

Heritage Council Regulatory Committee Fincham and Hobday Pipe Organ (H2460)

954 Linton-Carngham Road Snake Valley, Pyrenees Shire

Regulatory Committee meeting – 19 March 2024

Members – Mr Simon Molesworth AO KC (Chair), Ms Anna Foley, Mr Peter Mathieson

DETERMINATION OF THE HERITAGE COUNCIL

Inclusion in the Victorian Heritage Register – After considering the Executive Director's recommendation and conducting a Regulatory Committee meeting in relation to the matter, the Heritage Council has determined, pursuant to section 49(1)(a) of the *Heritage Act 2017*, that the Fincham and Hobday Pipe Organ, located at 954 Linton-Carngham Road, Snake Valley, is of State-level cultural heritage significance and is to be included in the Heritage Register in the category of Registered Object.

Simon Molesworth AO KC (Chair) Anna Foley Peter Mathieson

Decision Date - 22 March 2024



ACKNOWLEDGEMENT

As a peak heritage body, we acknowledge the Traditional Owners of the Country that we call Victoria, as the original custodians of Victoria's land and waters, and acknowledge the importance and significance of Aboriginal cultural heritage in Victoria. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of Aboriginal culture and traditional practices.

INTERESTED PARTIES

EXECUTIVE DIRECTOR, HERITAGE VICTORIA ('THE EXECUTIVE DIRECTOR')

The Executive Director recommended to the Heritage Council that the Fincham and Hobday Pipe Organ, located at 954 Linton-Carngham Road, Snake Valley be included in the Victorian Heritage Register.



INTRODUCTION/BACKGROUND

THE OBJECT

- On 13 November 2023, the Executive Director made a recommendation ('the Recommendation') to the Heritage Council pursuant to Part 3, Division 3 of the Heritage Act 2017 ('the Act') that the Fincham and Hobday Pipe Organ at 954 Linton-Carngham Road, Snake Valley ('the Object') be included in the Victorian Heritage Register ('the Register'), in the category of Registered Object in accordance with section 49(1)(a) of the Act
- **02.** The Object is described on page 5 of the Recommendation as follows:

"The Fincham and Hobday organ is a two manual organ of eleven stops built in 1893-94, and in almost entirely original condition, apart from the later addition of a cover above the organ pipes and an electric blower. Somewhat unusually, the organ has two perpendicular façades, with elaborately stencilled pipes to these façades. The case is made from blackwood to match the church pews. It is carved with quatrefoil motifs as used elsewhere in the church, and arches formed from timber moulding adorn the vertical faces of the organ case to each façade.

The organ bench is a repurposed blackwood pew from the church. The organ is located between the entrance to the apse and north wall of the nave, covering a window which has since been boarded up externally. The organ retains its tubular pneumatic action and is one of only a few examples of Fincham's slider less windchest design."

03. The following historical summary of the Object is an extract from page 11 of the Recommendation:

"George Fincham came to Victoria in 1852 after a seven-year apprenticeship with Henry Bevington and found alternative work for twelve years until he had enough organ building commissions to sustain him. Arthur Hobday began as Fincham's apprentice and by 1887 a partnership had formed.

The economic depression of the 1890s meant fewer organ commissions. The organ at Carngham by Fincham and Hobday was one of only two built in 1893 by the firm, though three new organs had been produced by Fincham's factory the previous year and opened at their respective churches in the first four months of 1893. Arthur Hobday had visited to the newly opened church in September 1893 to discuss the positioning of the new organ (originally to be in the corner near the porch entrance) and in January 1894 the new organ was opened.

The Carngham pipe organ was built with tubular pneumatic action and slider less windchests, which was based on a principle used by German organ builders known as the Kegellade system. The Kegellade system was perfected and patented by prominent organ builder E. F. Walcker of Germany in 1842. Its application by George Fincham in Australia was an innovative solution to a persistent problem with timber soundboards in the Australian climate, where shrinkage across the wood grain would cause the sliders of ordinary soundboards to crack in hot and dry weather. Imported organs faced similar issues, often made in damp climates or exposed to high humidity and dampness during transportation, resulting in damage to otherwise high-quality organ work when exposed to the hot and dry Australian climate.

While the tubular pneumatic action features in many Fincham organ designs, very few organs with Fincham's slider less windchests were made. Hobday appears to have exported the design to New Zealand, where three Fincham & Hobday organs were built with slider less windchests, however none of these have been retained. While the design worked initially, praised for having perfect responsiveness and quietness at the time, maintenance of the soundboard in later years proved difficult. The result is that most examples of this windchest have been rebuilt or replaced to streamline future maintenance.



Carngham is one of the only surviving examples of the slider less windchests, unaltered excepting the fitting of an electric blowing unit and an organ cover to prevent water damage. Until 1958, the church organ was pumped with bellows by men of the congregation, which proved problematic during WWII when there was a shortage of fit young men to do so. In 1960 Fincham & Sons electrified the organ. Major restoration of the pipe organ was undertaken in 1986 by Mr. Leighton Turner of Ballarat."

04. The above description and extract of the historical summary have been taken verbatim from the Recommendation and are provided for information purposes only.

REGULATORY COMMITTEE

- **05.** At a meeting of the Heritage Council on 1 February 2024 it was determined, pursuant to section 15(3) of the Act, that the determination in relation to the Object be delegated to a Heritage Council Regulatory Committee ('the Committee') to clarify certain aspects of the Recommendation, which in the Heritage Council's view did not provide sufficient information for a determination to be made.
- **06.** The Chair invited Committee members to consider whether written declarations or otherwise were required to be made in relation to any matters that may potentially give rise to an actual or apprehended conflict of interest. All members were satisfied that there were no relevant conflicts of interest and made no such declarations.

RECOMMENDATION OF THE EXECUTIVE DIRECTOR

- **07.** On 13 November 2023, the Executive Director recommended to the Heritage Council that the Object be included in the Register in the category of Registered Object, pursuant to section 37(1)(a) of the Act.
- 08. The Committee notes this was a 'split recommendation', which recommended that the Object be included in the Register, and the Carngham Memorial Church (currently housing the Object), located at 954 Linton-Carngham Road, Snake Valley not be included in the Register. This determination relates only to the Object.

PROCESS FOLLOWING THE RECOMMENDATION OF THE EXECUTIVE DIRECTOR

- **09.** After the Recommendation, notice was published on Friday 17 November 2023 in accordance with section 41 of the Act for a period of 60 days.
- 10. No submissions pursuant to section 44 of the Act were received relating directly to the Object, but one submission in response to the Carngham Memorial Church recommendation noted support for the "listing of the Fincham and Hobday Pipe Organ in the Heritage Register".

REASONS FOR INCLUSION

- 11. Any reference to the Criteria or to a particular Criterion refers to the Heritage Council Criteria for Assessment of Places of Cultural Heritage Significance (updated by the Heritage Council on 1 December 2022) ['Criteria for Assessment']. Please refer to Attachment 1.
- **12.** The Executive Director Recommended that the Heritage Council include the Object in the Register under the following Criteria:
 - **Criterion B** Possession of uncommon, rare or endangered aspects of Victoria's cultural history; and
 - **Criterion F** Importance in demonstrating a high degree of creative or technical achievement at a particular period.



Criterion B

- 13. The Executive Director recommended that the Object met the State-level tests for Criterion B of the Heritage Council's Criteria for Assessment, because it retains a slider less windchest and is one of only two known surviving examples of an organ containing a slider less windchest in Australia.
- **14.** The Executive Director's recommendation stated that the Object met Step 2 of the Heritage Council's Criteria for Assessment because it:
 - i. contains unusual features: and
 - ii. the features are of note; and
 - iii. the features are not widely replicated in Victoria.
- 15. The Executive Director recommended that the Object be included in the Heritage Register under Criterion B, as it represents rare application of a slider less windchest. The Executive Director noted that this feature appears to have been implemented in a small number of pipe organs, few of which remain intact.
- **16.** The Executive Director stated that the slider less windchest feature is of note as it "demonstrates the ways in which George Fincham adapted organ building practice to the climatic conditions of Australia".

Criterion F

- 17. The Executive Director recommended that the Object met the State-level tests for Criterion F because it contains physical evidence that clearly demonstrates creative or technical achievement for the time in which it was created (being the slider less windchest).
- **18.** The Executive Director also stated that the physical evidence demonstrates a high degree of integrity as the windchest mechanism inside the organ has not been significantly altered and the original design of George Fincham is intact.

Committee discussion

- 19. The Committee acknowledges the research undertaken by the Executive Director to prepare the Recommendation. While the Committee understands the administrative reasons the Recommendation was 'split' and contained two distinct recommendations, it notes that the reasons for which the Executive Director was recommending that the Object be included in the Register were not immediately clear.
- **20.** The Committee was of the view that the Recommendation as presented to the Heritage Council did not contain sufficient information for a determination to be made on the basis of the Recommendation only. Specifically, the Committee did not find that the Executive Director's reasons at SB2 and SF1 were clear enough for a determination to be made.
- 21. Pursuant to section 47(1) of the Act, the Committee sought further information from the Executive Director in order to clarify the reasons the Executive Director found that Criterion B and Criterion F were satisfied.
- 22. The Executive Director provided further information to the Committee as set out in Attachment 2.
- **23.** The further information provided to the Committee assisted their understanding of the reasons the Object was recommended to be of State-level significance.
- 24. The Committee is satisfied that on balance, the Object satisfies Criterion B and Criterion F and is to be included in the Heritage Register.



EXTENT OF REGISTRATION

25. The Executive Director recommended the extent of the registration for the Object as – "Pipe organ attributed to Fincham & Hobday, Carngham Memorial Church, Snake Valley. Includes the whole of the pipe organ including the organ case."

Discussion and conclusion

26. The Committee agrees with the extent of registration recommended by the Executive Director and records the determined extent of registration in **Attachment 3**.

PERMIT EXEMPTIONS

27. The permit exemptions recommended by the Executive Director include four specific exemptions in relation to the maintenance and repair of the Object.

Discussion and conclusion

28. The Committee agrees with the permit exemptions proposed by the Executive Director pursuant to section 38 of the Act, and determines, pursuant to section 49(3) of the Act, to include these categories of works or activities which may be carried out in relation to the Object for which a Permit under the Act is not required, as detailed in **Attachment 4.**

CONCLUSION

29. After considering the Executive Director's recommendation and conducting a Regulatory Committee meeting in relation to the matter, the Heritage Council has determined, pursuant to section 49(1)(a) of the *Heritage Act 2017*, that the Fincham and Hobday Pipe Organ, located at 954 Linton-Carngham Road, Snake Valley, is of State-level cultural heritage significance and is to be included in the Heritage Register in the category of Registered Object.



HERITAGE COUNCIL CRITERIA FOR ASSESSMENT OF PLACES OF CULTURAL HERITAGE SIGNIFICANCE

CRITERION A	Importance to the course, or pattern, of Victoria's cultural history.
CRITERION B	Possession of uncommon, rare or endangered aspects of Victoria's cultural history.
CRITERION C	Potential to yield information that will contribute to an understanding of Victoria's cultural history.
CRITERION D	Importance in demonstrating the principal characteristics of a class of cultural places and objects.
CRITERION E	Importance in exhibiting particular aesthetic characteristics.
CRITERION F	Importance in demonstrating a high degree of creative or technical achievement at a particular period.
CRITERION G	Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons.
CRITERION H	Special association with the life or works of a person, or group of persons, of importance in Victoria's history.

These were updated by the Heritage Council at its meeting on 1 December 2022, and replace the previous criteria adopted by the Heritage Council on 6 December 2012.



Executive Director, Heritage Victoria, response to request for further information.

Executive Director, Heritage Victoria Response to request for further information

Pursuant to section 47(1) of the Heritage Act 2017

Due: Friday 8 March 2024

PLACE NAME FINCHAM & HOBDAY PIPE ORGAN

LOCATION CARNGHAM MEMORIAL CHURCH, SNAKE VALLEY, PYRENEES SHIRE

Heritage Council Committee Question 1

Elaborate on the reason/s at SB2) as to why the slider less windchest is particularly considered to be a feature of note at a State-level. You may wish to elaborate on the role of the windchest in the operation and performance of the Organ. The Recommendation suggests the feature is of note as it demonstrates Fincham's adaptive practice. Is there anything else the Executive Director would say about this particular slider less windchest as evidence of it being a feature of note?

ED response

The role of the windchest in the operation and performance of the organ.

Brief video explaining the workings of a slider windchest: https://youtu.be/h1J5OuYsRWs?si=PQRTnorGwDdMsusY (3:39min)

Fundamental to the production of sound for an organ is a mechanism for isolating or silencing individual ranks of pipes, so an organist can select which sounds the instrument makes. The traditional method for this is a slider soundboard. Alternatives to this were devised, including the sliderless windchest, in which each pipe has its own valve (sometimes referred to as a cone, or disc) linked to the key for that note.

Depending on the size or complexity of an organ there is usually more than one soundboard, at least one for each manual (keyboard) and one for the pedal (sometimes referred to as the keyboard for the feet). Each manual or pedal will control a separate division of the organ with its own pipes and stops.

A soundboard (or windchest) of an organ ordinarily has a timber slider, which is a slat with open holes that slides through a space in the soundboard. Pulling a stop brings a rank of pipes into play by aligning the holes in the slider with the holes in the soundboard. Pressing the stop covers the holes, so no wind can pass through. Pressing a key will release playing wind into the pipe with a pulled stop/open hole.

When playing an organ with a sliderless soundboard, pulling a stop fills the stop channel (a channel below the pipe) with playing wind. Pressing the key releases the working wind (pneumatic action) which in turn opens the cone valves under all the pipes for that note. Wind is only admitted into the pipe for which the corresponding channel is 'winded'.

In an ordinary soundboard, the entire windchest is filled with playing wind, a sliderless soundboard fills only the stop channel of the corresponding stop.

The Carngham organ

The Fincham & Hobday organ is one of only two organs in Victoria that retains the sliderless windchest. Fincham & Hobday built only a small handful of this type prior to the economic depression of the 1890s. The organ at St Mary's Star of the Sea, West Melbourne (VHR H2182) is likely to be the only other intact example in Victoria, though it is noted that only the pedal soundboard was ever built to be sliderless. The organ at Carngham differs to the organ at St Mary's as both manuals were designed with sliderless windchests, as opposed to only the pedal division at St Mary's West Melbourne.

¹John Maidment, "Carngham Uniting (Presbyterian) Church," Organ Historical Trust of Australia, accessed March 5 2024, ohta.org.au.

Heritage Council Committee Question 2

Please elaborate on the reason/s at SF1) for the nature and/or scale of the technical achievement being of a high degree or 'beyond the ordinary' for the period. Please address each dot point under SF1) individually so it is understood which form/s of evidence is/are considered to have been demonstrated at a State-level.

ED response

SF1) The nature and/or scale of the achievement is of a high degree or 'beyond the ordinary' for the period in which it was undertaken as demonstrated by:

evidence from within the relevant creative or technological discipline that recognises the place/object
as a breakthrough in terms of design, fabrication or construction techniques and/or as a successful
solution to a technical problem that extended the limits of existing technology;

An ordinary slider chest is difficult to design and make, and until manufactured materials became practical and widespread in the construction of organs, it was not well suited to the extremes of temperature and humidity.² High levels of moisture and the subsequent drying out of timber sliders within an organ would cause cracking of the sliders, which ultimately impacted the sound and playability of an instrument. In Victoria, Fincham and Hobday had highly varied climatic conditions to contend with.

The development of the sliderless windchest in Europe in the nineteenth century was an innovative solution to the limitations of timber sliders as described in *The Cambridge Companion to the Organ*³. Fincham and Hobday built a number of organs with traditional (slider) chests elsewhere in Australia and New Zealand), around the same time. John Maidment of the Organ Historical Trust of Australia (OHTA) notes that the implementation at Carngham particularly was likely in consideration of the climate of this specific area, with hot dry summers and cold and wet winters,⁴ which would subject timber sliders to constant risk of cracking. Fincham and Hobday's design was an attempt to construct a reliable instrument where British imported instruments had failed. This is generally supported by Fincham and Hobday's organ for the 1894 'International Exhibition of Industry, Science and Art' in Tasmania,⁵ built in 1893, which also featured a sliderless windchest as they were seeking to advertise a new technology and guarantee of reliability in the Australian climate.

Fincham and Hobday devised a solution for Australasia that the Cambridge Companion to Organs praises generally (though admittedly without reference to Fincham and Hobday or Carngham) as "cheaper and allows a much faster stop-action; it is typically associated with late romantic instruments where quick changes of registration are considered desirable."

• critical acclaim of the place/object within the relevant creative or technological discipline as an outstanding example in Victoria;

Several variations of sliderless chests were developed in the nineteenth century by various organ builders, the earliest example being the cone-valve chest or *Kegellade*, in Germany by E.F. Walcker, and well-known American examples being the Roosevelt chest and the Pitman chest, developed as late as 1900.

The Cambridge Companion to organs notes that this mechanism assists with the blending of pipes and gives perfect harmony of 'speech' (the making of sound by an organ pipe).⁶ This is supported by John Hargraves' assessment of the sliderless windchests built by Fincham & Hobday in Australia as having 'perfect

² Nicholas Thistlethwaite and Geoffrey Webber, eds. *The Cambridge Companion to the Organ*. of *Cambridge Companions to Music*. (Cambridge: Cambridge University Press, 1999), 22.

³ Thistlethwaite and Webber, *The Cambridge Companion to the Organ*, 22.

⁴ John Maidment, personal conversation, March 5, 2024.

⁵ "TASMANIAN INTERNATIONAL EXHIBITION," *The Mercury (Hobart, Tasmania),* August 14, 1893, URL http://nla.gov.au/nla.news-article13298490.

⁶ Thistlethwaite and Webber, *The Cambridge Companion to the Organ*, 22.

responsiveness' in contemporary accounts, although they were built in such a way that made all subsequent maintenance difficult.⁷

Fincham and Hobday's experimentation with sliderless windchests during the 1890s happened in relative geographic isolation to their aforementioned contemporaries in Europe and America. As the only organ builders known to have implemented the sliderless windchests in Australia, the same spirit of innovation and improvement is evident.

 wide acknowledgement of exceptional merit in Victoria in media such as publications or print/digital media;

Evidence of this test has not been found to date.

• recognition of the place/object as an outstanding example of the creative adaptation of available materials and technology of the period.

The organ has been recognised by the National Trust of Australia (Victoria) being Classified by that organisation on 2 July 1990. The National Trust considered the organ to be of State-level significance. The National Trust's statement of significance reads:

A two-manual organ of 11 stops, of lavish quality, built in 1893-4 by Fincham & Hobday, remaining in a remarkable state of originality, retaining its polished blackwood casework with double facade of ornately diapered pipes, tubular pneumatic action, tonal scheme and pipework. It is among the earliest Fincham instruments to survive retaining its pneumatic action which was first introduced by the firm in the previous decade, and the sole example known to remain utilising sliderless windchests.

Steven Avery

Executive Director, Heritage Victoria

Date: 8 March 2024

⁷ John Hargraves, "The Fincham Way," *Organ Historical Trust Journal*, October (1994): 11-18, 22-25, ohta.org.au.



EXTENT OF REGISTRATION

Pipe organ attributed to Fincham & Hobday, Carngham Memorial Church, Snake Valley. Includes the whole of the pipe organ including the organ case.

No extent diagram is required for an object.



Recommended Permit Exemptions under section 38

PERMIT EXEMPTIONS

General exemptions

General exemptions apply to all places and objects included in the VHR. General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which do not harm its cultural heritage significance, to proceed without the need to obtain approvals under the Act.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions here.

Specific exemptions

The works and activities below are not considered to cause harm to the cultural heritage significance of the Fincham and Hobday Pipe Organ subject to the following guidelines and conditions:

Guidelines

- Where there is an inconsistency between permit exemptions specific to the registered place or object ('specific exemptions') established in accordance with either section 49(3) or section 92(3) of the Act and general exemptions established in accordance with section 92(1) of the Act specific exemptions will prevail to the extent of any inconsistency.
- 2. In specific exemptions, words have the same meaning as in the Act, unless otherwise indicated. Where there is an inconsistency between specific exemptions and the Act, the Act will prevail to the extent of any inconsistency.
- 3. Nothing in specific exemptions obviates the responsibility of a proponent to obtain the consent of the owner of the registered place or object, or if the registered place or object is situated on Crown Land the land manager as defined in the *Crown Land (Reserves) Act 1978*, prior to undertaking works or activities in accordance with specific exemptions.
- 4. If a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act 2006* is required for works covered by specific exemptions, specific exemptions will apply only if the Cultural Heritage Management Plan has been approved prior to works or activities commencing. Where there is an inconsistency between specific exemptions and a Cultural Heritage Management Plan for the relevant works and activities, Heritage Victoria must be contacted for advice on the appropriate approval pathway.
- 5. Specific exemptions do not constitute approvals, authorisations or exemptions under any other legislation, Local Government, State Government or Commonwealth Government requirements, including but not limited to the *Planning and Environment Act 1987*, the *Aboriginal Heritage Act 2006*, and the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Nothing in this declaration exempts owners or their agents from the responsibility to obtain relevant planning, building or environmental approvals from the responsible authority where applicable.
- 6. Care should be taken when working with heritage buildings and objects, as historic fabric may contain dangerous and poisonous materials (for example lead paint and asbestos). Appropriate personal protective equipment should be worn at all times. If you are unsure, seek advice from a qualified heritage architect, heritage consultant or local Council heritage advisor.



- 7. The presence of unsafe materials (for example asbestos, lead paint etc) at a registered place or object does not automatically exempt remedial works or activities in accordance with this category. Approvals under Part 5 of the Act must be obtained to undertake works or activities that are not expressly exempted by the below specific exemptions.
- 8. All works should be informed by a Conservation Management Plan prepared for the place or object. The Executive Director is not bound by any Conservation Management Plan and permits still must be obtained for works suggested in any Conservation Management Plan.

Conditions

- All works or activities permitted under specific exemptions must be planned and carried out in a manner which prevents harm to the registered place or object. Harm includes moving, removing or damaging any part of the registered place or object that contributes to its cultural heritage significance.
- 2. If during the carrying out of works or activities in accordance with specific exemptions original or previously hidden or inaccessible details of the registered place are revealed relating to its cultural heritage significance, including but not limited to historical archaeological remains, such as features, deposits or artefacts, then works must cease and Heritage Victoria notified as soon as possible.
- If during the carrying out of works or activities in accordance with specific exemptions any Aboriginal cultural heritage is discovered or exposed at any time, all works must cease and the Secretary (as defined in the *Aboriginal Heritage Act 2006*) must be contacted immediately to ascertain requirements under the *Aboriginal Heritage Act 2006*.
- 4. If during the carrying out of works or activities in accordance with specific exemptions any munitions or other potentially explosive artefacts are discovered, Victoria Police is to be immediately alerted and the site is to be immediately cleared of all personnel.
- 5. If during the carrying out of works or activities in accordance with specific exemptions any suspected human remains are found the works or activities must cease. The remains must be left in place and protected from harm or damage. Victoria Police and the State Coroner's Office must be notified immediately. If there are reasonable grounds to believe that the remains are Aboriginal, the State Emergency Control Centre must be immediately notified on 1300 888 544, and, as required under s.17(3)(b) of the Aboriginal Heritage Act 2006, all details about the location and nature of the human remains must be provided to the Secretary (as defined in the Aboriginal Heritage Act 2006).

Exempt works and activities

- 1. Maintenance of the organ including tuning undertaken by a qualified organ builder with experience in the type of work to be undertaken. When tuning, the original pitch, temperament and voicing should not be altered.
- 2. Repair of minor faults and defects by a qualified organ builder, provided the repairs maximise protection and retention of existing fabric, in particular the slider less windchests and tubular pneumatic action for which the organ is significant.
- 3. Electrical repairs to the modern electric blower.
- 4. Removal of non-original cover to organ, provided its removal will not result in damage to the organ, including cumulative damage from water ingress or dust.