

HERITAGE COUNCIL OF NSW MINUTES OF ORDINARY MEETING

Meeting Number 322

23rd March 2006

Department of Planning
Room 124 Level 1
23-33 Bridge Street
Sydney



PRESENT Michael Collins (Chair), Rosemary Annabel (Royal Australian Historical Society), David Logan, Julie Bindon, Chris Johnson, Jacqui Goddard (National Trust of Australia [NSW]) Susan Macdonald (Director Heritage Office), Peter Mould (Government Architect)

APOLOGIES John Robertson (Labour Council of NSW), Hewitt Whyman, Sharon Sullivan AO (Deputy Chair), Janet Dore, Ross Fitzgerald, Rod Leaver

ALSO PRESENT Maxwell Gray (Heritage Office), Cameron White (Heritage Office), Reece McDougall (Heritage Office)

1. Opening – Welcome

The Chair opened the meeting at 9.35 a.m. and thanked those present for their attendance at the Special meeting.

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 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 which recommended that the Heritage Council seek the consent of the Minister for Planning to revoke existing delegations and standard exemptions and consent to new delegations and standard exemptions and that the Heritage Council revoke the existing exceptions and create new exceptions in relation to excavation permits as described in the report.

The Chair explained to members that as a result of the Administrative Orders gazetted placing the Heritage Office as part of the Department of Planning all delegations made by the Heritage Council were moved to the Director General of the Department of Planning. The Director General has requested that these delegations remain but also be given to the responsible positions within the Heritage Office.

The Chair also explained that in line with the structure within the Department the Director of the Heritage Office is to be known as Executive Director, the Assistant Director is to be known as Director, the Business Manager is to be known as Director Business Development and the Professional Heritage Officers are to be known as Managers. It was noted that the delegations have been amended to reflect these changes.

The amendments to the delegations to reflect these and other changes were explained to members. These amendments re-order the delegations into categories; adds the Director-General's name to all delegated functions; requires reporting of exercised delegated functions to the Heritage Council and Director-General except where the Director-General exercises those functions, replaces Director, Assistant Director, Business Manager and Principal Heritage Officers titles with the new titles, adds educational and promotional functions to better reflect the work of the Office, amends the 136 Order delegation wording (new 2 B), corrects some minor anomalies, rewords the Conservation Management Plan endorsement delegation to better reflect its primary intended purpose - i.e. as a trigger for approval exemptions, adds a new delegation for Part 3A Major Projects (16 A), adds a new delegation for Environmental Impact Statements to reflect the Heritage Council's general functions under s.21 of the Heritage Act and adds a new delegation for the Heritage Council's commenting role under the State Arms, Symbols and Emblems Act 2004.

Resolved:

that the Heritage Council:

- 1. 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 Approvals Committee, State Heritage Register Committee, and Director-General, Executive Director, Director,**

Director Business Development and Managers of the Heritage Office, Department of Planning as described in Annexure A and revoke all previous delegations to those Committees and employees of the NSW Heritage Office;

- 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 7 March 2003, 18 June 2004 and 8 July 2005 and grant the replacement Standard Exemptions described in Annexure B; and**
- 4. revoke the exceptions to subsections 139(1) and (2) of the Heritage Act 1977 published in the Government Gazette on 22 July 2005 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.**

A copy of the delegations is attached and forms part of these minutes.

2.2 Membership of the State Heritage Register, Approvals and Strategy Committees

Members considered a report which advised that following incorporation of the Heritage Office with the Department of Planning a number of position names have changed and it is proposed to review the membership of the State Heritage Register, Approvals and Strategy Committees to reflect these changes.

It was again noted that the Director of the Heritage Office is to known as Executive Director and the Assistant Director is to be known as Director.

The report recommended that the now Director of the Heritage Office be appointed to the Approvals Committee and that the Executive Director be appointed to the State Heritage Register Committee and Strategy Committee.

Resolved:

that the Heritage Council

- 1. appoint the Director of the Department of Planning (Heritage Office) as a member of the Approvals Committee in the place of the former position of Assistant Director of the Heritage Office**
- 2. appoint Executive Director of the Department of Planning (Heritage Office) as a member of the State Heritage Register Committee in place of the former position of Director of the Heritage Office**
- 3. appoint Executive Director of the Department of Planning (Heritage Office) as a member of the Strategy Committee in place of the former position of Director of the Heritage Office.**

Michael Collins
Chair
Heritage Council of NSW
Date:

**Next Meeting of the Heritage Council
of NSW**
Wednesday 5th April 2006
Former Prince Henry Hospital Site
Flowers Ward
Pine Avenue
Little Bay