



HERITAGE COUNCIL OF NSW

MEETING MINUTES – 518

5 July 2023 | 9:00 AM – 2:45 PM

Meeting Room 1, Heritage NSW, Level 11, 135 King Street, Sydney & via teleconference

ATTENDANCE

Members

Mr Frank Howarth AM PSM	Chair
The Hon Robyn Parker	Deputy Chair
Mr Nicholas Brunton	Member
Mr Ian Clarke	Member
Ms Vanessa Holtham	Member
Mr Paul Knight	Member
Dr Brian Lindsay	Member
Ms Colleen Morris	Member
Ms Anthea Sargent	Member

Apologies

Mr Dillon Kombumerri	Observer
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External Presenters

Ms Kya Blondin	Exec Director People & Government, Sydney Opera House (<i>item 4.1</i>)
Ms Laura Matarese	Heritage Manager, Sydney Opera House (<i>item 4.1</i>)

Ministerial Office

The Hon Penny Sharpe	Minister for Heritage
Ms Tamsin Lloyd	Deputy Chief of Staff
Ms Cathy Brown	Policy Advisor

Heritage NSW

Mr Sam Kidman	Executive Director
Ms Anna London	A/Director Heritage Programs
Mr Tim Smith	Director Heritage Assessments
Mr Matthew Clark	Director Policy & Strategy (<i>items 3.1, 3.2, 5.1 & 5.2</i>)
Ms Lucy Albani	Director Policy & Strategy (<i>items 3.1, 3.2 & 5.1</i>)
Dr Caroline Ford	Manager Policy & Reform (<i>items 3.1, 3.2 & 5.1</i>)
Ms Rose Cullen	Senior Policy Officer (<i>item 3.2</i>)
Ms Rochelle Johnston	Senior Manager Major Projects (<i>item 4.1</i>)
Ms Ruth Berendt	Senior Assessments Officer (<i>item 4.1</i>)
Ms Rebecca Newell	Manager Streamlining (<i>item 5.1</i>)
Ms Sonia Limeburner	Manager Strategy & Implementation (<i>item 5.1</i>)
Ms Ashley Edwards	Senior Heritage Officer (<i>item 5.1</i>)
Ms Elizabeth Owers	Director Customer Services (<i>item 5.3</i>)
Ms Lana Zegura	Manager Incentives & Engagement (<i>item 5.3</i>)

Secretariat

Ms Olgica Lenger	Manager Secretariat
Ms Elizabeth Thomas	Senior Secretariat Officer

IN-CAMERA SESSION

This item was not minuted.

Item 1. Welcome and Formalities

The Chair, Frank Howarth, opened the meeting at 9:00 AM and delivered an Acknowledgment of Country.

The Chair noted the apologies received for this meeting.

It was noted that a quorum had been met.

Item 1.1 Conflict of Interest Declarations

There were no conflicts of interest declared for this meeting.

Item 1.2 Out of Session Decisions

There was no business conducted out of session since the previous ordinary meeting.

Item 1.3 Minutes from the Previous Meeting – 6 June 2023

Resolution 2023-22
The Heritage Council of NSW:
1. Confirmed the minutes of the previous ordinary meeting (6 June 2023) as a complete and accurate record of that meeting.
Moved by Nicholas Brunton and seconded by Vanessa Holtham

Item 1.4 Matters Arising

There were nil matters arising.

Item 1.5 Action Report

The Heritage Council of NSW noted the report and closed the items recommended for closure. The register was updated to reflect further actions required.

Item 2. Heritage NSW and Committees Updates

Item 2.1 Executive Director, Heritage NSW

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

Item 2.2 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 4 July SHRC meeting including:

- two Notices of Intention to list; *Wellington Town Common* and *Bouddi Farm*, Killcare Heights
- a Recommendation to List the *Sydney Croquet Clubhouse, its collections, lawns and grounds*, *Rose Baythe Manila Railway Viaduct and Underbridge*, and
- preliminary assessment of a new SHR nomination for *Gosford Cenotaph and Cultural Landscape*.

The committee also discussed the *State Heritage Register and Aboriginal Place Listings Process Review* ahead of a further presentation being provided at the next SHRC meeting.

Item 2.3 Approvals Committee (AC)

Ian Clarke, Chair of the Approvals Committee, provided an update on the key outcomes for items considered at the 4 July AC meeting including:

- the pre-lodgement and preferred design option for the *Medlow Bath Footbridge*, and
- an update on the revised design for the *Maitland Gaol* activation project.

The Council noted that the *Medlow Bath Footbridge* is a good example of what can be achieved through broader engagement and a significant commitment to delivering positive heritage outcomes.

Heritage Council introductions to the Minister for Heritage

The Heritage Council of NSW provided introductions to The Hon Penny Sharpe, Minister for Heritage. Members reflected on the key focus areas for the Heritage Council, including Aboriginal Cultural Heritage, legislative reforms, recognition of both regional and suburban, and tangible and intangible heritage, and cultural landscapes.

A broader discussion was held regarding ways to celebrate heritage and how heritage can be an enabler for the future as much as protecting the heritage of the past. Members also emphasised the importance of a layered approach to heritage that reflects Australia's shared history.

The Heritage Council looks forward to supporting the Minister in developing a heritage strategy for NSW.

Item 3. Legal, Policy and Administration

Item 3.1 Heritage Council Strategic Priorities

The Heritage Council of NSW noted the update prepared by Heritage NSW on the action plan to guide the delivery of the Council's strategic priorities for 2023-25.

Members provided feedback on the proposed tasks, timeframes, and implementation approach, and asked for regular 'traffic light' reporting to be provided to Council so that the progress of implementing and achieving the strategic priorities can be monitored.

The Council thanked Heritage NSW for the update and noted that the linkages between the Heritage Council and the Heritage NSW strategic plans will be shared in due course.

Item 3.2 Heritage NSW – Audit

The Heritage Council of NSW received a presentation from Heritage NSW which provided an overview of the Auditor-General's audit report of State heritage assets, and the agency's response to the report.

The Council discussed the summary of the findings and recommendations contained in the audit report and Heritage NSW's formal response.

Whilst the Council was not a focus of the audit, members noted that several of the recommendations relate to Heritage NSW's work to support the Heritage Council, including the delegation framework and processes for defining and maintaining SHR data.

Key points raised

- A range of initiatives are already underway which will address several of the recommendations

- Engagement is underway with the Department of Planning and Environment to work towards regular data matching which will enable further improvements to SHR listings, whilst being mindful of data privacy issues
- The draft *Heritage NSW Communications Strategy* will be shared with the Council once finalised
- Heritage NSW is developing an implementation plan to act on the recommendations and will provide progress reports to the Council at the key milestones of the implementation cycle.

The Council thanked Heritage NSW for the update and acknowledged the efforts in particular of Caroline Ford, Julia Dowling and Rose Cullen in the work done to engage and support the Audit Office during the review. Heritage NSW also expressed their thanks to Council members who participated in the review.

Item 4. External Presentations

Item 4.1 Sydney Opera House - Lighting projection policy, site specific exemptions and SEPP updates

The Council received a report from Heritage NSW and a presentation from the Sydney Opera House (SOH) on the updated *SOH Shells Projection Policy 2023*, the *SOH Site-Specific Exemptions* and the *State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021*.

The revised and renamed *SOH Shells Projection Policy 2023* aims to:

- prevent the exploitation or overuse of the shells for projections, in line with SOH's core values, the Conservation Management Plan and regulatory obligations
- strengthen the criteria and create a more transparent and equitable process for application, and
- place an annual limit on projects together with an allowance for unexpected incidents which by exception will require a specific application and consent to be sought.

Members provided feedback on the revised policy and updates to the site specific exemptions and SEPP and suggested some amendments to provide greater clarity for definitions contained in the documentation.

The Council thanked the Sydney Opera House for the presentation and opportunity to comment on the proposed amendments.

Resolution 2023-23
<p>The Heritage Council of NSW resolved to:</p> <ol style="list-style-type: none"> 1. Endorse the <i>Sydney Opera House Shells Projection Policy 2023</i> as provided at Tab 4.1A of the report, subject to minor amendments.
Moved by Nicholas Brunton and seconded by Ian Clarke

Item 5. Matters for Consideration

Item 5.1 State Heritage Register (SHR) and Aboriginal Place (AP) listings process review - update

The Council received a report from Heritage NSW who sought members feedback on the initial draft findings of the SHR and AP listings process review.

Key points raised

- The context and case study analysis has been completed
- The key concepts for streamlining and prioritising the listing processes have been socialised with ACHAC, SHRC and AC Chairs, Heritage NSW staff, and nominators
- The ‘*Have Your Say*’ online engagement tool will be used for broader consultation with the heritage professionals network as well as the wider community
- The final report will be presented to the Heritage Council, SHRC and ACHAC members and a draft implementation plan will be prepared

Members held a broader discussion around opportunities to apply ‘*citizen heritage*’ models to enrich listings, and the evolving opportunities for Artificial Intelligence (AI) platforms to potentially assist in the process of gathering listings information, whilst being mindful of the duty of care and other statutory obligations.

The Council thanked Heritage NSW for the presentation and looked forward to further updates.

Item 5.2 Advice on amendments to the State Heritage Register

The Council received a report from Heritage NSW on the process for amending and revising information on the State Heritage Register.

The Council noted the distinction between the State Heritage Register (SHR) containing the State heritage listed items, and the State Heritage Inventory (SHI), which contains items of State and Local heritage significance, whilst any modifications to the SHR or SHI appearing seamless from an end user’s perspective.

The Council discussed the legislative provisions and appropriate approval pathways and noted the proposal by Heritage NSW to develop a structured approach to making amendments to the SHR, including the minimum data requirements for the SHR, how the SHI is to be maintained and a process for updating the information on the SHR.

The Council thanked Heritage NSW for the comprehensive report and noted that the draft proposal will be presented to the SHRC for comment prior to seeking the Council’s approval.

Resolution 2023-24

The Heritage Council of NSW:

1. **Requests** Heritage NSW to draft a document for Heritage Council’s approval, based on the information provided at Tab 5.2A of the report, that determines the manner and form of the State Heritage Register (SHR) and how the State Heritage Inventory (SHI) is to be maintained, which will include minimum information requirements and process for amendments to the information on the SHR and SHI.

Moved by Robyn Parker and seconded by Coleen Morris

Item 5.3 ICOMOS GA 2023 Participation

The Council received a verbal update from Heritage NSW on the preparations underway for the ICOMOS General Assembly 2023.

Members noted that:

- arrangements for the heritage professionals networking event being held on 7 September are progressing well
- filming of Council members is near completion and will form part of the heritage exposition booth display

- an EOI is open for Aboriginal community representatives and students to apply for the 24 tickets on offer from Heritage NSW as a sponsor of ICOMOS and will close on 18 July.

The Council encouraged the use of social media posts, in conjunction with the EOI, to promote and encourage uptake of the ICOMOS tickets.

The Council thanked Heritage NSW for the presentation and asked that an update on the *Cultural Landscapes* session being facilitated by the Heritage Council and ACHAC Chairs be provided to members.

Item 6. Executive Reports

Item 6.1 Chair, Heritage Council of NSW – Monthly Report

The Heritage Council of NSW noted the verbal update provided by the Chair.

Item 6.2 Planning Report (DPE)

The Heritage Council of NSW noted the planning report

Item 6.3 Aboriginal Cultural Heritage Advisory Committee update

The Heritage Council of NSW noted the verbal update provided by ACHAC's Acting Presiding Member, Paul Knight.

Item 6.4 Advisory Panels Report

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

Item 7. Heritage NSW Reporting

Item 7.1 Heritage Operations – Monthly Reports

The Heritage Council of NSW noted the monthly reports and verbal updates from Tim Smith and Anna London.

Item 8. General Matters

Item 8.1 Forward Agenda

The Heritage Council of NSW reviewed the forward agenda.

Item 9. Meeting Close

There being no further items of business, the Chair, Frank Howarth, closed the meeting at 2:45 PM.



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The Hon Robyn Parker

Deputy Chair, Heritage Council of NSW

Date: 2 August 2023