

Saving Our Community's Heritage



NSW Heritage Network - Linked to Protect



"The Heritage Battle is not won. I have been involved since I was an architectural student and still what was won seems to come unstuck with every change of Government; witness Thompson Square and the Historic Houses Trust for example. Keep up the fight."

Dr Clive Lucas OBE LFRAIA

INTRODUCTION

Heritage protection in New South Wales (NSW) faces the most radical changes in 30 years due to changes in the proposed *Planning Act 2013*. Local communities across NSW have recognised this new threat to their local heritage.

It is for this reason, this online resource has been established to help **connect** communities, and assist community members to seek the advice of other individuals and organisations across NSW that have fought heritage campaigns.

This document and the associated *Action Guide*, have been prepared by community based heritage advocates. Further content is planned and comments and contributions are welcomed to help ensure this material accurately reflects heritage protection in NSW today.

A Brief History of Heritage Campaigns

The history of heritage campaigns in New South Wales stretches back to the 1940s when Annie Wyatt helped establish the National Trust in order to promote and conserve Australia's cultural and natural heritage. A consciousness was growing in both the city and the country, as the destruction of many heritage buildings was taking place during the post war construction boom.



The rapid pace of development increased in the late 1960s as Sydney's height restriction was eased. Many high rise buildings were erected which resulted in the loss of our existent built heritage. This expanding building boom affected a number of groups within society from the inner city working class tenant to the affluent suburban homeowner.

Matters came to a head when, in 1971, the trade union movement, led by the Builders' Labourers Federation (the BLF) carried out the world's first 'Green Ban'. This was an action whereby builders labourers withdrew their construction labour in support of local community groups.

The first battle fought and won was in support of the Battlers for Kelly's Bush, where, in Hunters Hill, strong community opposition occurred over a planned townhouse development by the A V Jennings group. The company threat to use non-union labour was thwarted by the avowal that an AV Jennings office building going up nearby in North Sydney would be left forever unfinished as a monument to Kelly's Bush. The action succeeded and to this day the headland site remains a bush reserve.

Further Green Bans supporting Resident Action Groups (RAGs) soon followed, including saving historical parts of Sydney from high rise development, 'slum' clearance and freeway construction including Woolloomooloo, Victoria Street in Kings Cross, Glebe, Centennial Park and, most famously, The Rocks. By 1974, 42 Green Bans held up, modified or cancelled a total of \$3000 million worth of construction projects under the coercive power of the movement.

Although the movement was weakened through the de-registration of the BLF in 1986, Green Bans had already paved the way for a major overhaul of planning legislation in NSW and Australia with the passing of the *NSW Heritage Act 1977* and the *NSW Environmental Planning and Assessment Act 1979*. The use of Green Bans, as a means to protect the nation's heritage, was finally taken away from the people through Federal legislation under Prime Minister Howard in 2005. Fines of hundreds of thousands of dollars would be imposed on any union taking part in illegal strike action such as Green Bans.

Changes to State Planning Legislation, including the *State Environmental Planning Policy 2011*, have granted powers to the State Government to 'switch off' heritage controls when considering 'State Significant Development'. With the proposed *Planning Act 2013* for NSW, it is expected that heritage will be further imperilled in the face of unchecked development.

CASE STUDY 1:

"GRIFFITH HOUSE", KOGARAH, NSW

September 2012 - May 2013

Context:

"Griffith House" a Victorian Italianate Villa, built c.1890 was demolished in early May 2013 to make way for an access ramp and 8-car-parking lot as part of a \$37.5 million dollar relocation of the St George Hospital's Emergency Department.

Built by former Kogarah Mayor Peter Herrmann Jnr., "Griffith House" was an

important landmark. It was entered into the heritage listings of Kogarah Council's Local Environment Plan in 2003, as one of just a few items graded to be of 'Regional Significance'.



Chronology:

- 16 August 2012, residents of Gray Street, Kogarah were notified of the proposed project by the Department of Planning and Infrastructure. The street is characterised by its transitory population and three properties already ear-marked for demolition were unoccupied. The closing date for submissions was 21 September 2012. Kogarah's Councillors were first informed during this period also, which was just prior to the Council elections held 9 September 2012, when they may have been primarily focused on their campaigns.
- By mid September 2012, a local resident noticed a map/plan on the old hospital kiosk in Kensington Street. This plan indicated that "Griffith House" was to be demolished. The wider community learnt of the fate of "Griffith House" when an article first appeared in the *St George and Sutherland Shire Leader* newspaper 2 October 2012. Many articles followed to cover the community's support for the retention of the building within the redevelopment.
- 20 December 2012, A "Consultation Meeting" by NSW Health was held in the Board Room at St George Hospital, for "selected community representatives and by invitation only". A number of Kogarah's Councillors and the community members in attendance, requested a copy of the Master Plan for the entire hospital redevelopment. A month later, following the *St George and Sutherland Shire Leader's* article concerning the delay in providing the plan, it was given to Council with a copy to view at the Customer Service Centre. The Master Plan created 12-months earlier, dictated the placement of the new hospital buildings; in a table listing all buildings within the site, it stated that "Griffith House" was to be demolished.
- By mid April 2013, despite six-months of continuous community protest, a demolition shroud went up around "Griffith House" and it was slowly demolished over a week in early May 2013.

Campaign Strategies:

- As a result of seeing the placement of the new Emergency Department displayed without "Griffith House", local residents quickly formed a small committee to fight its demolition.
- "Friends of Griffith House" was established and the group retained a heritage consultant from a large Sydney firm to produce a report to the Department of Planning and Infrastructure. Time was short to plan detailed letters. Ongoing newspaper articles, Letters to the Editor and online comments in the *St George and Sutherland Shire Leader*, kept the issue in the public eye.

Technical Issues

- NSW Health had not met their statutory requirements to include "Griffith House" on their Section 170 Register – a timely warning, as many other Government Departments have also failed to list heritage items.
- The location of the entry to the car park in place of "Griffith House", appears as though it will compound traffic conflicts, as will the entry to the small new car-park, to be named, "Griffith Car Park".
- Not all of the Director General's Requirements in respect to heritage, were addressed. This was pointed out in numerous letters to State Ministers and to the Director of the NSW Heritage Office. The Heritage Office asked the consultant to revise the Heritage Impact Statement (HIS), of mid-2012.

Lessons Learned

- It is important to gain independent, expert advice that the group can use publicly. The Kogarah community considered that NSW Health appeared to have engaged a heritage consultant to confirm their end objective – the demolition of "Griffith House". In addition, despite 30-odd computer aided designs made for the new Emergency Department, the community was repeatedly told, the architects were unable to make the retention of this building possible.
- NSW Health was unwilling to look at compromise. When asked at the 20 December 2012 Community Consultation meeting, whether adaptive re-use of "Griffith House" had been considered during planning for the new hospital buildings, the community was told, "No".
- The preservation of the building would have been an option if a Heritage Architect had been consulted in the planning phase. This could have allowed "Griffith House" to be incorporated into the new Emergency Department development, before the plans had extensively progressed.



CASE STUDY 2:

"BANBURY COTTAGE", ROCKDALE, NSW.

Context:

The site was occupied by Thomas Mascord during the 1850's, and developed as a market garden growing vegetables for the Sydney market. At that time, a "small house" was built on the site for Thomas and his growing family, consisting of several rooms in a simple, timber structure with a brick kitchen attached.



During the 1870's, a new 4-roomed brick cottage was built adjacent to the original house as the Mascord family continued to grow. In the 1890's the timber parts of the "old house" were rebuilt with a mix of recycled and new timber and occupied by Thomas Mascord. His son, Edwin and his family occupied the "new house". In 1910, extensive renovations were made to the two structures joining them with a dining room. Since that time, the building has remained in essentially the same form.

Between 1926 and 1936, the southern parts of the market garden were subdivided and sold off for residential development, leaving "Banbury Cottage" separated from the remaining market gardens. The gardens continued to operate until 1961, when the site was built over for the *Southside Plaza* development. In October 1994, the last member of the Mascord family to occupy the cottage died.*

The campaign:

Members of The Southern Sydney Branch of the National Trust, St George Historical Society, and the Rockdale District Heritage Association were concerned that this significant property would be lost and mounted a campaign to save it. They sought the assistance of Mr Barry O'Keefe, AM, QC, then President of the National Trust (1991-2006) to obtain a heritage order on the property. Two supportive Rockdale Councillors also fought vigorously for the retention of the building.

In February 1997, the garden around the property was decimated by earth moving equipment. The garden was in fact a significant item in the Conservation Report by Tropman and Tropman Architects, which stated, "the planning and detailing features of the garden and the cottage should be conserved". The report also recommended, "Banbury Cottage remain a residence."

The new owners, Askor Industries Pty Ltd, bought the property at auction in November 1995 for \$226,000, proposing to turn the cottage into a long-day care centre for 39 children. This plan was approved in principle by the Heritage Office and Rockdale Council.** The property was sold again, and the next owners opened "Banbury Cottage" as a child care centre on 11 October 1999.

* Conservation Options Study - Banbury Cottage, for Department of Urban Affairs and Planning, by Tropman and Tropman Architects, September 1996. ** Geraldine O'Brien, Sydney Morning Herald, 17 May 1997.

CASE STUDY 3:

WINDSOR BRIDGE AND THOMPSON SQUARE, WINDSOR NSW.

Situation:

The NSW Government is ignoring community outrage and is planning to demolish historic Windsor Bridge, the oldest crossing of the Hawkesbury River and forever and catastrophically compromise the oldest public square in the nation, Thompson Square in Windsor by bulldozing a major arterial road through this historic community precinct.



First Steps:

- After seeing the plans and the approach being taken by the Roads and Maritime Service (RMS) and local politicians, a Hawkesbury resident called upon like-minded community members to join a grassroots organisation to protest against this destruction, with a view to stopping a new bridge being constructed in this sensitive location.
- The group quickly established a fighting fund, arranged to have regular meetings, decided on a name and a logo, set up a webpage and a Facebook page and used some of their funds to produce large banners, which were hung in prominent locations around the Square.
- They researched and produced a petition that ultimately was signed by over 13,000 people before being submitted to Parliament and triggering a debate in the Legislative Assembly.
- They also used their connections to get in touch with someone they felt had a right and the credibility to comment on the issues associated with the Square - Dr Jack Munday AO.

Expanding the Support:

- The group has gone on to hold a series of public events: two rallies, street theatre in Macquarie Street, Sydney CBD to deliver the petition, a flag-raising in the Square. Members attended the debate in the Legislative Assembly.
- The Facebook page has been used to grow the *Community Action for Windsor Bridge* (CAWB) Family or 'Team CAWB'. A petition on *change.org* was also established and is now fully subscribed.

- The group has a communications officer who liaises with the media, puts out media alerts for any events and issues media releases as frequently as possible. Group members have undertaken thousands of hours of research into every aspect of the project.
- This research helped to inform the group's response to the Environmental Impact Statement (EIS). Their 300 page document was carefully referenced and was supported with reports and expert evidence from professionals.
- At the same time the group engaged with politicians and heritage organisations, seeking their support and briefing them of the issues as regularly as possible.
- Keeping in touch with stakeholders has been seen as crucial.

Current Situation:

- Ultimately a Notice of Motion was brought to the NSW Legislative Council seeking to establish a Parliamentary Inquiry into the project. The Motion was defeated 18 to 17 votes.
- The group is about to embark upon the next phase of the campaign.

Comments:

- Fighting these types of battles is unrelentingly hard work.
- There are rarely any 'silver bullets'.
- Incontestable data and information is powerful currency.
- Credibility is crucial.
- Communication is paramount.
- Visibility is your strongest weapon; events should offer the media an irresistible opportunity.
- It is important to develop a language that describes the situation and use it consistently.



On that final note - NEVER, ever be trapped into using the language of your opponents. They will try and say you're not being 'fair'. Your responsibility is to save heritage. You are NOT obliged to use the glowing project descriptions of the developer or the government.

Always be completely accurate, but use language that tells YOUR side of the story.

For example:

The Government says . . . "Roads and Maritime Services (RMS) is working with the community and stakeholders to plan a replacement bridge that honours the unique heritage and history of the town, while equipping Windsor for the future."

We say . . . The NSW Government is ignoring community outrage and is planning to demolish historic Windsor Bridge, the oldest crossing of the Hawkesbury River and forever and catastrophically compromise the oldest public square in the nation, Thompson Square in Windsor, by bulldozing a major arterial road through this historic community precinct.

Image Sources:

1. Windsor Bridge, NSW. SMH, 11 March 2013, *Plea to halt heritage 'tragedy'*, Jacob Saulwick, <http://www.smh.com.au/nsw/plea-to-halt-heritage-tragedy-20130310-2ftx4.html>
2. Event, 29 July 2012, CAWB, Windsor. <http://cawb.weebly.com/cawb-opens-office.html>
3. Rally, 14 November 2012, CAWB - Macquarie to Macquarie Street, <http://cawb.weebly.com/macquarie-to-macquarie.html>
4. Cumberland Place, c. 1880+, The Rocks, Sydney, Tyrrell Photographic Collection, Powerhouse Museum, <http://www.powerhousemuseum.com/collection/database/?irn=379105>
5. The Rocks, Sydney, Meredith Burgmann, <http://citiesandcitizenship.blogspot.com.au/2013/09/building-city-for-people-green-bans-in.html>
6. "Griffith House", 15 August 2007, J. Bar, http://commons.wikimedia.org/wiki/File:Kogarah_Griffith_House.JPG
7. "Griffith House", May 2013, Greg Davis, Old Sydney Album, <https://www.facebook.com/groups/312684935495543/>
8. "Banbury Cottage" 1999, photo courtesy of the owners, Amanda and Louis Dounis.
- 9-10. Rally, 3 June 2012, CAWB - Save Thompson Square, <http://cawb.weebly.com/june-rally.html>
- 11-12. Rally, 21 July 2013, <https://www.facebook.com/pages/CAWB-Save-Windsor-from-the-RTA/221553417934703>
13. Peter Herrmann Jnr., Kogarah Council's Jubilee Booklet, Kogarah City Council Local History Library.



"The 'restored' Thompson Square was unveiled by the then Premier of NSW, Nick Greiner, on 23rd April 1988. This event is marked by the monument, under the anchor, in the centre of the Square. It is now a given that historic towns in the western world are bypassed. ...I too am gobsmacked that (1) Thompson Square is not listed [nationally] and (2) that such a precious place has not been bypassed."

Remarks by Dr Clive Lucas OBE, LFRAIA, Pre-eminent Conservation Architect, 21/7/2013.



"...The most intact surviving square of those designed by Governor Macquarie. While there are good reasons to modernise local infrastructure this must be done with sensitivity to history, heritage and cultural values. I commend the work of the local community to ensure this great heritage location is treated with the utmost care, respect and consideration."

Message from the Prime Minister, Kevin Rudd, delivered by **Senator Doug Cameron**, 21/7/2013.



"...We have received the unique Thompson Square from yesterday. ...It is within the Government's power to procure that outcome. The National Trust most strongly urges the Government to use that power to ensure that the unique part of our Australian heritage that is Thompson Square, is protected and conserved today so that it can be passed to tomorrow."

Address by Ian Carroll OAM, President of the National Trust of Australia (NSW), 21/7/2013.

Contributing Authors:

A Brief History of Heritage Campaigns, by Peter Duggan.

Case Study 1: "Griffith House", Kogarah NSW, by Peter Duggan and Anne Field.

Case Study 2: "Banbury Cottage", Rockdale NSW, by Anne Field.

Case Study 3: Windsor Bridge and Thompson Square, Windsor NSW, by Kate Mackaness.

Peter Herrmann Jnr., by John Johnson, Local History Librarian, Kogarah City Council.

- *Anne Field: Completed BA Dip Ed Dip Urban Studies at Macquarie University. A former secondary teacher for 36 years and a Councillor on Rockdale City Council, 1991-1999 and Kogarah Council 1999-2008.*
- *Peter Duggan: Completed Bachelor of Architecture (Hons) at University of Newcastle and is currently completing a Masters of Heritage Conservation at the University of Sydney. A former project architect at Clive Lucas Stapleton and Partners 2008-2012, he became a self-employed heritage architect in 2013.*
- *Kate Mackaness: A primary school teacher when, in 1987, she was posted to South Windsor Primary School and found out about the extraordinary historical significance of the area. Since learning of the threat to Thompson Square, Kate has been part of the group of local stalwarts, determined to defeat the RMS and their plans to bulldoze an arterial road through Australia's oldest town square.*
- *June Bullivant OAM: Founder and current Secretary/Treasurer of Granville Historical Society, a resource centre to collect the history of local areas, provide historical information and photographs for community use and offers educational presentations. June is also a delegate on the Parramatta City Council Heritage Advisory Committee, which works to protect Parramatta heritage sites.*



This publication is dedicated to Peter Herrmann Jnr. for his beneficent legacy to the St George Region of Sydney.

Peter Herrmann Jnr. owned and operated a market garden and orchard in Gray Street, Kogarah. He was one of a large community of German immigrants who had settled in the district. He married Elizabeth Ritter in Sydney in 1870 and they had four children.

Considered one of Kogarah's 'Founding Fathers' Peter Herrmann was one of the prime movers of the petition to form Kogarah Municipality in 1884. He was elected to Council and served from 1889, and was Mayor for four one-year terms, resigning in January 1898. Herrmann was extensively involved in Kogarah's civic affairs, including instigating the Kogarah Fire Brigade with their premises built next to his home and he led the creation of Kogarah Park. Of particular note was his long-standing dedication and committee role to build the St George Cottage Hospital.

Peter Hermann Jnr. purchased the property in Gray Street in January 1890 to build the final home for his family within the same year, named "Werroona". His wife Elizabeth died there in June 1892; Herrmann lived there until his death in 1918. The house remained in the family until purchased by St George Hospital in 1961. It was renamed "Griffith House" in honour of Thomas Arthur Griffith (Chief Executive Officer of the hospital from 1946 until 1981) and it became the residence of the Medical Superintendent. Later it housed medical offices, until it was demolished in May 2013.



Saving Our Community's Heritage by NSW Heritage Network Inc. is licensed under a [Creative Commons Attribution 3.0 Unported License](https://creativecommons.org/licenses/by/3.0/).