

Overview

Director's overview

Over the past year the Heritage Council of NSW and the Heritage Office have renewed their focus on working with local government and State government agencies to improve heritage management in these areas.

The keynote for this year was the increasing level of community involvement in heritage. The community worked closely with two tiers of government on what will be one of the most important projects for the next five years: building a comprehensive and broad-ranging State Heritage Register.

This crucial project to uncover the special places and items that provide evidence of our past began in the Central West region, where active and committed locals worked with our staff to identify their significant places. It is these dedicated people who are at the forefront of our initiatives. Without their valuable contribution, our goal of 'working with the community to conserve our heritage' cannot be achieved.

In the last reporting year a new strategic plan was established for the period 2000 to 2005. In this, the second year of the plan, work on the priorities identified in the plan continued. This year's highlights include:

- addition of 121 new items to the State Heritage Register, demonstrating our ongoing commitment to making the register a comprehensive list of places and items of State heritage significance;
- launch of the State Heritage Register Project in September 2001, focussing on the Central West region. This key project will provide a template for a regional approach to building a comprehensive register by the projected completion date of 2005;
- introduction of a new local government heritage management package. This includes:
 - delegation of certain approval functions of the Heritage Council to all councils in New South Wales. These new arrangements streamline the approvals process for those items in each local government area listed on the State Heritage Register. Staged authorisations were made by the Minister for councils to make interim heritage orders, particularly rural councils;
 - publication of the *Local Government Heritage Guidelines* to assist local councils with their new heritage responsibilities;
 - provision of workshops in metropolitan and rural New South Wales for local government staff.
- the first heritage agreement under the *Heritage Act 1977* (NSW). Signed by the Minister for Planning on 1 April 2002, the agreement for Tempe House with Interciti Arncliffe Developments guarantees conservation works to the site, as well as ensuring that the site will be used and cared for appropriately in the future. This agreement will provide a basis for the preparation of future heritage agreements made under the Act;
- publication of *Assessing Heritage Significance*, an accessible and practical guide which is the authoritative reference for assessing heritage items in New South Wales;
- appointment of the first natural heritage advisor in New South Wales. This new position, jointly funded by Campbelltown City Council and the Heritage Office, will see natural heritage conserved alongside cultural heritage;
- commencement of the community consultation process leading to the nomination of century-old Haberfield as the first major heritage conservation area for listing on the State Heritage Register since its introduction in 1999;
- listing of 100 properties in the historic tourist precinct of Sydney's Rocks area. This "bulk listing" of government-owned heritage items was possible because they had been identified as state significant on the Sydney Harbour Foreshore Authority's heritage and conservation register;



Reece McDougall, Director, NSW Heritage Office.

□ re-launch of the revised and re-focused Heritage Incentives Program. In June 2002 the Minister of Planning announced the funding of 126 conservation, study and promotional projects totalling \$2.8 million across the State under the new program.

The year 2001-2002 has also seen major changes in senior staff of the Heritage Office. In March 2002 I was appointed Director following the retirement of Rosalind Strong. In undertaking the position of Director I want to acknowledge the work and commitment of Rosalind Strong in promoting heritage to the community, and particularly in addressing the educational needs of our school children.

I see my role in consolidating the policy directions set by the Government's heritage policy and taking every opportunity to promote the value of our rich natural and cultural heritage to the community. I also want to recognize the effort and strong commitment of the Heritage Office staff, Heritage Council and committee members who have provided the support necessary to meet the growing demands of our clients and stakeholders.

Towards the end of the year it became necessary to review our approach and refocus our efforts to meet our increasingly complex workload and multiple heritage issues. This has resulted in a 2002-2003 workplan for the Heritage Office which matches the resources of the office to key priorities from the strategic plan. I look forward to meeting these challenges as we continue to raise the bar on heritage conservation in New South Wales. I am ably assisted in this role by new Assistant Director, Susan Macdonald, who was appointed to her position in May.

R. A. McDougall

Reece McDougall
Director

The Heritage Council of NSW with retiring Chair,
Mrs Hazel Hawke, November 2001.

Photograph by David Nutley



Financial summary 2001-2002

Heritage Office

Expenses of \$12.4m (\$6.2m in 2000-2001) included employee-related expenses of \$2.8m (2.7m), other operating expenses of \$1.5m (\$1.3m) and grants and subsidies of \$7.9m (\$2.1m). The major components of other operating expenses were building occupancy charges of \$289,817 (\$278,204), public relations costs of \$154,871 (\$100,082), fees of \$141,770 (\$133,457) paid to the Central Corporate Services Unit of the Department of Public Works and Services for corporate services and \$430,577 (\$213,624) for consultancies.

Revenue of \$0.7m (2.9m) included interest income of \$0.03m (\$1.8m), grants and contributions \$566,250 (\$446,323) and \$105,702 (\$631,407 which includes \$520,295 of one-off administration cost recovered from Corporation Sole) miscellaneous income. After bringing to account government contributions of \$11.7m (\$3.6m) and the transfer of \$30M back to the Consolidated Fund, the operating deficit for the year was \$30,023 (\$203,151 surplus).

At 30 June 2002 assets totalled \$1.7m (\$31.7m) and consisted of cash and investments \$0.8m (\$30.9m), receivables \$206,872 (\$160,955), leasehold improvements \$220,715 (\$271,457), plant and equipment \$419,661 (\$150,101) and recoverable advances of \$137,974 (\$167,469).

The Office's liabilities at 30 June 2002 were accounts payable of \$334,965 (\$279,222) and \$301,505 (\$270,794) for accrued employee-related expenses. After allowing for the operating deficit of \$30,023 (\$203,151 surplus), accumulated funds at year-end totalled \$1.1m (\$31.1m).

Corporation Sole

Grants and subsidies included \$1.8m (\$1.1m) in grants paid under the *Heritage 2001 Program*.

Strategic plan

In the last reporting year a new strategic plan for the Heritage Council of NSW and the Heritage Office was established for the period 2000 to 2005.

During the period 2001 to 2002, the second year of the plan, the Heritage Council and Heritage Office made a significant difference in the following areas:

<i>Corporate Objective</i>	<i>Achievements</i>
<p>1. The community will have access to quality and timely information about statutorily-listed NSW heritage through the State Heritage Inventory and the legislative framework.</p>	<ul style="list-style-type: none"> ■ 121 items added to the State Heritage Register, almost a threefold increase on 2000-2001 ■ 4 items of movable heritage listed on the State Heritage Register – <i>Lady Denman</i> ferry, NSW Fire Brigades no. 10 vehicle number plates, New England Brass and Iron Lace Foundry collection, Rail Motor Collection ■ 16 National Trust properties listed on the State Heritage Register ■ updates to the State Heritage Inventory publicly available within 24 hours of their gazettal
<p>2. The community will recognise NSW Government agencies as leaders in heritage management.</p> <p>NSW Government agencies will model best practice in the management of heritage places.</p>	<ul style="list-style-type: none"> ■ 99 of the 121 new items listed on the State Heritage Register were government-owned heritage items ■ major section 170 registers were submitted by the Sydney Harbour Foreshore Authority and the Sydney Water Corporation ■ new listings include 94 heritage items owned by the Sydney Harbour Foreshore Authority in The Rocks ■ Parliament House listed on the State Heritage Register

Corporate Objective**3. Local councils will integrate heritage conservation into their overall environmental management.****Achievements**

- ❑ all local councils received Heritage Council delegations in 2002
- ❑ 146 local councils (17 Sydney suburban councils and 129 rural and regional councils) were authorised to make interim heritage orders
- ❑ *Local Government Heritage Guidelines* published
- ❑ workshops held for local councils to provide assistance with the implementation of the *Local Government Heritage Guidelines* and new heritage powers
- ❑ 118 of the 172 councils in NSW have heritage advisor positions
- ❑ 70 councils (40 in rural NSW) also have officers who are knowledgeable on heritage matters
- ❑ 350 subscribers to the NSW Heritage Email Group on the internet, including heritage advisors, local council officers and heritage professionals
- ❑ 26 local government and heritage professionals received heritage training through the Local Government and Shires Association courses



Ivy Cottage, Hartley Village, an example of the many state significant items uncovered by the State Heritage Register Project.

Photograph by Bruce Baskerville

4. The community will celebrate and conserve the State's environmental heritage.

- ❑ all heritage listings on the State Heritage Register and local environmental plans available on the Internet via the Heritage Office website
- ❑ 106,000 visitors to the Heritage Office website in 2001-2002
- ❑ average number of daily visitors to Heritage Office website doubled in 12 months
- ❑ Maritime Heritage Online launched
- ❑ 126 conservation, study and promotional projects across the State granted funding totalling \$2.8 million under the new Heritage Incentives Program
- ❑ three new community-based heritage studies funded
- ❑ thematic history of Greek settlement in NSW produced reflecting the diversity of the State's heritage
- ❑ 3 issues of newsletter, *Heritage NSW*, published and distributed to 7,500 subscribers
- ❑ State Heritage Inventory software distributed to 12 local councils

<i>Corporate Objective</i>	<i>Achievements</i>
5. The Heritage Council will set best practice standards for heritage conservation.	<ul style="list-style-type: none"> ■ 24 conservation management plans endorsed by the Heritage Council ■ successful technical seminar on corrugated iron held by Heritage Office and Heritage Council Technical Advisory Group
6. The Heritage Council role and functions will be clearly understood at community and government levels	<ul style="list-style-type: none"> ■ former Chair of the Heritage Council, Hazel Hawke, launched the State Heritage Register Project at Orange in the Central West ■ Chair of the Heritage Council, Michael Collins, attended National Cultural Heritage Forum ■ Heritage Council agendas and minutes made available on the website
7. The Heritage Office will provide quality advice to the Minister and the Heritage Council and support the Heritage Council so that it can conduct efficient meetings and make good decisions. (Heritage Office only)	<ul style="list-style-type: none"> ■ attendance of Minister of Planning at events to recognize and promote a broad range of environmental heritage in NSW, including Sharpies Golf Sign, Haberfield, The Rocks, Evans Head aerodrome and Hill 60 at Wollongong ■ 11 interim heritage orders made by the Minister of Planning on the recommendation of the Heritage Council ■ first heritage agreement under the Heritage Act signed by the Minister for Planning on 1 April 2002 with Interciti Arncliffe Developments for Tempe House ■ 51 integrated development approval applications processed and approved, a 4% increase on 2000-2001 ■ 185 section 60 applications processed and approved, a 3% increase on 2000-2001 ■ 91 section 140 archaeology permits issued, 57 % increase on 2000-2001
8. The Heritage Office will have a diverse staff with the skills and resources needed to carry out its functions. (Heritage Office only)	<ul style="list-style-type: none"> ■ Heritage Office Archaeologist Natalie Vinton awarded a \$6000 Travelling Fellowship in Public Sector Management for report on public interpretation for historical archaeology

Challenges and constraints

With just under 40 staff members, the Heritage Office is a relatively small agency. Since its establishment in 1996, the office has made major advances, such as overseeing the establishment and management of the State Heritage Register, implementing policy directions and addressing the increasing volumes of statutory work.

This year the Heritage Office has looked closely at issues arising from meeting these challenges. The Heritage Office work plan for 2002-2003 refocuses the efforts of the office to achieve its major goals. The work plan also addresses the matter of urgent issues arising that require action and checks that these tasks are aligned with the strategic plan. It reviews the available resources of the Heritage Office and allocates tasks against them and against budget allocation.

History and legislation

New South Wales was one of the first states in Australia to enact state heritage legislation to protect its special places. This move grew out of community concern at the destruction of the State's natural and cultural heritage in the post World War II development boom. The NSW Government introduced the *Heritage Act 1977* (NSW) so that the heritage of the State could be properly identified and conserved.

The Heritage Act created the Heritage Council of NSW, which provides advice and recommendations to the Minister for Planning. The Heritage Branch of the then Department of Urban Affairs and Planning was established to provide administrative and technical support for the Heritage Council, its committees and panels. These functions moved to the Heritage Office when it was established as a separate agency in 1996.

Over the next two decades there was growing realisation that the Act required major changes to reflect the sharing of responsibility for management of the State's heritage by local and State government. There was also a need to provide a better balance between incentives and listing processes. A substantial review of the New South Wales heritage system was begun in 1992.

The major policy changes resulting from the review were incorporated into new legislation, formally known as the *Heritage Amendment Act 1998* (NSW).

These amendments came into effect on 2 April 1999. On this date the State Heritage Register was created to list heritage places and items of particular importance to the people of New South Wales.

Amendments to the Heritage Act in 2001-2002

Building on the major amendments to the Heritage Act in April 1999, further amendments to the Act were introduced in October 2001 to improve the effectiveness of the heritage system in New South Wales.

The new provisions streamline the approval processes involving heritage items, remove red tape, reduce costs and provide greater certainty for owners and developers.

The new amendments:

- allow developments involving heritage items to be approved in a staged process and simplify the process for varying the terms of Heritage Council approval;
- eliminate the requirement for new development applications to be prepared when interim heritage orders expire;
- remove the need for developers to seek archaeological permits once the Heritage Council has endorsed an archaeological assessment; and
- allow for the demolition of unsympathetic non-heritage structures in State-listed heritage conservation areas.

In detail the changes enable:

Demolition of Unsympathetic Structures

A major step forward in the listing of key conservation areas on the State Heritage Register is the provision for the demolition of items that do not contribute to the heritage value of the place. This removes the previous control which placed unreasonable constraints on property owners in heritage precincts. Such applications can only be approved by the Heritage Council under strict guidelines.

Changes to the Approvals Process

Greater flexibility in the approval process is particularly important for large-scale developments and those undertaken by Crown authorities where the Heritage Council is the sole approval authority because an integrated development application is not required.

The amendments provide scope to work in partnership with the community and local council and work towards an 'in principle' approval for all or part of the development.

They mean greater certainty for owners and applicants who need a clearer indication of the feasibility of a project from the Heritage Council's point of view earlier in the planning process.

The powers to allow the Heritage Council to give staged approvals allow more detailed designs to be produced and assessed at a later stage in the process once the proposal has been shaped.

Breaches of the Act

The Heritage Council now has 12 months from the time it becomes *aware* of an offence under the Act to prepare a case for prosecution. This brings it into line with the prosecution of offences in other environmental legislation. Previously the Heritage Council was constrained in dealing with breaches under the Act to 12 months from the date of the breach.

Historic Shipwrecks

Protection for historic shipwrecks off the New South Wales coast has been strengthened to prevent theft and vandalism, while still allowing for normal recreational fishing and diving activities to continue. The minimum age of maritime relics has been increased to 75 years so that State legislation is now consistent with the Commonwealth's *Historic Shipwrecks Act 1976*.

About the Heritage Council

The Heritage Council of NSW is an advisory and statutory body that includes members of the community, the government and the conservation profession and representatives of organisations such as the National Trust of Australia (NSW). The Heritage Council makes decisions about the care and protection of heritage places and items that have been identified as being significant to the people of New South Wales.

The Heritage Council was established under the *Heritage Act 1977* (NSW). The council is appointed by the New South Wales Government to:

- provide advice on heritage matters to the Minister for Planning;
- recommend items of state significance for listing on the State Heritage Register;
- recommend the interim protection of potential heritage items so that an assessment of their significance can be made;
- determine proposed changes to items on the State Heritage Register to retain the items' heritage significance; and
- advise the community on heritage issues.

The Heritage Council and the State Heritage Register

The State Heritage Register is a list of heritage items of particular importance to the people of New South Wales. An item is listed on the register by the Minister for Planning on the recommendation of the Heritage Council of NSW, after a process inviting public comment.

Once the item is listed, major changes to the item require the Heritage Council's approval. In considering applications for change, the Heritage Council considers the impact of the proposed works on the item's heritage significance. The Heritage Council can refuse or approve an application, or approve it subject to conditions.

The Heritage Council assesses items against its published criteria to determine which places should be included on the register. It provides advice to the community on how to apply the criteria.

The Heritage Council and Development Approvals

Major changes to items on the State Heritage Register require the Heritage Council's approval. When considering applications, the Heritage Council ensures that the proposed changes retain the item's heritage significance.

The council has four different functions in relation to development approvals:

1. Consent Authority

Managing change to a heritage item involves choices between those changes that are likely to retain the item's heritage significance and those which could diminish it.

Recognising that items can quickly decay through neglect or vandalism when not in use, the Heritage Council aims to encourage new uses and practical changes. This maintains the continuing life of heritage items and places.

The Heritage Council is the sole consent authority for approving changes to items on the State Heritage Register, or items subject to an interim heritage order, under section 60 and section 140 of the Heritage Act.

2. Providing Advice to Other Consent Authorities

Other agencies, particularly local councils and Planning NSW, regularly refer matters to the Heritage Council under the *Environmental Planning and Assessment Act 1979*.



Members of the Heritage Council of NSW with Chair, Mr Michael Collins, and former Chair, Mrs Hazel Hawke.

Photograph by Paramount Studios

The Heritage Council's advice on these matters is confined to heritage impacts and related issues, while recognising that the other authority may need to take additional factors into account to achieve a practical solution.

3. Development Application Referrals

The Heritage Council has a role in commenting on development applications referred from local councils. The local council is required to consider this advice when coming to its decision on the application.

4. Local Environment Plans/Development Control Plans

The Heritage Council has a role in commenting on environmental planning instruments (including local environmental plans and development control plans) under the Heritage Act. Such instruments provide the planning framework for the protection and management of heritage in the local council area.

Heritage Council Membership

There are 15 members of the Heritage Council of NSW. Twelve of the Council's 15 members are appointed by the Minister. In addition to the Chair, six of the appointed members are required to hold specialist knowledge or skills in any of the following areas:

- Aboriginal heritage
- building, development and property industries
- conservation of environmental heritage
- corporate promotion
- local government
- movable heritage
- natural heritage
- property rights of citizens
- rural interests.

A further five members are appointed by the Minister from nominees of the following organisations:

- Planning NSW
- Labor Council of NSW
- National Trust of Australia (NSW)
- Royal Australian Historical Society
- Royal Australian Institute of Architects (NSW) / Royal Australian Planning Institute (NSW).

Three members are ex officio:

- Director-General, National Parks and Wildlife Service
- Government Architect
- Director, Heritage Office.

Members have been appointed for varying periods to allow for a staggered pattern of membership, and to provide continuity on matters dealt with by the Council over longer periods of time. A full list of members appears on page 19.

The Heritage Council receives technical and administrative support from the Heritage Office.

Michael Collins, Chair

Michael Collins has been appointed as Chair of the Heritage Council of NSW for a period of three years from 1 January 2002. He has been a member of the Heritage Council for five years, the past three of which he has served as Deputy Chair to Mrs Hazel Hawke. He has been an active member of the council, having been a member of the State Heritage Register Committee and the Strategy Committee. He has been fully involved in all of the council's recent major heritage decisions, including high profile projects such as Walsh Bay, the Conservatorium of Music and St Patrick's in Manly.

Michael Collins has a property background, having been involved in property economics, real estate valuation, property consultancy and asset management for over 30 years, and is professionally qualified in property economics and valuation. He runs his own property advisory company based in the Sydney CBD, which provides services to the public and private sectors throughout New South Wales. He is National Vice President of the Australian Property Institute. In addition to his activities in the mainstream commercial market place, Mr Collins has long been interested and involved in the public, community and cultural dimensions of property and this shows in his involvement in the delivery of a range of important cultural and public venues in Sydney, including Darling Harbour, Sydney's Capital Theatre and the Customs House at Circular Quay



Mr Michael Collins, Chair of the Heritage Council.

Mary-Lynne Taylor, Deputy Chair

A solicitor with experience in local government and town planning law, Mary-Lynne Taylor has worked for many city councils including the City of Sydney Council, advising developers, architects, town planners and other professionals. Ms Taylor is a visiting lecturer in Planning Law at Sydney University, Vice-President of the NSW Division of the Royal Australian Planning Institute, and a council member of the Urban Development Institute of Australia. She holds a Bachelor of Law and a Bachelor of Arts.

Hazel Hawke AO, Retiring Chair

Hazel Hawke is a well-known public figure with an active and lively interest in social issues and community affairs, particularly those involving women, children, the environment and the arts.

Mrs Hawke was appointed the third Chair of the Heritage Council in December 1996. Her appointment came at a time when the Heritage Council sought to broaden its outlook and her impressive public relations skills helped to create stronger relationships with the community. During her appointment as Chair of the Heritage Council, she made many successful visits across the State. Her most important role has been to encourage the community to decide for themselves what heritage means to them and to become involved in helping to protect that heritage. Mrs Hawke retired as Chair on the 31st December 2001.

Members of the Heritage Council of NSW as at 30 June 2002

Michael Collins, Chair
 Mary-Lynne Taylor, Deputy Chair
 Elsa Atkin, Executive Director, National Trust (NSW)
 Terrence Barnes, General Manager, Parramatta City Council
 John Delaney
 Garry Fielding, Executive Director, Planning & Building System, Planning NSW and
 nominee of the Department's Director-General
 Professor Ian Jack, Royal Australian Historical Society, History Department, University
 of Sydney
 Diane Jones, Royal Australian Institute of Architects
 Megan Jones, Tanner and Associates
 Rod Leaver, President, Property Council of Australia (NSW)
 Sharon Sullivan, heritage consultant, Adjunct Professor, School of Anthropology,
 Archaeology and Sociology, James Cook University of North Queensland, and
 Adjunct Professor, School of Natural and Rural Systems Management, University of
 Queensland
 Joan Templeman, Executive Member of the Labor Council, Industrial Officer, Australian
 Services Union
 Brian Gilligan, Director-General, National Parks and Wildlife Service
 Chris Johnson, Government Architect
 Reece McDougall, Director, NSW Heritage Office

Heritage Council Members

Members of the Heritage Council until 31/12/01	Alternate Members until 31/12/01
Hazel Hawke, Chair	
Michael Collins, Deputy Chair	Helen Macfarlane
Elsa Atkin	Graham Quint
Terrence Barnes	Bill Bott
Jim Barrett	Mark Davidson
Evelyn Crawford	Ian Woods
Joan Domicelj	Christine O'Brien
Garry Fielding	Kerry Bedford
Ian Jack	Rosemary Annable
Richard Mackay	Alan Croker
Mary-Lynne Taylor	Philip Thalys
Joan Templeman	Judith Bennett
Brian Gilligan – ex officio member Director-General, National Parks and Wildlife Service	Deputy: Jason Ardler
Chris Johnson – ex officio member Government Architect	Deputy: Bruce Pettman
Rosalind Strong – ex officio member Director, NSW Heritage Office	Deputy: Reece McDougall

**Members of the Heritage Council
from 01/01/02****Deputy Members from 01/01/02**

 Michael Collins, Chair

 Mary-Lynne Taylor, Deputy Chair

 Elsa Atkin

 Terrence Barnes

 John Delaney

 Garry Fielding

 Ian Jack

 Diane Jones

 Megan Jones

 Rod Leaver

 Sharon Sullivan

 Joan Templeman

 Brian Gilligan – ex officio member
 Director-General, National Parks and
 Wildlife Service

 Deputy: Jason Ardler

 Chris Johnson – ex officio member
 Government Architect

 Deputy: Bruce Pettman

 Rosalind Strong, until 14/03/02

 Deputy: Reece McDougall, until
 14/03/02

 Reece McDougall, from 15/03/02
 ex officio member
 Director, NSW Heritage Office

 Deputy: Susan Macdonald, from
 15/03/02

* Note: No alternate members were appointed by the Minister from 1st January 2002.

About the Heritage Office

The NSW Heritage Office was established in 1996 as a State Government agency responsible to the Minister for Planning. The office works with communities to help them identify their important places and objects. It provides advice on how to look after heritage items and supports community heritage projects through funding and advice.

One of the Heritage Office's major responsibilities is the administration of the Heritage Act. The Heritage Office provides leadership on heritage issues and specialized assistance for State and local government, heritage professionals, property owners and others involved in New South Wales's heritage system.

The Heritage Office maintains the State Heritage Inventory, a computerised database of all statutory heritage items in New South Wales.

Organisational chart

