

**HERITAGE COUNCIL OF NSW
MINUTES OF SPECIAL MEETING**

Meeting Number 337

5th March 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, Julie Bindon, Petula Samios (for Director General, Department of Planning), Peter Mould (Government Architect), Professor Ross Fitzgerald, David Logan, Jason Ardler (for Director-General Department of Environment and Conservation).
- APOLOGIES** Hewitt Whyman, John Robertson, Chris Johnson (Department of Planning) Tina Jackson (National Trust of Australia [NSW])
- ALSO PRESENT** Maxwell Gray (Heritage Branch), Vincent Sicari (Heritage Branch), Cameron White (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

1.4 Chair's Report

The Chair proposed that the Heritage Council move a resolution to record a formal thankyou to Reece McDougall, for his considerable contribution to the Heritage of NSW in his role as Assistant Director and Executive Director of the Heritage Branch.

The Chair advised members that there will be a special meeting of the Heritage Council at the Department of Planning, Bridge Street, Sydney, on Wednesday 19th March 2008 at 9.30 am to meet with the Hon. Frank Sartor MP, Minister for Planning, to discuss the review of the Heritage Act.

Members were also advised that the Department has agreed to provide additional resources, for a period of three months, to assist the Heritage Branch with the backlog of 400 nominations for listing on the State Heritage Register.

Resolved:

that the Heritage Council of NSW:

1. note the report; and
2. request the Chair to write to Reece McDougall to formally thank him for his considerable contribution to the Heritage of NSW in his role as Executive Director of the Heritage Office.

2.0 Matters for Consideration and Decision

2.1 Review of the Heritage Council delegations to Staff, Standard Exemptions for Section 60 Applications and Exceptions for Excavation Permits Following Incorporation of the Heritage Office with the Department of Planning

Members considered a report in relation to proposed amendments to delegations to Heritage Branch staff. The amendments reflect the new name and reporting arrangements of the Heritage Branch.

It was suggested that the delegations be reviewed after the review of the Heritage Act.

In relation to the role of the Heritage Incentives Panel the current procedure of that Panel making recommendations for grants directly to the Minister was discussed. It was agreed that that Panel should provide advise on grant funding to the Heritage Council which would then make recommendations to the Minister.

Resolved:

that the Heritage Council of NSW:

1. revoke all previous delegations to those Committees outlined below and employees of the Department of Planning, and recommend that the Minister for Planning consent to the Heritage Council delegating certain of its functions in accordance with section 169(3) of the Heritage Act to the Heritage Council's Approvals Committee and State Heritage Register Committee, to the Director-General of Department of Planning and to the Director and Managers employed by the Heritage Branch - Department of

- Planning, as described in Annexure A;
2. authorise the Chair of the Heritage Council to sign the instrument of delegation, in relation to the delegations listed in Annexure A, on behalf of the Heritage Council in accordance with the Minister's consent;
 3. recommend that the Minister for Planning, in accordance with section 57(2) of the Heritage Act, by order to be published in the Government Gazette, revokes the Schedule of Exemptions to Subsection 57(1) of the Heritage Act 1977 made under subsection 57(2) and published in the Government Gazette on 22 February 2008 and grant the replacement Standard Exemptions described in Annexure B;
 4. authorise the Chair of the Heritage Council to sign an instrument in relation to the exemptions listed in annexure B, on behalf of the Heritage Council;
 5. revoke the exceptions to subsections 139(1) and (2) of the Heritage Act 1977 published in the Government Gazette on 22 February 2008 and create, in accordance with section 139(4) of the Heritage Act, by order to be published in the Government Gazette, exceptions to the requirement for an excavation permit as described in Annexure C; and
 6. authorise the Chair of the Heritage Council to sign an instrument in relation to the exemptions listed in Annexure C, on behalf of the Heritage Council.

2.2 Membership of the Approvals Committee

Members considered a report which advised that following the creation of the position of Director, Heritage Branch, Department of Planning, and the abolition of the position of Executive Director, it is proposed to appoint the Director as a member of the Heritage Council's Approvals Committee.

Resolved:

that the Heritage Council of NSW appoint the Director of the Department of Planning's Heritage Branch as a member of the Heritage Council's Approvals Committee.

2.3 General Business

Professor Ross Fitzgerald advised that his Opinion column in The Australian newspaper on Monday March 24 will focus on heritage.

There being no further business the Chair closed the meeting at 9.40 am.

Next Meeting of the Heritage Council of NSW
Wednesday 2nd April 2008
Heritage Branch
Department of Planning
3 Marist Place
Parramatta