

# Heritage Council of NSW

## Information Pack

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Department of Climate Change,  
Energy, the Environment and Water



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# Introduction

The Heritage Council of NSW is established under section 7 of the *Heritage Act 1977*. It is responsible for making recommendations to the Minister for any functions conferred on the Minister by or under the Act; and to make recommendations related to the conservation, exhibition, access and publication of information, concerning items of environmental heritage.

## Members of the Heritage Council of NSW

The Heritage Council comprises nine members. Of the members, eight (8) are appointed by the Minister and the remaining member is to be the Deputy Secretary of the Department of Climate Change, Energy, the Environment and Water.

Five of the appointed members are to be persons who, in the opinion of the Minister, possess qualifications, knowledge and skills relating to any of the following areas:

- archaeology
- architecture
- the building, development and property industries
- conservation of the environmental heritage
- engineering
- New South Wales or Australian history
- local government
- moveable heritage
- natural heritage
- planning
- property, planning or environmental law
- property economics
- rural interest
- cultural landscapes.

One of the other appointed members is to be a person who, in the opinion of the Minister, possesses qualifications, knowledge and skills relating to Aboriginal heritage.

One of the other appointed members is to be a person appointed from a panel of three (3) persons nominated by the National Trust of Australia (New South Wales).

The other appointed member is to be appointed as Chairperson.

# Heritage Council Committees

The Heritage Council may establish committees to assist the Council with the exercise of any of its functions.

The State Heritage Register Committee and Approvals Committee exercise delegated decision-making power on behalf of the Council.

## State Heritage Register Committee

The State Heritage Register Committee, under delegated authority from the Heritage Council of NSW, makes recommendations to the Minister for the listing of items on the State Heritage Register. It also provides advice to the Council on the significance of heritage places.

## Approvals Committee

The Approvals Committee determines, comments on, or suggests amendments to proposed alterations to SHR listed items under delegation from the Heritage Council of NSW.

## Heritage Council nominee to the Aboriginal Cultural Heritage Advisory Committee (ACHAC)

Under the *National Parks and Wildlife Act 1974*, one member of ACHAC is to be a nominee of the Heritage Council. ACHAC advises the Minister and Heritage NSW on matters relating to the identification, assessment and management of Aboriginal cultural heritage in NSW.

## Term of Appointment

Subject to Schedule 9 of the *Heritage Act 1977* and the regulations, an appointed member holds office for a period not exceeding three (3) years but is eligible (if otherwise qualified) for re-appointment.

In accordance with whole of government policy, members should not serve more than two (2) consecutive terms, a maximum of six (6) years.

## Remuneration

The Heritage Council of NSW is classified as C3-i entity under the *Classification and Remuneration Framework for NSW Government Boards and Committees* – Directive December 2012.

Under this classification, remuneration rates for members of the Heritage Council are set at:

- \$30,000 per annum for the Chair of the Heritage Council of NSW

- \$10,000 per annum for members of the Heritage Council.

## Heritage Council Meeting Dates

The Heritage Council of NSW meets eight times in the year, usually on the first Wednesday of each month, except in January, April, July and October. Meetings are generally held face-to-face at the Heritage NSW Parramatta Square office, with an option for Teams (online) teleconferencing. Offsite meetings are also scheduled from time to time.

The Council may visit a regional area each year to connect with communities outside the metropolitan area.

The State Heritage Register Committee and the Approvals Committee are held on the same day as the Heritage Council, meeting in the afternoon after the Heritage Council.

## Heritage Council Procedure

*This section is taken from Schedule 2 Part 3 of the Heritage Act 1977.*

### **11 General procedure**

The procedure for the calling of meetings of the Heritage Council and for the conduct of business at those meetings is, subject to this Act and the regulations, to be as determined by the Heritage Council.

### **12 Quorum**

The quorum for a meeting of the Heritage Council is a majority of its members for the time being.

### **13 Presiding member**

- (1) The Chairperson (or, in the absence of the Chairperson, the Deputy Chairperson, or in the absence of both the Chairperson and the Deputy Chairperson, a person elected by the members of the Heritage Council who are present at a meeting of the Heritage Council) is to preside at a meeting of the Heritage Council.
- (2) The presiding member has a deliberative vote and, in the event of an equality of votes, has a second or casting vote.

### **14 Voting**

A decision supported by a majority of the votes cast at a meeting of the Heritage Council at which a quorum is present is the decision of the Heritage Council.

### **15 Transaction of business outside meetings or by telephone or other means**

- (1) The Heritage Council may, if it thinks fit, transact any of its business by the circulation of papers among all the members of the Heritage Council for the time being, and a resolution in writing approved in writing by a majority of those members is taken to be a decision of the Heritage Council.

(2) The Heritage Council may, if it thinks fit, transact any of its business at a meeting at which members (or some members) participate by telephone, closed-circuit television or other means, but only if any member who speaks on a matter before the meeting can be heard by the other members.

(3) For the purposes of:

- (a) the approval of a resolution under subclause (1), or
- (b) a meeting held in accordance with subclause (2),

the Chairperson and each member have the same voting rights as they have at an ordinary meeting of the Heritage Council.

(4) A resolution approved under subclause (1) is, subject to the regulations, to be recorded in the minutes of the meetings of the Heritage Council.

(5) Papers may be circulated among the members for the purposes of subclause (1) by email or other transmission of the information in the papers concerned.

## **16 First meeting**

The Minister may call the first meeting of the Heritage Council in such manner as the Minister thinks fit.

## **17 Minutes of meetings**

(1) The Heritage Council must cause minutes of meetings and decisions at each meeting of the Heritage Council to be kept and must furnish the Minister with a copy of those minutes as soon as practicable after each meeting.

(2) A copy of the minutes furnished to the Minister must be made available by the Heritage Council for public inspection without charge.

The resolutions and minutes of the Heritage Council of NSW meetings are published on the Heritage NSW Website.