



# HERITAGE COUNCIL OF NSW

## MEETING MINUTES – 494

6 October 2021 | 09:00 AM – 3:00 PM

Via Teleconference

<b>ATTENDANCE</b>	
<b>MEMBERS</b>	
Mr Frank Howarth AM PSM	Chair
The Hon Robyn Parker	Deputy Chair
Dr Nicholas Brunton	Member
Mr Ian Clarke	Member
Mr Paul Knight	Member
Dr Brian Lindsay	Member
Ms Colleen Morris	Member
Ms Louise Thurgood	Member
Mr Brett Whitworth	Member
<b>APOLOGIES</b>	
Mr Dillon Kombumerri	Observer
<b>GUEST PRESENTERS AND EXTERNAL ATTENDEES</b>	
Ms Kirstie Allen	DPC secondee assisting with Heritage Act Review and ACH reforms (3.1)
Mr Clay Preshaw	Exec Director Energy and Resource Assessments, DPIE (4.1)
Mr Steve O'Donoghue	Director Resource Assessments, DPIE (4.1)
Mr Hector Abrahams	Principal, Hector Abrahams Architects (4.1)
<b>HERITAGE NSW</b>	
Mr Sam Kidman	Executive Director
Mr Matthew Clark	Director Heritage Strategy and Policy
Mr Tim Smith	Director Heritage Operations
Ms Lucy Albani	Senior Team Leader Heritage Policy (3.1)
Dr Caroline Ford	Principal Policy Officer (3.1)
Ms Sarah Jane Brazil	Senior Team Leader Major Projects (3.2)

Mr David Nix	Senior Heritage Officer, Major Projects (3.2)
Ms Katrina Stankowski	Senior Team Leader Reg Heritage Assessment (4.1)
Ms Tempe Beaven	Senior Heritage Assessment Officer (4.1)
Ms Jan Nye	Senior Team Leader Comms & Engagement (4.2)
Ms Maruschka Loupis	Senior Programs Officer (4.2)
<b>SECRETARIAT</b>	
Ms Olgica Lenger	Senior Team Leader Secretariat
Ms Elizabeth Thomas	Advisory Panels Co-ordinator

## IN-CAMERA SESSION

This item was not minuted.

### Item 1. Welcome and Formalities

The Chair, Frank Howarth, opened the meeting at 9:32 AM, delivered an Acknowledgment of Country and welcomed attendees.

Apologies were received from Dillon Kombumerri and it was noted that a quorum had been met.

#### Item 1.1 Conflict of Interest Declarations

Colleen Morris declared a standing Conflict of Interest related to *Item 4.1 - Ravensworth Homestead – Glendell Mine*. The Council noted this actual conflict of interest and agreed that Ms Morris would not partake in discussions or decision making for this item.

#### Item 1.2 Out of Session Decisions

There were no decisions made out of session since the last meeting.

The Council noted the workshops held out of session during September including the:

- The Great Divide to Eden (Bundian Way), with Aboriginal Cultural Heritage Advisory Committee,
- Aboriginal Cultural (ACH) Values and Planning Assessments, with Department of Planning, Industry and Environment (DPIE),
- Heritage Act Review, with Heritage NSW.

#### *The Great Divide to Eden (Bundian Way)*

The Council noted that following the joint workshop held on 8 September 2021, discussions on the way forward are ongoing and a range of options remain under consideration for this listing.

#### Item 1.3 Minutes from the Previous Meeting – 1 September 2021

<b>Resolution 2021-56</b>
The Heritage Council of NSW: 1. <b>Confirmed</b> the minutes of the previous ordinary meeting (1 September 2021) as a complete and accurate record of that meeting.
Moved by Robyn Parker and seconded by Ian Clarke

#### Item 1.4 Matters Arising

There were no matters arising.

#### Item 1.5 Action Report

The Heritage Council of NSW agreed to close items recommended for closure. The register was updated to reflect the additional discussion and further actions requested.

## Item 2. Committees Update

### State Heritage Register Committee (SHRC)

Robyn Parker, Chair of the State Heritage Register Committee, provided an update on key outcomes for items considered at the 5 October SHRC meeting, including a joint discussion with the Approvals Committee on the draft Heritage Design Guidelines and the Appin Massacre Cultural Landscape.

### Approvals Committee (AC)

Ian Clarke, Deputy Chair of the Approvals Committee, provided an update on key outcomes for items considered at the 5 October AC meeting as well as various out of session workshops held during the past month.

Members also had a brief general discussion around the SHR listings process and owner engagement.

## Item 3. Legal, Policy and Administration

### Item 3.1 Heritage Act Review Update

The Heritage Council of NSW received an update from Lucy Albani and Caroline Ford on the review of the heritage legislation and provided feedback on the various suggestions being considered for inclusion in the submission currently being prepared.

The Council thanked Heritage NSW for the presentation.

### Item 3.2 Heritage Design Guidelines

The Heritage Council of NSW received an update from Sarah Jane Brazil on work undertaken to finalise the draft *Heritage Design Guidelines*.

*Heritage NSW reported that:*

- The *Key Heritage Principles* are now referred to as the *Heritage Design Guidelines* which better captures the original intent of this guidance.
- The draft guidelines have been updated following feedback received from the Heritage Council, Approvals Committee, and the Heritage and Technical Advisory Panels during the consultation process.
- A joint session was held with the State Heritage Register Committee and Approvals Committee on 5 October to provide final feedback on the proposed guidelines and these comments are being incorporated into the final iteration of the document.
- It is anticipated that Council's approval of the *Heritage Design Guidelines* will be sought out of session by the end of October 2021, prior to being made publicly available on the website.
- Furthermore, the guidelines will be provided to all proponents when seeking initial heritage advice.

The Council discussed ways to further promote the guidelines through engagement with stakeholders as part of a broader suite of heritage information and sought to link case studies and examples to illustrate the application of the principles.

Heritage NSW reported on the strong engagement underway with other agencies such as the Greater Sydney Commission, DPIE and Transport for NSW on the application of these guidelines.

#### Resolution 2021-57

The Heritage Council of NSW:

1. **Notes** the comments provided from the joint session of the State Heritage Register Committee and the Approvals Committee meeting held on 5 October 2021.
2. **Approves in principle** the *Heritage Design Guidelines*, subject to amendments being ratified out of session.
3. **Thanks** Sarah Jane Brazil and David Nix for exceptional work done on the *Heritage Design Guidelines*.

Moved by Dr Nicholas Brunton and seconded by Ian Clarke

## Item 4. Matters for consideration

*Colleen Morris was excused from the meeting for the duration of the following item.*

### Item 4.1 Ravensworth Homestead – Glendell Mine – SSD - DPIE presentation

The Heritage Council of NSW received a report from Katrina Stankowski and a presentation from the Department of Planning, Industry and Environment (DPIE) and Hector Abrahams Architects.

*Key points raised in DPIE's presentation:*

- Whilst only locally listed, all stakeholders agree that the Ravensworth Homestead is of significant state heritage value.
- The key issue of concern is that the Ravensworth cultural landscape and the estate are located in the middle of the proposed extensions to the Glendell open cut coal mine.
- Focusing on the Council's advice of 9 December 2020, DPIE discussed various mine design options with Glencore, who are the mine owners, and sought further advice from an independent mine plan review, economic advice from The Centre for International Economics (CIE) and expert heritage advice from Hector Abrahams Architects.
- The result of these investigations is that, in the view of Glencore, a redesign of the mine is not an option for this project, and there are no viable options that avoid impacting the Ravensworth homestead and outbuildings.

Hector Abrahams provided a summary of their expert heritage advice on the Glendell Continuing Operations Project, including advice on options to relocate Ravensworth to a farm site or to the nearby town of Broke. It was emphasised that the Aboriginal cultural significance of the landscape is archetypal, of representative value about convict evidence, with the notion that the original site will persist as a place and outlast the mine operation over the long term.

The Council discussed further details around the economic analysis and how to value loss of heritage; the approach for consideration of feasible and reasonable options; and possible alternatives in the contexts of longer term impacts of climate change and increasing heritage values of Ravensworth Homestead if it remains in situ.

*Key points raised by Hector Abrahams:*

- The Continuous Operations Project proposal prevents preservation of the homestead in situ and it would appear that relocation is the only way to preserve some heritage values.
- The Aboriginal cultural significance of the landscape is archetypal, of representative value about convict evidence, with the notion that the original site will persist as a place and outlast the mine operation over the long term.
- The risk of a negative precedent impact if heritage values are lost due to any state significant development.
- The relocation to the farm site preserves many state level values, however it does not appear to offer return to an established viable use. The long term agricultural and pastoral viability of the homestead remains an issue, regardless if it remains in situ or if it is relocated to a farm site. The proposed relocation by intact method would provide a future technological value. The size of future landholding and the implications of public policy for increased population should also be considered.
- The option to relocate to Broke is a radical adaptive reuse proposal with publicly accessible gallery use, however it destroys all landscape setting and domestic use. Public use could be considered a potential positive future value if the proposal were to play a transformative role in Broke.
- There is a need for future masterplan to address the viability and culture of the area, focussing on the land, as well as the homestead, and the opportunity to consider the future of the entire holding.

The Council questioned how the loss of heritage is valued in the equations and financial analysis.

- DPIE advised that the cost benefit analysis considers various factors, including heritage, and the overall economic analysis tries to weigh up the economic analysis of the coal operations with these other factors.
- DPIE is seeking final advice on the assumptions for commercial viability to ensure these assumptions are reasonable.

The Council questioned the detail around which options are reasonable as opposed to those that are considered feasible and expressed concerns around trading off the heritage value against a commodity that has a shorter life span.

The Council noted the independent mine plan review report references options for a 200-300 meter buffer zone around the Ravensworth Estate. The Council discussed several options, including a staged approach, whereby mine operations could be undertaken up to a designated buffer zone and a decision on whether to mine the remaining coal resource reassessed in 2035, in line with the report. This would allow for the homestead to remain in situ and defer any decision to relocate the homestead.

The Council also noted the impacts of climate change and thermal coal uncertainty which predicts changes in demand until around 2030, and a lessening of demand in the years following up to 2050. Whereas, the heritage values for the Homestead remaining in situ will further increase over the longer term.

DPIE noted that:

- Their role in assessing the project under the Environment and Protection Act (EPA) and the regulatory framework is to ensure that the proponent has considered other options and feasible alternatives compared against the project objectives. DPIE's role is somewhat

limited however, and any hybrid option would need to meet these objectives and be assessed in a timely manner.

- Approvals have already been given that make the landscape not pastorally viable and the opportunity to understand the heritage asset as a historic homestead and in the Burra Charter sense, are also not viable.
- In relation to the economic advice and project viability, DPIE are committed to getting the best independent expert advice on this.

The Council thanked DPIE for presenting the options under consideration.

*HNSW attendees were excused from the meeting at 12:40 PM for a brief interval to allow the Council time to deliberate this matter further in camera.*

#### Resolution 2021-58

The Heritage Council of NSW:

1. **Thanks** Department of Planning, Industry and Environment for their presentation on the State Significant Development (SSD) Glendell Continued Operations Project relating to Ravensworth Homestead and **notes** its contents.
2. Notwithstanding the new information provided to the Heritage Council, the Council **maintains** its view that the importance of Ravensworth Homestead includes its role in frontier conflict and **affirms** its advice of 9 December 2020 and 5 February 2020.

Moved Louise Thurgood and seconded by Dr Nicholas Brunton

*Colleen Morris re-joined the meeting at 1:50 PM.*

#### Item 4.2 Communications Strategy / Plan update

The Heritage Council of NSW received a report from Jan Nye and Maruschka Loupis.

*Key points raised in the presentation:*

- The *2020-21 Annual social media engagement report* was presented with key data indicating the variety and reach of various stories that celebrate heritage, drive greater community awareness and raise the profile of the Heritage Council and the work of Heritage NSW.
- There has been a significant increase in the reach of Facebook posts since July 2021.
- Implementation of the Communications Plan and Strategy has commenced and future reporting to Council will be on a quarterly basis.
- The rules of engagement and the social media code of conduct have been posted and enacted on the social media platforms.
- The proposed social media KPIs for 2021-22 were outlined to measure the effectiveness of Heritage NSW's engagement on various social media platforms.

The Council provided further feedback suggesting:

- broadening the demographic reach of various emerging platforms to engage with younger audiences,
- Heritage NSW undertake analysis of the social content to better understand which posts are generating the greatest interest, and
- ways to build user content and opportunities for reposting of content with our hashtags, e.g. competitions, picture of the week, links to other news stories, Blue Plaques program.

The Council thanked the Heritage NSW communications team for the excellent work done to establish the social media platforms and noted the increased profile of heritage and improved quality of reporting.

#### Resolution 2021-59

The Heritage Council of NSW:

1. **Note** progress on implementation of the Communications Plan and Strategy.
2. **Agree** to adopt social media KPIs for 2021-22.

Moved by Ian Clarke and seconded by Dr Nicholas Brunton

## Item 5. Executive Reports

### Item 5.1 Executive Director, Heritage NSW – Monthly Report

The Heritage Council of NSW noted the report and verbal update from Sam Kidman.

*Nick Brunton was briefly excused from the meeting at 2:10 PM as the Council was provided an update on matters related to the MLC Building, North Sydney.*

*Nicholas Brunton re-joined the meeting at 2:17 PM.*

### Item 5.2 Chair, Heritage Council of NSW – Monthly Report

The Heritage Council of NSW noted the verbal update.

### Item 5.3 Planning Report (DPIE)

The Heritage Council of NSW noted the planning report.

The Council acknowledged Brett Whitworth's service during his term as the Secretary's delegate to the Council.

#### Decision

The Heritage Council of NSW:

1. Expressed their **vote of thanks** to Brett Whitworth for his great work and invaluable contribution to heritage in NSW during his term on the Heritage Council of NSW and **congratulates** him on his new role.

Moved by Frank Howarth and seconded by Dr Nicholas Brunton

### Item 5.4 Advisory Panels Report

The Heritage Council of NSW noted the Advisory Committee and Panels report.

Colleen Morris, Chair of the Heritage Advisory Panel noted the panel's feedback regarding the Blue Plaques program at the meeting held in September.

Louise Thurgood, Observer on the Technical Advisory Panel, noted that the Chair of the Heritage Council has been invited to attend an upcoming meeting of the TAP to brief members on the work of the Council and to provide an update on the Heritage Act Review.



## **Item 6. Heritage NSW Reporting**

### **Item 6.1 Heritage Operations – Monthly Reports**

The Heritage Council of NSW noted the monthly report.

## **Item 7. General Matters**

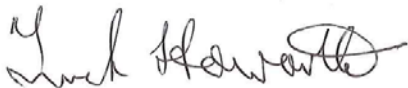
The Council asked Heritage NSW to provide an urgent brief on the current status of the local IHO placed over the Glenlee property in Lugarno.

### **Item 7.1 Forward Agenda**

The Heritage Council of NSW noted the forward agenda.

## **Item 8. Meeting Close**

There being no further items of business, the Chair, Frank Howarth, closed the meeting at 3:00 PM.



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Mr Frank Howarth AM PSM

**Chair, Heritage Council of NSW**

Date: 3 November 2021