

**MINUTES OF THE 299TH MEETING, WEDNESDAY 1ST OCTOBER 2003,
HERITAGE OFFICE, 3 MARIST PLACE, PARRAMATTA**

In Attendance

Michael Collins	Chair
Mary-Lynne Taylor	
Jason Ardler	For Director-General Department of Environment and Conservation
John Delaney	
Ian Jack	
Chris Johnson	Government Architect
Diane Jones	
Megan Jones	
Rod Leaver	
Susan Macdonald	For Director Heritage Office
Reece McDougall	Director Heritage Office
Bruce Pettman	For Government Architect
Sharon Sullivan	
Joan Templeman	Labour Council of NSW
Elsa Atkin	National Trust of Australia (NSW)

Also In Attendance

Maxwell Gray	Heritage Office
Cameron White	Heritage Office
Vincent Sicari	Heritage Office
Susan Macdonald	Heritage Office

1 Opening – Welcome and Apologies

The Chair opened the meeting at 9:00 am.

Apologies

Garry Fielding	Department of Infrastructure, Planning and Natural Resources
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1.2 Confirmation and timing of Agenda

The agenda was confirmed.

1.3 Declarations of Interest

Pecuniary Interests

Diane Jones	Work Carried out under General Exemptions – Item HRL 24505. Prince Henry Site, Prototype
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Non Pecuniary Interests

Jason Ardler	Item 4.4 – NPWS Delegations
Michael Collins	Linnwood, Acted as commercial consultant to Holroyd Council a few years ago

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Conflicts of Interest

Nil

2.0 Minutes

2.1 Heritage Council Meeting 6th August 2003

Members received a copy of the Minutes.

Resolved:

that the Heritage Council adopt the minutes of the meeting of 6th August 2003.

3.0 Reports

3.1 Chairs Report

The Chair advised that since the last Heritage Council meeting a meeting of the National Chairs and Officials was held at the Heritage Office. It was noted that it was decided at its last meeting at Wellington, New Zealand that meetings would now be held twice a year. It was also noted that the meeting went very well and as a result there have been further discussions with the EPHC Ministerial Council which is looking to connect more strongly with the National Chairs and Officials. It was also noted that to acknowledge the permanent membership of New Zealand the National Chairs and Officials will now be known as National Chairs and Officials of Australia and New Zealand.

On 27th August the Chair had his first meeting with the Hon. Craig Knowles MP. It was noted that the Minister is very pleased with the way that the Heritage Council is going at the moment and was very supportive of the work of the Council.

On 2nd September the Chair and the Director met with Jason Ardler to discuss matters of interest between the Heritage Council and the then National Parks and Wildlife Service in relation to the listing of a representative number of parks on the State Heritage Inventory. It was noted that work is continuing on the list and the development of appropriate exemptions.

The Chair advised members that he considered the meeting in Orange on the 4th and 5th of September which he considered to be an outstanding success and thanked those who attended and were involved with the visit.

On 18th September the Chair and Director met with David Hill, former CEO of the State Rail Authority, in relation to the SRAs moveable heritage with the aim of assisting the SRA in moving forward in relation to this issue.

It was noted that on 24th September the Chair attended a lunch hosted by Royal Australian Institute of Architects at Tusculum at which the Minister the Hon Diane Beamer MP, the Director and Assistant Director of the Heritage Office were also guests. The purpose of the lunch was to celebrate the joint work which has been done by the Heritage Office and the Institute in relation to the development of a list of 20th century program for potential items for inclusion on the State Heritage Register.

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The Chair also advised members that he represented the Heritage Council at Brian Gilligan's farewell. It was noted that Brian Gilligan has retired from his position of Director-General of the National Parks and Wildlife Service.

Members were informed that the next Heritage Council meeting in December will be the 300th meeting to which the Premier is to be invited.

Members were also informed that the Commonwealth national heritage legislation, which sets up a national placed list, has passed through the upper house and the Bill is now waiting for ascent.

The Chair also advised members that a letter has been sent to the board of Taxation in relation to the definition of charities. This letter came out of the meeting of the National Chairs and Officials of Australia and New Zealand as there is an ability under the review of the act to include cultural heritage under the definition of charities.

The Chair invited Sharon Sullivan to inform members on the impact of the new Commonwealth national heritage legislation. Members were advised of the history, implications and progress of the Bill.

Resolved

that the Heritage Council note the report.

3.2 Directors Report

The Director informed that he considered that the visit and meeting at Orange was very successful and received good publicity and positive community reaction.

The Director advised members that he represented the Heritage Council and Heritage Office Metro Pride Awards at which the first three places were awarded to Hawkesbury City Council for its comprehensive heritage management program, Hornsby Shire Council for overall best practice management of heritage and Warringah Shire Council. Woollahra Council was also highly commended.

It was noted that on 29th August 2003 the Director attended a formal dinner at which he presented the 2003 Australian Property Industry Awards. The Heritage Office award was awarded to the Walsh Bay Partnership in recognition of their heritage related achievements with the Walsh Bay Project.

It was noted that a new Department has been created called the Department of Environment and Conservation which combines the Royal Botanical Gardens, Sydney Catchment Authority, National Parks and Wildlife Service, the Environment Protection Authority and Resource NSW. The Director-General of that Department is Lisa Corban. It was noted that the Director considered that it would have positive outcomes and that the Heritage Office looks forward to dealing with the new Department.

Members were advised of a very successful meeting with the developer of the Tenterfield Bi-Lo Plaza, Mr Phillip Hanna of New England Properties at which a modified proposal was agreed to which retains Peberdy House, which was under threat by the proposed development, for adaptive commercial, such as a coffee shop, and Community use. Some financial assistance may be offered to assist with the restoration of the property if the plan is approved by Council. A meeting will be organised with Council in the next fortnight.

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Resolved:

that the Heritage Council note the report.

3.3 Report from Members on Items of Importance to the Heritage Council

Nil

4.0 Matters for Consideration and Decision

4.1 Financial Liability of Linnwood

At the August meeting of the Heritage Council it was resolved to request a presentation by the consultants who prepared the report, which provided various financial scenarios as the basis for discussions with the Minister, regarding the future of Linnwood as a financially viable community asset.

A presentation was given by a representative of City Plan Heritage which gave members an opportunity to further consider the various financial scenarios and ask questions of the consultants involved.

The first scenario does not provide for a program of conservation works to Linnwood and its grounds. It assumes the provision by government of \$550,000 over two years for maintenance and refurbishment (including the \$200,000 already provided).

This scenario assumes some expenditure on security and vandalism prevention and the projected occupation of the dormitory building by Pioneers. It also assumes that garden maintenance will continue to be undertaken by Holroyd City Council at its expense.

The second scenario assumes a more substantial injection of \$1.5million in the first two financial years in order to conduct a comprehensive program of conservation works to Linnwood and its grounds. Potential income generation is increased on the assumption that a conserved property will be more attractive commercially, and will attract higher visitor numbers. This scenario does not anticipate recurrent government funding beyond the initial \$1.5million investment, leaving a narrow buffer between income and operating costs. This scenario also does not include an allowance for major maintenance works and refits at intervals of five and ten years.

The third scenario proposes the sale of a portion of the rear of the property for a total sum of \$3 million. \$1.5million from the sale of land is allocated to fund a comprehensive conservation program. The remaining revenue is invested to return an annual income from interest. There are also proposed rental returns.

It was noted that under this scenario additional upfront funding would be required for the Heritage Office to prepare a subdivision plan and site services and work with Holroyd City Council on the preparation of a development control plan to secure a good outcome for the future development. A design competition based on sustainability principles will also help to produce the optimum result.

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It was again noted that of the three scenarios, only the third scenario meets the brief to place the property on a self-sustaining financial basis, without recourse to one-off or recurrent government funding.

After further consideration it was

Resolved:

that the Heritage Council:

- 1. notes this report and presentation by City Plan Heritage; and***
- 2. requests Rod Leaver as Chair of the Heritage Council Subcommittee and the Director of the Heritage Office to continue discussions with Treasury and the Minister to seek a viable and sympathetic economic solution for the long term future of Linnwood.***

4.2 S170 Guidelines

Members considered a report which requested comment of Members on the draft State Owned Heritage Management Principles & Heritage Council Guidelines. These are the heritage management guidelines State agencies will be required to comply with under the Heritage Act.

The principles and guidelines require that heritage issues are properly considered at each stage of heritage asset management, and combine best practice heritage management approaches from the Burra Charter, the NSW Heritage Manual and the Total asset Management Policy of the Government. The principles and guidelines also require that agencies establish heritage management structures, integrated with other existing asset management procedures, rather than requiring extensive new Heritage Council/Heritage Office approvals.

It was noted that comments on the draft principles and guidelines will also be sought from state agencies with significant heritage asset holdings for the next month. Following this, it is proposed that a final draft will be distributed through Ministries for formal comment prior to finalisation and submission to the Minister in the New Year.

Resolved:

- 1. that Heritage Council members provide the Heritage Office with comments on the draft document - State Owned Heritage Management Principles & Heritage Council Guidelines at Annexure A by no later than 31st October 2003.***
- 2. that the Heritage Office present the final draft for Heritage Council endorsement at the December Heritage Council meeting;***
- 3. that the Heritage Office report back to the December Heritage Council meeting with comments received from agencies; and***
- 4. that the Heritage Office prepare a draft monitoring plan for discussion at the next Heritage Council meeting in December.***

4.3 2004 Cycle of Heritage Council Meetings

Members were advised that last year the Heritage Council resolved to hold meetings of the Heritage Council on a bimonthly basis commencing in February each year and retain monthly

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meetings of the State Heritage Inventory Committee and the Approvals Committee also commencing in February each year.

Meetings are to be held on the first Wednesday of the month with the Heritage Council meeting in the morning and committees meeting in the afternoon in the months where they both meet. Committees will meet in the morning when the Heritage Council does not meet.

Members considered a report which recommended that this meeting schedule be continued for 2004.

It was noted that a regional visit is proposed for the meeting of 1st September 2004, at a location to be advised, which will probably be for two days returning to Sydney on the 2nd September 2004.

Resolved:

that the Heritage Council adopt the proposed meeting dates, times and locations for 2004 as set out in the attached schedule.

4.4 NPWS Approved 2002 Delegations Amendment

Members considered a report which supports the Heritage Office's endorsement of a specific amendment of the current National Parks & Wildlife Service Delegations of certain Heritage Council approval and endorsement functions in accordance with s.169(3) of the Heritage Act.

The report recommended that the Heritage Council acknowledges the delegated agency's name change, and endorses an alteration to the specified Delegated action officer position within the National Parks & Wildlife Service for approved stage 2 delegations. This follows the National Parks & Wildlife Service request for an amendment of the 2002 approved Delegation, from "Manager, Cultural Heritage Division", to "Manager, Cultural Heritage".

It was noted that the delegations package enable the NPWS to undertake the following Heritage Council functions with respect to National Parks listed on the SHR to:

- process applications for certain proposed works under the NSW Heritage Act;
- determine all archaeological applications/permits under the NSW Heritage Act; and
- endorse CMPs in specified circumstances to enable works to be exempted from the need to obtain approval under the Heritage Act.

Resolved:

that the Heritage Council:

- 1. endorses the revised delegated position officer for functions (at Annexure A) within the National Parks & Wildlife Service and seeks the consent of the Minister to these amendments in accordance with s.169(3) of the NSW Heritage Act, 1977.***
- 2. notes that the revised delegation replaces previous delegations to NP&WS under the Heritage Act.***

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4.5 2003 NSW Government Heritage Volunteer Awards

Members considered a report on the 2003 NSW Government Heritage Volunteer Awards. It was noted that 2nd Annual Awards received 50 nominations and that twenty-five nominations are recommended to receive an award.

The awards will be announced by Minister Beamer at a ceremony at Parliament House at 10am, on 29th October 2003.

Members were advised that specific criteria and categories for nominations have been developed by the Heritage Office and are recommended for the 2004 awards due to the increasing number of nominations.

Members discussed the process, nominations and ways in which the awards could be structured and assessed in future years.

Resolved:

that the Heritage Council:

- 1. recommend to the Minister that 25 heritage awards recommended by the Heritage Office panel be given to community members;***
- 2. endorse the development of guidelines for the conduct of future heritage volunteer awards for endorsement by the Heritage Council; and***
- 3. request the Minister to present the awards on 29th October 2003.***

5.0 Matters for Information or Noting

5.1 Cultural Landscapes Charette – Outcomes

Members were advised that Minister Knowles requested that the Heritage Office identify and report on the key issues for cultural landscapes in NSW.

In response to that request the Heritage Office hosted over 50 professionals from local, state and federal government, as well as expert consultants, and community representatives in a one day charette. The discussion at the charette assisted the Heritage Office debate the issues, identify constraints and opportunities, and develop recommendations on the preferred actions to achieve this objective.

It was noted that following the presentations participants were divided into two groups and asked to identify the key issues for cultural landscapes in NSW. The two key areas were identified as being lack of community engagement and understanding, and lack of planning to protect cultural landscapes.

Members considered a copy of the draft final report and

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Resolved:

that the Heritage Council

- 1. note the Cultural Landscapes Charette Draft Final Report and endorse the recommended actions therein; and***
- 2. request the Heritage Office to prepare a policy statement which emphasises heritage landscapes that the identification, management and conservation of cultural landscapes is the key to effective heritage conservation for the future.***

5.2 National Heritage Chairs and Officials meeting August

Members were advised that the special meeting of the Heritage Chairs & Officials of Australia & New Zealand was hosted by the NSW Heritage Office at 3 Marist Place, Parramatta on the 14th August 2003 and attended by the Heritage Chairs and Officials of the Commonwealth, all states and Territories and New Zealand.

The Chair considered the meeting one of the most productive meetings held with good discussion.

The main outcomes of the meeting were the change in title to recognise the membership of New Zealand, a paper prepared by Western Australia which summarised all of the tools which are available throughout Australia to assist in heritage conservation titled "Making it Happen", the report of which will be going to the Ministerial Council next year for endorsement and a paper prepared by Queensland on Rural Heritage which will be going to the Heritage Council meeting in Perth with the aim of forming a working party consisting of States and Territories to look at the issues involved with rural Heritage and to come back with recommendations on how these issues can be dealt with.

It was also noted that the NSW Heritage Office will be project managing two projects that may have resource implications. The projects include a national approach to the development of a sustainability policy and strategy; and a survey/poll initiative for raising heritage awareness and identifying target areas.

Resolved:

that the Heritage Council:

- 1. note the report; and***
- 2. note that the NSW Heritage Office has coverage of two projects which will have resource implications.***

6.0 Reports from Heritage Council Committees and Panels

Members considered the following reports.

- 6.1 Approvals Committee
- 6.2 State Heritage Register
- 6.3 Strategy Committee
- 6.4 Aboriginal Heritage Committee

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- 6.5 Archaeology Advisory Panel
- 6.6 Fire Access Services Advisory Panel
- 6.7 History Advisory Panel
- 6.8 Maritime Advisory Panel
- 6.9 Movable Heritage Panel
- 6.10 Religious Property Advisory Panel
- 6.11 Technical Advisory Group
- 6.12 Interpretation Sub-committee

It was noted that in relation to the work of the Aboriginal Heritage Committee that the nomination process is working well and the first nominations can be expected soon for the State Heritage Register with a regular flow of nominations to follow after that.

Resolved:

that the Heritage Council note the reports.

7.0 General Business

Nil

8.0 Presentations

8.1 Infill Guidelines

The Infill Guidelines presentation was deferred to a future meeting.

There being no further business the Chair closed the meeting at 12.45 p.m.

Michael Collins
Chair
Heritage Council of NSW
Date:

Next Meeting of the Heritage Council of NSW
9:00 am Wednesday 3rd December 2003
Heritage Office, 3 Marist Place, Parramatta