant, should allow its future removal.

Paul Davies

February 2018