

**HERITAGE COUNCIL OF NSW
MINUTES OF MEETING**

Meeting Number 341

6th August 2008

Heritage Branch, Department of Planning
3 Marist Place
Parramatta



PRESENT Gabrielle Kibble AO (Chair), Sharon Sullivan AO (Deputy Chair), Rosemary Annable, Petula Samios, Peter Mould (Government Architect), Chris Johnson (for Director General, Department of Planning), Jason Ardler (for Director-General Department of Environment and Climate Change), Tina Jackson

APOLOGIES Hewitt Whyman, John Robertson, David Logan, Julie Bindon, Ross Fitzgerald

ALSO PRESENT Cameron White (Heritage Branch), Colleen Klingberg (Heritage Branch), Rajeev Maini (Heritage Branch), Tim Smith (Heritage Branch)

1. Opening – Welcome

The Chair opened the meeting at 9:05am.

1.2 Confirmation and Timing of Agenda

The agenda was confirmed.

1.3 Declarations of Interest

Pecuniary Interests	Nil
Non Pecuniary Interests	Nil
Conflicts of Interest	Nil

2.0 Confirmation of Minutes

2.1 Heritage Council Meeting of 4th June 2008

Members considered minutes of the meetings of 4th June 2008.

Resolved:

That the Heritage Council of NSW:

- 1. adopt the minutes of 4th June 2008.**

3.0 Reports

3.1 Chairs Report

The Chair welcomed Tina Jackson to the meeting under her new appointment to the Heritage Council.

The Chair advised the members that the Heritage Branch along with the Chair and the Department of Planning have commenced work on amendments to the Heritage Act. The amendments implement the principal recommendations of the 2007 Heritage Act Review.

The Chair also advised that it has been decided that the Heritage Branch is to be moved into the Special Projects Division under Chris Johnson the Executive Director. This is seen as a positive move for the Branch due to Chris Johnson's membership of the Heritage Council and his understanding of the operations of the Heritage Branch.

3.2 Director's Report

The Petula Samios presented her report covering.

- **State Heritage Register Listings**

Three items of State heritage significance have recently been gazetted for listing on the State Heritage Register.

- Harry and Penelope Seidler House, Killara
- WWII RAAF Radar Station 208 (former)
- Nyngan Chinese Graves and Burner

- **Projects currently being undertaken at the Heritage Branch**

- Sydney Tourism Strategy
- AE2 Technical Workshop, Istanbul, Turkey
- Maritime lecture program
- M24 Japanese Midget submarine – survey work and management plan
- Historic Shipwreck Delegates Meeting – 1st September 2008

- **2006-2008 Heritage Incentives Program**

The 2006-2008 Heritage Incentives Program has been completed and the annual NSW Treasury budget allocation of \$2,635,000 has been fully expended for 2007-08 financial year.

Minister Sartor has approved funding under the 2006-2008 Heritage Incentives Program for two projects under the Aboriginal Heritage Program with funding totalling of \$12,500

- **2008-2009 NSW Heritage Grants program**

The 2008-2009 NSW Treasury budget allocation for the 2008-09 NSW Heritage Grants program has been confirmed at \$2,662,000 for the 2008-09 financial years.

Minister Sartor has approved funding under the 2008-9 NSW Heritage Grants program for the following projects:

- 49 projects under the Works Program with funding totalling \$1,699,450
- 3 projects under the Interpretation Program with funding totalling \$59,000
- 11 projects under the Community Strategic Projects Program with funding totalling \$330,350
- 1 project under the Kick Start Program with funding totalling \$9,000

- **Heritage Network Seminar July 2008**

This is the third year that this annual one day Heritage Branch seminar has been held at the Riverside Theatres at Parramatta. The Seminar is aimed at all local government heritage advisors, local government heritage planners, heritage consultants as well as state government heritage managers, and 190 people attended this year.

- **Heritage Advisors' Training and Refresher Workshop July 2008**

This one day workshop is held annually targeting heritage advisors working in local government heritage management. The workshop was outcome-focused to engage leadership and best practice in local government heritage management.

- **New Uses for Heritage Places Book Launch**

The Chair of the Heritage Council, at The Mint in Sydney, launched New Uses for Heritage Places on 10th July 2008. This publication is a joint production of the Heritage Council and the Australian Institute of Architects NSW Chapter. It is the second in a series of three companion publications.

- **Wambo Homestead Complex, Warkworth (Hunter Valley)**

The members were advised that a commitment has been made by United Collieries to provide \$2million towards supporting heritage projects in the Hunter Valley area. The management and allocation of these funds is yet to be determined and members will be advised of more detail as it comes to hand. The members asked that the Heritage Branch to review previous Heritage Council minutes in relation to previous recommendations for the site.

- **Linnwood**

On the 19th June 2008 Heritage Branch staff met with the Friends of Linnwood to discuss issues of concern with the condition of individual buildings and matters regarding the ongoing use of the site. The Branch has since engaged the services of the Department's Office of Strategic Lands, who are specialists in property management. A program of repair and maintenance work is now being carried out on the site, addressing many of the concerns of the Friends.

- **Former Dubbo RAAF Base**

On the 11th July 2008 The Director of the Heritage Branch and Cameron White met with staff from the Department's Regional Team and Dubbo City Council to discuss future options for this SHR-listed site. The site is listed on the SHR and is subject to a Heritage Agreement made with the former Minister. The major concern of the Branch is that an appropriate adaptive reuse is found to ensure the long-term viability of the various buildings on the site.

- **Draft Assessment of Crown Land at the Chinese Market Gardens, Phillip Bay**

The Department of Lands recently exhibited a Draft Crown Lands Assessment of the Chinese Market Gardens at Phillip Bay. The Chinese Market Garden is listed as a heritage item of State significance on the State Heritage Register.

The draft Assessment has been undertaken in response to representations by the Botany Cemetery and Eastern Suburbs Crematorium Trusts to have the Chinese Market Garden site incorporated into Botany Cemetery. This stems from the impending shortage of burial sites, and the Chinese Market Garden land being viewed as the only remaining Crown Land in close proximity.

The Heritage Branch submission noted that whilst Botany Cemetery is also listed as a heritage item, it is listed for different reasons. The destruction of the Chinese Market Gardens (or part thereof) for cemetery (or other non-related) purposes would result in the demolition of an item listed on the State Heritage Register and

requires the consent of the NSW Heritage Council under the provisions of the NSW Heritage Act. It further noted that the significance of the site lies in its continued use as Chinese Market Gardens.

- **Hermitage and Garden - Ryde**

Letters have been written to the owners about the poor state of condition of the building and garden. The Heritage Branch will keep the Heritage Council advised.

- **Regent Theatre - Wollongong**

The owners received a grant of \$50,000 for the re-painting of the site. However the owners never applied for approval under S60 for carrying out the painting. As certain features were lost, local residents have raised concern.

- **Staffing**

Bruce Baskerville, Senior Heritage Officer in the Listings Team has resigned to take up the position of Site Manager at Kingston & Arthur's Vale Historic Area (KAVHA) on Norfolk Island. This is one of the eleven sites comprising the Australian Convict Sites world heritage nomination. The members of the Heritage Council congratulated Bruce on his new position and thanked him for all the exceptional work that he has undertaken whilst working at the Heritage Branch.

3.2.1 Matters approved under Delegation (Listings team)

The members noted the report.

3.2.2 Matters approved under Delegation (Conservation team)

The members briefly discussed this report and noted that the possible listing of the site Royal Edward Victualling Yard Group was discussed at the last State Heritage Register Committee meeting. The Heritage Branch is currently working on a development application for the site and consideration of future listing and uses for the site are been taken into consideration.

3.2.3 Heritage Council Meeting Action Report

The members noted the report.

3.3 Members Reports

The members discussed the current profile of the Heritage Council and the Heritage Branch. It was suggested that there is a need to carry out more promotional work. The members suggested that one idea would be to initiate an electronic newsletter that could be sent out on a regular basis in addition to the print newsletter which is produced twice a year.

Peter Mould advised that Louise Cox a previous member of the Heritage Council was appointed president of the International Union of Architects last month in Turin. The members agreed that Louise be sent a letter of congratulations.

Resolved:

- 1. that the Heritage Council of NSW note the reports**
- 2. that the Heritage Branch advise the Heritage Council more details in relation to the Wambo Homestead Complex in the Hunter Valley**
- 3. that the Heritage Branch investigate the possibility of the creation of an e-newsletter**

4. that the Heritage Council write a letter of congratulations to Louise Cox.

4.0 Matters for Consideration and Decision

4.1 SHR Thematic Listings Implementation

The members were presented the draft work plan that has been prepared within the Heritage Branch to implement the findings of the Heritage Act Review relating to nomination and listing processes for the State Heritage Register (SHR) and to maintaining the SHR.

Key points to note in the work plan are:

- The plan covers a two year period (2008-2010), beginning with the Heritage Council's endorsement of the plan
- The plan covers:
 - The thematic approach to listings
 - The review of former PCO items
 - The mapping of SHR 'bulk list' items without curtilage maps
 - Act review recommendations concerning curtilage boundaries and management arrangements for new SHR listings that are to be addressed through administrative changes
 - Act review recommendations regarding archaeological definitions and management that will have consequent administrative impacts in the listing process
 - Publicity and media for promoting the new approach
 - An evaluation of progress after 18 months operation
 - The generally sequential nature of the tasks in the plan
- Risks and their consequences for not implementing each task have been identified

The members discussed the draft work plan and made comments for amendments. Throughout the discussion the members made some key points that were noted by the Heritage Branch staff including:

- The Heritage Branch is to arrange for a media package for the Minister for announcement of the Thematic Approach to listings.
- The work of the Heritage Branch should connect into to work of other key stakeholders such as school programs and connect with communities.
- To utilise a tool such as the proposed e-newsletter to spread awareness of the program
- The program will need to be managed to ensure that the input from other sources on the nominations meets the guidelines required and the quantity of input does not overload the teams.
- Thematic studies should be done in conjunction with local government and local communities to not only identify State Heritage Register possible items, also identify items of local significance.
- Events for major listing announcements should occur simultaneously at state, regional and local levels to raise the profile of the listings.
- That further discussion needs to occur in regards to Aboriginal heritage and the links to the Department of Environment and Climate Change. It was agreed that a presentation and discussion would occur at the October Heritage Council meeting.
- That 20th Century architecture is an area of interest and the Heritage Branch along with the Australian Institute of Architects need to review this

area with assistance from Peter Mould and report back to the Heritage Council on how this theme can be moved forward.

Resolved:

That the Heritage Council of NSW:

- 1. Endorses the work plan for implementing the thematic approach to SHR listings and associated matters titled *Heritage Futures: Building a Better State Heritage Register 2008-2010*,**
- 2. Notes that the work plan is to be evaluated after 18 months operation**
- 3. Request the Heritage Branch prepare appropriate media package for Minister to announce the Thematic Approach to SHR listings.**
- 4. Request the Heritage Branch to work together with the Australian Institute of Architects to address 20th Century Architecture thematic listings.**

4.2 Background to Heritage Council Advisory Panels

The members were presented a report from each of the Heritage Council Panels on the membership and the role carried out by the panels. The members were impressed with the work that is carried out by these panels and the commitment of the panel members. It was recognised that this work also enables the staff of the Heritage Branch to keep in touch with the various heritage industries and issues affecting these groups.

The members discussed in more detail the Aboriginal Heritage Advisory Panel and the links that the work of this panel may have with Department of Environment and Climate Change and the work of their panels.

Resolved:

That the Heritage Council of NSW:

- 1. supports the Aboriginal Heritage, Archaeology, Fire Access & Services, History, Maritime Archaeology, Religious Properties, Heritage Incentives Panel and Technical Group advisory panels continuing to function as at present,**
- 2. supports the Movable Heritage and Heritage Interpretation reference groups continuing to operate on an 'at call' basis, and**
- 3. abolishes the Pipe Organ Advisory Panel, Natural Heritage Reference Panel, State Significance Expert Panel, National Estate Committee, Publications & Publicity Committee, State Conservation Plan Committee, Restoration Committee, Education & Publications Committee, Nominations Committee or Panel, Financial Assistance Advisory Committee and the Information & Education Committee, whether known by these or former or variant names, and thanks the members of those panels and committees for their services and support to the Heritage Council.**

4.3 NSW Heritage grants 2009-2011 Program

The members were presented the proposed NSW Heritage Grants funding program 2009-11. Proposals for the key directions and priorities for the program were supported by the Heritage Grants Panel meeting of 18 June 2008.

The Heritage Grants Panel also recommended changes to the 2008-9 NSW Heritage Grants program with the introduction of a Special Program for major cultural and community heritage building projects as a joint program with Arts NSW, and the withdrawal of three previously advertised programs.

The members were advised that the new joint program was an initiative of the Minister to align the two grants programs. They were also advised that a review had been carried out of the two programs with minimal change required for the heritage program. The members were advised that a review of local government funding is to be undertaken.

The members congratulated the Grants team on all their hard work.

Resolved:

That the Heritage Council of NSW:

- 1. Recommends the Minister approves:**
 - i. The 2009-11 NSW Heritage Grants program purpose, eligibility, program priorities and project assessment priorities at Annexure A.**
 - ii. The proposed 2009-11 NSW Heritage Grants program and sub-programs at Annexure B.**
 - iii. The 2009-11 NSW Heritage Grants program notional program funding allocations and the total funding amount of \$5,324,000 over 2 years at Annexure B.**
 - iv. The proposed timetable for the 2009-11 NSW Heritage Grants funding program set out in Annexure C.**
- 2. Agrees to an independent external review to assess the effectiveness of the Local Government Heritage Management program.**
- 3. Delegates to the Heritage Grants Panel, with the consent of the Minister, the Heritage Council's powers under Section 106 of the Heritage Act to recommend funding under the 2009-11 NSW Heritage Grants direct to the Minister for the following programs:**
 - i. Program 1 State Heritage Register and state significant heritage item projects (sub-programs 1a Works projects, 1c Interpretation projects), and**
 - ii. Program 3 Community Strategic Products and Services, and**
 - iii. Program 5 Special Program for Major Cultural and Community Heritage Building projects.**
- 4. Delegates to the Aboriginal Heritage Advisory Panel, with the consent of the Minister, the Heritage Council's powers under Section 106 of the Heritage Act to recommend funding under the 2008-9 and 2009-11 NSW Heritage Grants programs for Program 4 Aboriginal Heritage projects to the Chair of the Heritage Council direct to the Minister.**
- 5. Recommends to the Minister to delegate to the Chair of the Heritage Council of NSW the powers under Section 106 of the Heritage Act to approve project funding up to \$20,000 under the 2009-11 NSW Heritage Grants program.**
- 6. Advises the Minister that the delegations proposed in these recommendations are made on the understanding that a limit of \$2.662 million is available for expenditure each year for projects under the**

program and this must not be exceeded. It is noted that some over-commitment of funds will be necessary to balance the usual cancellation of a small percentage of approved projects each year. It is also noted that it may be necessary to transfer notionally allocated funds between programs so that all funds available to the total program are spent each financial year.

7. **Agrees to receive reports from its delegate, and the Chair on all funding recommendations and approvals made in relation to these recommendations.**

That the Heritage Council notes the following recommendations made to the Minister for the approval of changes to the 2008-9 NSW Heritage Grants program:

1. **The substitution of \$130,000 funding for a Special Program for Major Cultural and Community Heritage Buildings to be run jointly with Arts NSW set out in Annexure D, and**
2. **The withdrawal of the three previously advertised 2008-9 NSW Heritage Grants Programs, namely:**
 - i. **\$40,000 for the Conservation Documents and Management Reports Program,**
 - ii. **\$40,000 for the Heritage Advice and Cash Back Program, and**
 - iii. **\$50,000 for the Special Purpose Grants Program.**
3. **The revised timetable for the 2008-9 NSW Heritage Grants Special Program for Major Cultural and Community Heritage Buildings at Annexure D.**

5.0 Matters for Information or Noting

5.1 Maritime Archaeology Advisory Panel (MAAP)

The members were introduced to the current members of the Maritime Archaeology Advisory Panel and were advised that this panel was initiated in 1988. The Panel's August 2008 meeting represents its 100th consecutive sitting, spanning twenty (20) years of service to the Heritage Council. The Heritage Council Chair presented the members award certificates to mark the occasion and thanked the members of the panel for their hard work and commitment.

Resolved:

That the Heritage Council of NSW

1. **Notes the Panel's 100th meeting milestone, and;**
2. **Congratulates Members on their longstanding support through presentation of Award Certificates.**

5.2 World Heritage Convict Nomination progress report #5

The members were advised that the Heritage Branch had received notification the assessment of the nomination has been deferred for one year, and will now take place during 2009. It is believed that the assessors will visit the sites in September 2009 and then their report will go to the committee in 2010. Members were

advised that copies of the report were available and were being forwarded directly to them.

Resolved:

That the Heritage Council of NSW

- 1. Notes that the assessment of the nomination has been deferred for one year, and will now take place during 2009, and**
- 2. Notes this report.**

5.3 Discussion Paper on Sustainable Burials

The members were advised that the NSW Minister for Lands released a discussion paper on 'Sustainable Burials in the Sydney Greater Metropolitan Area' in May 2008. The closing date for submissions on the Discussion Paper was 30 June 2008. The Heritage Branch provided input into a submission prepared by Department of Planning for the Director General.

The submission from the Department of Planning noted that the options proposed in the discussion paper to slow the reduction in burial space capacity are broadly supported. It was recognised that there is need for the planning system to assist in ensuring that adequate burial space is available to meet long term needs. It is also important that the heritage values of cemeteries be protected as part of this process.

The submission recommended that any proposal to re-open, re-use or adapt existing historic cemeteries should be preceded by a conservation management plan that includes a detailed assessment of its heritage significance (including the individual graves, monuments, significant plantings and remnant native vegetation) and identifies any areas that should not be re-disturbed as well as any areas that may be capable of adaptive re-use without adverse impact on the cemetery's heritage significance.

Resolved:

That the Heritage Council of NSW notes this report.

5.4 Wentworth Trip – update on regional visit

The members were updated on the preparation for the upcoming regional visit to Wentworth in September 2008. The members were advised that the logistics were all in hand and that the trip will include a visit to Lake Victoria and to the Ruby Paddle Steamer. The Heritage Council will hold a meeting on the trip affording Wentworth Council the opportunity to present on the Wharf Precinct and possible listing on the State Heritage Register.

Resolved:

That the Heritage Council of NSW notes this report.

6.0 Reports from Heritage Council Committees and Panels

- 6.1 Approvals Committee
- 6.2 State Heritage Register Committee

- 6.3 Aboriginal Heritage Advisory Panel
- 6.4 Archaeology Advisory Panel
- 6.5 Fire Access Services Advisory Panel
- 6.6 History Advisory Panel
- 6.7 Maritime Archaeology Advisory Panel
- 6.8 Technical Advisory Panel
- 6.9 Religious Property Advisory Panel
- 6.10 Heritage Grants Panel

Resolved:

that the Heritage Council of NSW notes the reports.

7.0 General Business

The members of the Heritage Council discussed the required quorum for the Approval and State Heritage Register Committee meetings. It was recognised that achieving a quorum was occasionally not possible. It was agreed by the members that having a quorum of three members of the committee is more realistically achievable at the present time until such time as the completion of the Heritage Act Review implementation and the membership of the Heritage Council has been decided.

The members discussed membership of the two committees and agreed that Tina Jackson was to be appointed as member of the Heritage Council State Heritage Register Committee.

With the upcoming Volunteers Awards and the need for assessment of the nominations to be performed, Tina Jackson has agreed provide advice to the staff of the Heritage Branch with this event.

Members noted the receipt of the Fernhill book received from the owners for the Heritage Branch library. The book contains photos and heritage descriptions of the property.

Resolved:

that the Heritage Council of NSW:

- 1. amend the Code of Meeting Practice reflecting the required quorum for a committee meeting is three members**
- 2. appoint Tina Jackson as a member of the Heritage Council State Heritage Register Committee**

There being no further items the meeting closed at 12:20pm.