

**HERITAGE COUNCIL OF NSW
MINUTES OF MEETING**

Meeting Number 340

4th June 2008

Heritage Branch, Department of Planning
3 Marist Place
Parramatta



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- PRESENT** Gabrielle Kibble AO (Chair), Sharon Sullivan AO (Deputy Chair), Rosemary Annable, Peter Mould (Government Architect), Chris Johnson (Department of Planning), Julie Bindon, Ross Fitzgerald, Petula Samios (for Director General, Department of Planning) until 9.45am, Cameron White from 9.45 (for Director General, Department of Planning)
- APOLOGIES** Hewitt Whyman, John Robertson, David Logan, Tina Jackson, Russell Couch (for Director-General Department of Environment and Conservation)
- ALSO PRESENT** Colleen Klingberg (Heritage Branch), Rajeev Maini (Heritage Branch), Tim Smith (Heritage Branch)

1. Opening – Welcome

The Chair opened the meeting at 9.05 am.

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 2nd April 2008 and Special Meeting of 7th May 2008.

Members considered minutes of the meetings of 2nd April 7th May 2008.

Resolved:

That the Heritage Council of NSW:

- 1. adopt the minutes of 2nd April 2008.**
- 2. adopt the minutes of 7th May 2008.**

3.0 Reports

3.1 Chairs Report

The Chair advised the members that she would be attending a function in Orange on Friday 6th June at which time she would be announcing the grants that have been approved for the local government area of Orange as part of the Heritage Grants Program for 2008-2009 financial year.

The members were also advised that the new planning legislation went through lower house late of the evening of 3rd June and as yet there was no indication as to when this legislation would be going to the upper house for endorsement.

Resolved:

that the Heritage Council of NSW notes the report.

3.2 Director's Report including

3.2.1 Matters approved under Delegation (Listings team)

3.2.2 Matters approved under Delegation (Conservation team)

3.2.3 Heritage Council Meeting Action Report

The report for Director of the Heritage Branch, Department of Planning, Petula Samios was presented by Cameron White on her behalf covering.

• State Heritage Register Listings

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

- Englefield at East Maitland.
- All Saints Anglican Church Condobolin.
- Three Electricity Substations from Energy Australia's s.170 Register
- Randwick Presbyterian Church.
- Lake Eucabeene
- South West Rocks Pilot Station
- Bondi Beach

The Records Repository, Lennox Street Newtown was de-listed from the State Heritage Register as investigation has revealed it to be of local significance.

• Heritage Council of NSW - Tourism Website

The implementation of the NSW Tourism Website is progressing. The final design of the web page has been completed and the production phase will shortly commence.

• TASAC

The Tourist Attraction Signposting Assessment Committee (TASAC) is formed by the NSW State Government to have overall responsibility for the planning and implementation of tourist signposting systems.

The role of the Heritage Branch is to review and provide written advice to TASAC on heritage applications received by TASAC and to provide advice to prospective applicants who are considering applying for such signage.

- **State Heritage Inventory**

Three Community Based Heritage Studies have recently been imported into the State Heritage Inventory including Brewarrina Shire Council, Armidale City Council and Warrumbungle Shire Council.

- **AE2 Technical Workshop, Istanbul, Turkey**

Senior Heritage Officer Tim Smith participated in a Technical Workshop at Istanbul (26-27 April) discussing management options for the Australian submarine wreck AE2. Mr Smith is Director-Maritime Archaeology of the independent AE2 Commemorative Foundation Ltd's maritime archaeological assessment of the wreck.

In situ preservation of the remains was identified as the primary course of action. Substantial media interest followed the Workshop.

- **M24 Japanese Midget submarine**

Another archaeological survey of the Japanese midget submarine M24 off Newport was concluded on 6 May. Tim Smith led the operations that will feature in an ABC TV Catalyst Program story to be aired on 5 June 2008.

- **State Government Heritage Forum – Victoria**

Heritage Victoria held its inaugural Forum for State government agencies managing heritage asset portfolios. Tim Smith presented a review of the successful NSW Section 170 program, implemented by the Heritage Council of NSW that serves as the model for the Victorian program.

- **Berrima watercraft**

The Heritage Branch has agreed to a request from the National Trust (Berrima) to continue its support of their project to locate and identify a series of historic World War One watercraft in the Wingecarribe River, Berrima. The canoes were built by internees during the Great War. A 2003 remote survey by Navy detected a number of possible target sites. The canoes were sculptured by the German prisoners into Zeppelins, submarines, Emden and a range of other vessels for recreational pursuits. They were scuttled in the river at war's end. The National Trust has a hope to recover sample craft for permanent conservation and dry display at Berrima near to the Berrima Gaol where the internees spent their captivity. The Chair, Heritage Council of NSW, has written a letter of support to the Trust.

- **Hillview**

Negotiations on this matter are continuing.

- **Linnwood**

The title of the site has been transferred to the Corporation Sole. Discussions are continuing with Holroyd Council with regard to conservation works to be undertaken. Security fencing has to be erected this week as there has been a series of vandalism on site, mainly to McCredie Cottage.

- **Sydney Water Head Office**

On 22 May 2008 the Heritage Branch received an Integrated Development Application for the former Sydney Water Head Office Building, near Town Hall. The building has two distinct architectural parts. The Art Deco part at 339-341 Pitt Street was completed in 1939 and is on the SHR.

The International Style part at 115-123 Bathurst Street was completed in 1965 and is not on the SHR. Although the newer part of the site was nominated for SHR listing by the RAI A in 2003, it was not considered State significant. Both parts of the site are on the City of Sydney LEP and the RAI A Register of significant 20th

century buildings. The buildings were previously on the Sydney Water Section 170 Heritage Register. This listing lapsed when the property was sold recently.

The City of Sydney exhibition period for the IDA closes on 23 June.

- **Redevelopment of North Eveleigh Railway Yards**

North Eveleigh Railway Yards is listed on the State Heritage Register. Built between 1880 and 1886 the site consists of approx. 11 ha of land area and a collection of 19th century buildings.

A Part 3A application has been submitted by the Redfern Waterloo Authority seeking approval for a Concept Plan. The Plan provides for a framework for redevelopment of the site incorporating adaptive re-use of some heritage buildings on the site and footprints/building envelopes/heights for new buildings. The proposed uses include residential, commercial, retail and community facilities. The main issues are likely to be the level of alterations/demolitions to some of the buildings and the potential change to the overall character of the site.

- **Staffing**

Heritage Professionals (staff) e-Network is being developed for officers within the Department of Planning with heritage interests. Staff resignations and movements were discussed.

The Chair was requested to write to the Director General Sam Haddad seeking reassurance that if and when Heritage Officers who have been moved to other parts of the Department resign, their replacements have appropriate heritage qualifications and skills.

Resolved:

That the Heritage Council of NSW:

- 1. request the Chair to write to the Director General Sam Haddad seeking reassurance of maintenance of heritage skills in the department.**
- 2. notes the reports.**

3.3 Members Reports

The members were asked for reports of interest to the Heritage Council. The chair advised that the historic cemetery in Liverpool had recently suffered badly from vandalism. Peter Mould advised that he was chairing the Institute of Architecture awards and as such had seen a number of strong projects.

Rosemary Annable advised the members that the Department of Lands had published the document Sustainable Burials Discussion Paper. The members were advised that the Heritage Branch had received a copy and a reply was being prepared on behalf of the Department of Planning. The members requested a report to be made on any items of issue in this paper to the next meeting.

Ross Fitzgerald requested that the Heritage Branch provide him an update on the discussion being held in regards to funding available to the Atherton Theatre at June.

Resolved:

That the Heritage Council of NSW:

- 1. note the reports**
- 2. request the Heritage Branch to report to the next meeting on the Sustainable Burials Discussion paper.**
- 3. request the Heritage Branch to update Ross Fitzgerald on the Atherton Theatre at Junee.**

4.0 Matters for Consideration and Decision

4.1 Heritage Council Submission – Heritage Act Review Response

The members discussed a submission to the Minister that had been prepared on behalf of the Heritage Council in response to the recently released Expert Panel's Review of the NSW Heritage Act. A meeting of the members chaired by the Deputy Chair, was held on 16th April, 2008 to discuss the Expert Panel's Review of the NSW Heritage Act. At this meeting the members noted and discussed recommendations made in the Review, the members' comments and concerns were summarised in a Table.

The members discussed the submission that had been prepared consisting of a covering letter, a summary of key concerns and a table of the full Heritage Council synopsis of the Review's recommendations. The members requested minor changes to the summary of key concerns and commended the staff on the document prepared.

The members agreed that the submission was ready to be sent to the Minister. They also acknowledged that once the Minister made a decision about the Review, an appropriate Work Plan would need to be developed to undertake the implementation of the Review.

Resolved:

That the Heritage Council of NSW:

- 1. Note the prepared submission to the Minister in response to the Expert Panel's Review of the NSW Heritage Act and agrees to it being forwarded to the Minister.**

4.2 Part 3A major project: Currawong Beach, Pittwater

A Ministerial Review Panel is advising the Minister on the recommended listing, curtilage and the development of Currawong Beach, Pittwater.

The members of the Heritage Council at its May meeting agreed that the Part 3A application be referred to the Approvals Committee. The Approvals Committee considered the proposal at its May 2008 meeting. While not considering it necessary to comment on the detail of the proposal, members outlined principles for the site's development. These principles were conveyed to the Department and the Ministerial Review Panel.

Resolved:

that the Heritage Council of NSW note the report.

4.3 Whites Creek, aqueduct boundary amendment

The members were advised that Sydney Water Corporation has applied under Section 38 of the Heritage Act, 1977 to reduce the State Heritage Register curtilage to a width of 3 metres distance from the edge at the eastern and western ends of the aqueduct. This involves the removal of some land at 35 Edna Street, Lilyfield and land at 250 Annandale Street, Annandale from the State Heritage Register listing boundary. The boundary change will free up land for disposal.

The Heritage Council is satisfied that the boundary change is minor and will not detrimentally impact on the Aqueduct's heritage significance.

On the basis that there are no elements of State heritage significance contained within part Lot 1 DP 343175 (35 Edna Street, Lilyfield) and part Lot 2 DP 1046985 (250 Annandale Street, Annandale) and that the long term conservation and significance of Whites Creek Aqueduct will not be affected the Heritage Council resolved to recommend to the Minister the listing boundary amendment by removing part Lot 1 DP 343175 and part Lot 2 DP 343175 from the State Heritage Register.

Resolved:

That the Heritage Council of NSW:

- 1. after considering submissions in accordance with section 33 (1)(d) of the Heritage Act, 1977 advises the Minister that the State Heritage Register listing boundary for Whites Creek Aqueduct be amended by removing part of Lot 1 DP 343175 and part of Lot 2 DP 1046985 to a distance of 3 metres from the edge of the aqueduct, defined in accordance with the curtilage shown at Annexure B;**
- 2. recommends to the Minister, in accordance with sections 32(1) and (2) of the Heritage Act, that the Minister directs the removal of part of Lot 1 DP 343175 and part of Lot 2 DP 1046985 to a distance of 3 metres from the edge of the aqueduct from the State Heritage Register; and**
- 3. in accordance with sections 33(1)(e) of the Heritage Act 1977, gives notice of its decision to persons notified under section 33(1)(a).**

5.0 Matters for Information or Noting

5.1 Complying Development for Conservation Areas

Petula Samios presented an update on the Draft NSW Housing Code to the members. They were advised that the Draft NSW Housing Code applies to single storey detached dwellings on 600m². There are further codes to follow to address other types of dwellings. The Minister has advised that the Code, at this stage will not apply to listed heritage items or conservation areas.

An expert Panel has been established by the Department to oversee the production of the code. It is important that heritage expertise is used when formulating

exempt and complying development codes for conservation areas. The Director was asked by the members to discuss with David Logan if he would be available to represent the Heritage Council on any Expert Panel or working group.

Resolved:

That the Heritage Council of NSW:

- 1. note the report.**
- 2. request the Director to ask David Logan if he would participate as representative of the Heritage Council in development of exempt and complying code for conservation areas.**

5.2 Update of s170 Register

Tim Smith presented an update on the s.170 State Agency Program. Members were advised that the program continues to assist State government agencies in performing their heritage management responsibilities under the s.170 provisions of the NSW *Heritage Act 1977*, established from 1987. 1999 Act amendments obliged government agencies to do more than list significant heritage assets in their ownership; they are to effectively conserve and manage their heritage (Section 170(A)).

In December 2005 the *State Heritage Guide* under s.170A(1)(3) was released. The guidelines reinforce that heritage management is an element of existing NSW Government Total Asset Management (TAM) policy. Current established deadlines are: (1) Completion of Heritage Asset Management Strategies (HAMS) by end of 2008, and, (2) Completion of comprehensive s.170(3) Heritage & Conservation Registers by December 2009.

Members were advised of program achievements in 2006-7

- 80% compliance to HAMS
- Successful November 2007 Heritage Forum at Powerhouse Museum (150 Delegates)
- s.170 Extranet Resource Sharing Website launch and development
- policy Fact Sheets launched
- "Heritage-in-action" agency stories and site visits
- 8 editions of *State Assets* electronic Newsletter disseminated – 550 recipients
- Heritage Victoria has recently 'borrowed' the NSW S170 outreach program model, noting "*that NSW Government leads government heritage asset management policy*".

The December 2009 deadline for s.170 registers, the Heritage Act Review, and possible implications of legislative reform was noted.

The Chair and Members agreed that a publication on the work of agencies in meeting their s.170 requirements be prepared. This could be either online or a stand alone publication (10-15 pages) highlighting achievements in identification, management, conservation, adaptive reuse and heritage promotion.

Resolved:

That the Heritage Council of NSW:

- 1. notes the report**
- 2. endorses the production of a publication highlighting the achievements of State Agencies in this area.**

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

Resolved:

that the Heritage Council of NSW notes the reports.

7.0 General Business

Members briefly discussed the current Grants program in regards to the recommendations and policies relating to the program. The members agreed that they would like to review the current policies and processes of the program and asked that a report and presentation be made at the next Heritage Council meeting.

Resolved:

That the Heritage Council of NSW

- 1. request the Heritage Branch provide an report and presentation on the Grants Program to the August Heritage Council meeting.**

8.0 Presentations

8.1 Rail Heritage Strategy Presentation by Office of Rail Heritage

The members received a presentation from Marianne Hammerton and Megan Breden from the Office of Rail Heritage. They were advised that

Sustainable Rail Heritage Asset Management Strategy was endorsed by Cabinet in June 2006.

The key elements of the Strategy are to:

- Institute asset management approach to core Government owned rail heritage assets;
- Partner with selected rail heritage custodians to conserve and manage core assets;
- Vacate Eveleigh and upgrade Thirlmere site to store and display core assets;
- Establish Office of Rail Heritage (ORH) in RailCorp to oversee implementation;
- Five year funding strategy.

The key Strategy Objectives are:

- Asset Management: Facilitate the proper care and sustainable management of the State's core rail heritage assets;

- Working with Custodians: Engage with rail heritage precincts, special interest groups and strategic partners;
- Skills Transfer: Facilitate the development and transfer of heritage conservation skills;
- Enhancing Volunteering: Recognise, value and develop rail heritage volunteering.

The members were advised that over the next two years the Office of Rail Heritage will be working on implementation of Heritage Asset Management Strategies, increase engagement and coordination with RailCorp business units and updating the Section 170 Register by December 2009 to enable delegated authority to be sought in 2010.

The members thanked Marianne Hammerton and Megan Breden for their very informative presentation and complimented the Office of Rail Heritage on its work to date.

Resolved:

that the Heritage Council of NSW note the presentation.