

**HERITAGE COUNCIL OF NSW  
MINUTES OF MEETING**

Meeting Number 343

1<sup>st</sup> October 2008

Heritage Branch  
Department of Planning  
Parramatta

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**PRESENT** Gabrielle Kibble AO (Chair), Sharon Sullivan AO (Deputy Chair), Petula Samios, Jason Ardler (for Director-General Department of Environment and Climate Change), David Logan, Julie Bindon, Ross Fitzgerald, Bruce Pettman for Peter Mould (Government Architect)

**APOLOGIES** John Robertson, Tina Jackson, Rosemary Annable, Chris Johnson (for Director General, Department of Planning)

**ALSO PRESENT** Cameron White (Heritage Branch), Rajeev Maini (Heritage Branch), Colleen Klingberg (Heritage Branch), Siobhan Lavelle (Heritage Branch)

**1. Opening – Welcome**

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The Chair opened the meeting at 9.15am

**1.2 Confirmation and Timing of Agenda**

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The agenda was confirmed.

**1.3 Declarations of Interest**

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<b>Pecuniary Interests</b>	Nil
<b>Non Pecuniary Interests</b>	Nil
<b>Conflicts of Interest</b>	Nil

**2.0 Confirmation of Minutes**

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**2.1 Heritage Council Meeting of 4<sup>th</sup> September 2008**

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Members considered minutes of the meetings of 4<sup>th</sup> September 2008.

**Resolved:**

**That the Heritage Council of NSW**

- 1. adopt the minutes of 4<sup>th</sup> September 2008.**

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### 3.0 Reports

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#### 3.1 Chairs Report

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The Chair complimented the staff on the regional visit to Wentworth by the Heritage Council and that it was a great success. Letters thanking all those involved have been completed.

The Chair advised the members that she had her first meeting with Minister Keneally along with Petula Samios and Sam Haddad (Director General, Department of Planning). The meeting gave the Chair the opportunity to update the Minister on the Heritage Act review and the progress that had been made on the Amendment Bill. The Chair also advised that the Minister indicated support to the program of the Thematic Listings program and the proposed themes.

The members were also updated on the progress on the Heritage Act proposed Amendment Bill which is being drafted by the Parliamentary Counsel. The members requested that copies of previous submissions by the Heritage Council in relation to the Heritage Act Review be forwarded to Minister Keneally.

#### **Resolved:**

#### **That the Heritage Council of NSW**

- 1. notes the report**
- 2. request the Heritage Branch to provide copies of previous submissions by the Heritage Council in relation to the Heritage Act Review be forwarded to Minister Keneally.**

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#### 3.2 Director's Report

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Petula Samios presented her report covering.

- **Roads and Traffic Authority's Timber Truss Bridge Strategy**

The Heritage Branch has received a copy of a draft timber truss bridge decision-making matrix from the Roads and Traffic Authority's heritage consultant for comment. The timber truss bridge strategy is important tool to ensure the conservation and maintenance of the Roads and Traffic Authority's timber truss bridges.

- **Amendments to the Heritage Act**

Work on amendments to the Heritage Act is continuing. Discussions have been held with the Minister to ascertain which amendments will be included in the Bill.

- **State Heritage Register Listings**

A status report of recent listings and listings not approved by the former Minister was presented to the meeting.

- **EPHSC**

Environmental Protection Heritage Council Standing Committee includes representatives of Australian Government and state/territory heritage agencies as members (VIC, WA, NSW, NT). They have responsibility to ensure that national heritage issues are addressed by the EPHC. At the meeting on 11 September the following issues were discussed:

- The development of a national inventory and information portal
- Role of the Heritage Chairs and Officials and their strategic plan
- Support of an Underwater Heritage Convention

- Providing Victoria with some help on their project looking at Sustainability of Heritage Buildings

The EPHC will be meeting in November. This is attended by Ministers responsible for Environment and Heritage. Representing New South Wales will be The Hon. Carmel Tebbutt MP, Deputy Premier, Minister for Climate Change and the Environment, Minister for Commerce.

- **M24 Japanese midget submarine meeting**

The Heritage Branch hosted a meeting on the ongoing management of the Japanese midget submarine M24 on 2nd September 2008. Key issues included a review of the major archaeological survey operations conducted at the site since 2007, the State Heritage Register listing of the site, future management and survey needs of the site.

- **Volunteer Awards**

The period for accepting nominations was extended by two weeks. The applications received will now be assessed. The awards are to be held in the Museum of Sydney on 20 November. The day will include a tour of the Museum and a tour of the exhibition of the 'Lost Gardens'.

- **Linnwood**

Discussions have been held with the Government's Architect's Office for them to oversee the conservation works which have been previously detailed.

Also noted was that Minister Sartor gave notice in the Government Gazette that he has received a proposal to list the site in Schedule 3 of the Major Projects SEPP.

- **Staffing**

The position of Archaeologist position has been filled with the new staff member to begin in November. The position of Deputy Director and Senior Heritage Officer in the Listings Team are currently being advertised.

- **Visit by Secretary of Development of the Hong Kong Government**

The Heritage Branch recently hosted a visit by the Secretary of Development of the Hong Kong Government. The Chair, the Director and Executive Director, Special Projects met with the Secretary to discuss how heritage is managed by the NSW Government and to show her examples of adaptive reuse. The meeting was a great success and the Secretary showed great interest in the various sites that were visited.

### **3.2.1 Matters approved under Delegation (Listings team)**

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Members noted the report.

### **3.2.2 Matters approved under Delegation (Conservation team)**

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In reviewing this report the members requested a modification to the report to include details of the Part 3A applications reviewed by the Heritage Branch.

### **3.2.3 Heritage Council Meeting Action Report**

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Members noted the report.

### **3.3 Members Reports**

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Jason Ardler advised that sections of the National Parks and Wildlife Act dealing with Aboriginal heritage were under review.

**Resolved:**

**That the Heritage Council of NSW**

- 1. notes the report**
- 2. request the Heritage Branch to modify the matters approved under delegation (Conservation Team) report to include details of the Part 3A applications reviewed by the Heritage Branch.**

### **4.0 Matters for Consideration and Decision**

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#### **4.1 Future Heritage Council Visits**

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The members discussed the recent visit to Wentworth and noted the importance of the visiting regional communities. The members requested the Heritage Branch to prepare options for the 2009 regional visit.

**Resolved:**

**That the Heritage Council of NSW**

- 1. request the Heritage Branch to prepare options for the 2009 regional visit location.**

#### **4.2 Potts Hill Reservoirs 1 & 2 and site, Cooper Street, Yagoona - proposed listing boundary amendment**

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Presenting to the meeting on this item were Ms Camille Abbott – Landcom, Ms Megan Jones – Tanner Architects, Mr Phil Bennet – Sydney Water, Bill Donohoe – Landcom

The members were advised that Landcom has applied to the Heritage Council for consideration to reduce the State Heritage Register listing boundary for the Potts Hill Reservoirs Site.

The members received a presentation outlining the proposed boundary changes and confirmed the details of previous discussions held with the Heritage Branch and the proponents. The presenters then left the meeting.

The members were advised that the proposed SHR boundary will retain the following areas of heritage significance of the site:

- Reservoir No. 1 and its operational grounds;
- Reservoir No. 2 and its operational grounds;
- Cultural plantings area adjacent the two reservoirs;
- North-east precinct of the site, comprising the water pumping stations and other installations;
- The area of remnant native bush land between the two reservoirs;
- The hill between the two reservoirs with the former residential precinct;
- An area of vegetation of ecological significance at the south-west corner of the site; and

- A corridor of land to the west of Reservoir No.2 that includes two rows of trees including the Canary Island Date Palms and Eucalyptus species.

The operational grounds of the reservoirs include the minimum area necessary for operation and structural stability of the reservoirs.

The proposed SHR Boundary will not retain the following areas:

- Evidence of the former railway alignments associated with the construction of Reservoir No.2;
- Western and south-western reservoir No. 2 embankments (or spoil dump); and
- Industrial land to the south-west of the site.

The members were advised that the proposal is in accordance with the Conservation Management Plan endorsed by the Heritage Council on 20 April 2005.

The members discussed the proposed boundary amendment and agreed to progress the matter to the next step to advertise and advise the affected owners of the proposal to amend the boundary as detailed in the following resolution.

**Resolved:**

**That the Heritage Council of NSW**

- 1. considers that part of Lot 2 DP 225818 (part of Potts Hill Reservoir), defined in accordance with the curtilage shown at Annexure C may not be of State heritage significance;**
- 2. in accordance with section 33(1)(a) of the Heritage Act, will give each person that it considers to be an affected owner or occupier written notice that it is going to consider whether or not to recommend the removal of part of Lot 2 DP 225818 (part of Potts Hill Reservoir) (a Notice of Intention to Consider Removal); and**
- 3. in accordance with section 33(1)(b) of the Heritage Act, within 14 days after notice of intention to consider removal is given, will cause a notice of intention to consider removal to be published in a newspaper circulating in the area in which the item is situated, inviting submissions on the removal, specifying a date as the closing date for the receipt of submissions 14 days after publication of the newspaper notice and the manner in which submissions may be made.**

**4.3 NSW Pipehead, water supply canal and associated works, Frank Street, Guildford - proposed listing boundary amendment**

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The members received a presentation outlining the proposed boundary changes. The members were advised Sydney Water has applied to the Heritage Council for consideration to reduce the State Heritage Register listing boundary for the Pipehead Site.

The members were advised that the Sydney Water investigations into operational land requirements at the Pipehead site have identified that a portion of the site is no longer needed for Sydney Water's operational purposes. The portion is being investigated for subdivision and residential rezoning.

The proposed SHR boundary will retain the following items of moderate to exceptional heritage significance in the CMP:

- Valve House
- Pipe head deck and screening chambers
- Travelling jib cranes
- Pipeline 72 and 84 inch mains
- Headworks Engineer's Residence and garage
- Monitor station
- Water Pumping Station No.22
- Water Pumping Station No.42
- Some cultural plantings including Canary date Island palms and Washington Palms
- Lower Canal (part of) approx 50m total

The proposed SHR Boundary will not retain the following items and areas:

- Lower Canal (part of) approx 190m total (exceptional significance in the CMP)
- Some cultural plantings including Canary date Island palms and Washington Palms (medium significance in the CMP)
- Infrastructure constructed since the 1950s (low heritage significance in the CMP)
- Remnant natural vegetation adjacent to Bowden Street (medium significance in the CMP)
- Land to the north and south-west of the site containing utilitarian demountable buildings created in the 1980s and 1990s (low significance in the CMP)

The members agreed that the portion of the Lower Canal should be retained in the SHR curtilage and recommended more investigations and negotiations with the owners to ensure the retention of the Lower Canal into future developments as open space.

The members discussed the proposed boundary amendment and agreed to progress the matter to the next step to advertise and advise the affected owners of the proposal to amend the boundary as detailed in the following resolution.

**Resolved:**

**That the Heritage Council of NSW**

- 1. considers that part of Lot 1 DP 865978 (part of Pipehead site), as defined by the dotted line in accordance with the curtilage shown at Annexure D and including Lower Canal is of State heritage significance;**
- 2. considers that the remaining part of Lot 1 DP 865978 (part of Pipehead site), outside the dotted line in accordance with the curtilage shown at Annexure D may not be of State heritage significance;**
- 3. in accordance with section 33(1)(a) of the Heritage Act, will give each person that it considers to be an affected owner or occupier written notice that it is going to consider whether or not to recommend the removal of part of Lot 1 DP 865978 (part of Pipehead site) (a Notice of Intention to Consider Removal); and**
- 4. in accordance with section 33(1)(b) of the Heritage Act, within 14 days after notice of intention to consider removal is given, will cause a notice of intention to consider removal to be published in a newspaper circulating in the area in which the item is situated, inviting submissions on the removal, specifying a date as the closing date for the receipt of submissions 14 days after publication of the**

**newspaper notice and the manner in which submissions may be made.**

- 5. Notes that the area of the lower canal proposed to be retained could be incorporated into future developments as open space to be negotiated with the Heritage Council and subject to a further detailed survey in consultation with Sydney Water.**

#### **4.4 Uniting Church Representation - Religious Properties Advisory Panel**

The members were advised that the Religious Properties Advisory Panel currently has a vacant position for a representative from the Uniting Church, and the Church has nominated Mr Dwane Feehely to fill this position.

The Religious Properties Advisory Panel is a panel that advises the Heritage Council on religious heritage matters.

The members agreed to appoint Mr Feehely in this position on the Religious Properties Advisory Panel.

**Resolved:**

**That the Heritage Council of NSW**

- 1. Appoints Mr Dwane Feehely to represent the Uniting Church on the Religious Properties Advisory Panel.**

#### **5.0 Matters for Information or Noting**

##### **5.1 Variations to approved 2006-08 HIP projects in 2007-08**

The members received a report outlining the variations to 2006-2008 Heritage Incentives Program approved projects made by the Director during 2007-08.

**Resolved:**

**That the Heritage Council of NSW**

- 1. notes the variations made by the Director under Ministerial delegation to projects approved under the 2006-2008 Heritage Incentives Program, as set out in table 1.**

##### **5.2 2006-08 Heritage Incentives Program Grants Evaluation Reports**

The members received a paper presenting an overview of the program evaluations prepared for the 2006-2008 Heritage Incentives Program. Members also received and a separate summary report for 2007-2008 on NSW rural and regional councils participating in the local government heritage advisor program.

The members were advised that the 2006-2008 Heritage Incentives Program is the first program for which an evaluation process with stated program outcomes and key performance indicators has been established. This will establish the success of the Heritage Branch funding programs.

The members discussed the details of the reports and requested that a summary report be prepared for the Minister. The members also noted the benefits to local communities gained from the grants and complimented the program.

**Resolved:**

**That the Heritage Council of NSW**

- 1. notes the 2006-2008 Heritage Incentives Program summary program evaluations;**
- 2. notes the Local Government Heritage Management Program, Summary Heritage Strategy Report for 2007-08**

**5.3 Progress report on 2008-09 NSW Heritage Grants approvals & expenditure for 2008-09**

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The members received a progress report on the 2008-09 NSW Heritage Grants funding approvals and expenditure to date for 2008-9.

The members were advised that the 2008-09 NSW Heritage Grants is a one year program with a NSW Treasury allocation of \$2.662 million. The notional budget allocation for the 2008-9 NSW Heritage Grants programs and sub-programs was approved by the Minister for Planning on the 19 December 2007. A new special program for major cultural and community heritage buildings 2008-09 is currently awaiting Ministerial approval and will be advertised with the 2009-11 NSW Heritage Grants program.

**Resolved:**

**That the Heritage Council of NSW**

- 1. Notes the progress report on 2008-09 NSW Heritage Grants Summary Heritage funding approvals and expenditure for 2008-09.**

**5.4 Interpretation Planning Checklist**

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The members were presented the document "Interpretation Planning Checklist" and advised this document has been prepared as a supplement to the Heritage Council guidelines set out in Interpreting Heritage Places and Items.

The members discussed the document and requested that the Heritage Branch review and to simplify the document. Members requested that a revised document be circulated out of session to the members for comment.

**Resolved:**

**That the Heritage Council of NSW**

- 1. Requests the Heritage Branch to review the document "Interpretation Planning Checklist" and circulate to the revised document to members for comment out of session.**

## **6.0 Reports from Heritage Council Committees and Panels**

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- 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:**

- 1. that the Heritage Council of NSW notes the reports.**

## **7.0 General Business**

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### **7.1 Wambo Homestead Complex, Warkworth (near Singleton)**

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The members received a verbal update from Siobhan Lavelle on the Wambo Homestead Complex, Warkworth (near Singleton). Siobhan Lavelle advised the members that she visited the site on the 30<sup>th</sup> September 2008. The members were advised that the various buildings on the site were in different levels of repair, with some damage exacerbated by recent severe storms. The owners were advised during the site visit that some urgent measures should be undertaken to secure recently dislodged fabric such as the timber slabs from the Butcher's Hut.

The owners have complied with consent requirements for annual recording and ongoing monitoring of mining related impacts arising from blasting, subsidence, etc. Wambo Coal have advised that they remain interested in pursuing further discussions about the possibility of exploring other alternate proposals for the complex. Issues previously raised but unresolved include the long-term future of the complex and the possible relocation of some key buildings elsewhere (subject to a viable use). It is uncertain that a viable restoration of the complex and its setting would be possible in 20-25 years upon the cessation of mining operations.

During discussion, members noted that a number of other SHR listed properties could be in similar circumstances due to mining or other developments, particularly in the Hunter Region. It was agreed that formation of a sub-committee to discuss future options for Wambo would be desirable.

### **Resolved:**

**that the Heritage Council of NSW**

- 1. form a Wambo Homestead sub-committee to discuss future options for the Wambo site comprising of the following members - Gabrielle Kibble, David Logan, Julie Bindon and Sharon Sullivan.**

## **7.2 MV Baragoola Ferry: State of SHR- Listed Vessel**

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The members received a received a letter from the owner of the MV Baragoola Ferry Mr David Ashton and an verbal update from Tim Smith re the current status of the SHR listed item.

The members were advised that the vessel had left operational (Government) service in 1983 and was purchased privately in 1986. The Baragoola Conservation Company Pty Ltd. is a private organisation established to conserve the former 1922 Manly ferry. The MV Baragoola is in a poor state of repair and the owner has indicated difficulties in obtaining assistance to restore the vessel. The vessel is currently not seaworthy due to leaking decks, its poor internal and external condition. The owner has also indicated the need to secure a long term berth to continue maintenance and repair works.

The members requested the Heritage Branch to maintain communication with Mr Ashton to assist in the long term viability of the vessel including discussions to find a long term berth for the vessel.

### **Resolved:**

#### **that the Heritage Council of NSW**

- 1. request the Heritage Branch to maintain communication with Mr Ashton and offer to assist in any discussions that would assist in the long term viability of the vessel**

## **8.0 Presentations**

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The members received a presentation from Mr George Shearer – Manager, Aboriginal Programs, Roads and Traffic Authority.

Mr Shearer presented to the members the "RTA Procedure for Aboriginal Cultural Heritage Consultation and Investigation". Mr Shearer outlined the strategic framework for managing Aboriginal cultural heritage. He advised that the new procedure guides people through the Aboriginal community consultation process during the assessment phase of a project. Outlining the steps and timeframes of how and when to advertise for Aboriginal involvement, consult with the community, develop methodologies and prepare reports.

The members thanked Mr Shearer for his presentation and complimented the Roads and Traffic Authority on its procedure and noted its possible application to other Government agencies.

There being no further items the meeting closed at 12:50pm.