

TASMANIAN HERITAGE COUNCIL

MINUTES OF MEETING NO. 20190821

Wednesday 21 August, 2019

Venue: 200 Collins Street, Hobart
 Start time: 10:00am

1. CORPORATE GOVERNANCE

1.1. Welcome

1.1.1. Present and Apologies

Tasmanian Heritage Council

Brett Torossi	Chair
Jim Cox	Member representing the Local Government Association of Tasmania
Kathy Evans	Member with expertise in history
David Gatenby	Member representing the Tasmanian Farmers and Graziers Association
Denise Gaughwin	Member with expertise in archaeology
Roger Hesketh	Member representing the Tasmanian Council of Churches
Stuart King	Member representing heritage conservation interests
Genevieve Lilley	Member with expertise in architecture
Philip Mussared	Member representing the National Trust
Frazer Read	Member representing the building development industry
Alex van der Hek	Member representing community interests
Deidre Wilson	Alternate member for the Director of National Parks and Wildlife

Apologies

Danielle Gray	Member with expertise in planning, nominated by the Local Government Association of Tasmania
Kathryn McCann	Member representing the Tourism (Industry) Council of Tasmania

Heritage Tasmania

Pete Smith	Director
Annita Waghorn	Registration Manager
Melinda Clarke	Heritage Research Officer
Chris Bonner	Regional Heritage Advisor
Peter Coney	Heritage Planner
Felicity Britten	Minutes

The Chair welcomed new members, Jim Cox and Deidre Wilson to the meeting.

1.1.2. Declarations of Interest

- Roger Hesketh advised his ongoing interest in churches, and Anglican churches in particular. The meeting agreed that there was no conflict with any items on today's agenda and that no further action was required.
- Jim Cox declared an interest in agenda item 2.1.2 – *Discretionary permit application for consideration – WA5974 – UTAS Student Services and Library Building, Inveresk* by virtue of his role as Councillor with Launceston City Council (LCC). The meeting discussed the interest, and agreed that as Jim has participated in previous decisions in relation this site by LCC as the relevant planning authority, and will be involved in the future LCC decision making for this application, he should leave the Heritage Council meeting for discussion and determination of this item.
- Frazer Read declared an interest in 2.1.2 – *Discretionary permit application for consideration – WA5974 – UTAS Student Services and Library Building, Inveresk*, on the basis that the University is a regular client of his. The meeting discussed Frazer's declaration, and after establishing that he has no involvement in this particular application or the Inveresk site, agreed that there was no conflict and that no further action was required.
- The Chair advised of an update to her register of interests, whereby she became a director and shareholder of New Insights Australia Pty Ltd from 2 July 2019. This was noted and the register will now be updated.

1.1.3. Register of Interests

See item 1.2.3 below.

1.1.4. Work Health and Safety

Pete Smith advised that a new Work Health and Safety (WHS) Advisor has been appointed within the Natural and Cultural Heritage Division. The Chair expressed an interest in hearing from the Advisor regarding WHS obligations for the Heritage Council. It was agreed that a presentation to the Council would be arranged for early 2020.

1.1.5. Round Table

Members reported their engagements with events and projects relating to historic heritage in recent months.

- Roger Hesketh advised that the now-closed St. Mark-on-the-Hill Church in Launceston has recently sold. With significant community interest in a large metal cross by renown Tasmanian sculptor Stephen Walker (originally commissioned for Cosgrove Park Chapel which was built in 1963), the Holy Trinity Church congregation in Launceston are anticipating the sculpture, having been removed from an exterior wall of St Mark-On-The-Hill, will now be rehung in the interior of Holy Trinity on the Western Wall of the Southern Transept. It was noted that this is a way of keeping track of something of value to the community and is consistent with the Heritage Council's Practice Note 12: *Managing Historic Places of Worship*.
- Stuart King has recently edited the Spring issue of [Architect Victoria](#), the quarterly official journal of the Victorian Chapter of the Australian Institute of Architects. The theme for this issue is heritage and will introducing the concepts of intangible heritage and social value. Stuart has also written a piece for this issue on the role of contemporary architecture in driving heritage discourse, which will reference a number of Tasmanian projects.

- Philip Mussared recounted his recent difficulties in renewing the insurance for his Tasmanian Heritage Register listed home, due to his insurer's provisions around National Trust listing. Following consultation with Heritage Tasmania and the National Trust, and subsequent discussions with his insurer, Philip was able to renew his policy. However, he suggested the matter of insurance for listed properties is something that the Heritage Council could engage with further, and noted that this would be discussed at agenda item 2.3.2 – *Insuring heritage listed places*.
- Alex van der Hek advised that he had recently driven the section of the convict-built 'old coach road' between Cranbrook and Avoca. He recommended the drive to members. It was noted that the original road extended from the Fingal Valley through to the coast at Orford, with remains located within private land.
- Frazer Read raised the increasing workload of local government planning departments, which he feels is impacting significantly on developers, who are finding it difficult to get clear planning guidance. He also noted the recent additions to Hobart City Council's Significant Tree Register, in accordance with the Significant Trees Code within the Hobart Interim Planning Scheme 2015. The Chair expressed an interest in establishing how that aspect of the Code interacts with the *Historic Cultural Heritage Act 1995*.
- Kathy Evans advised that the Professional Historians Association had recently held its AGM and regional forum in Hobart, with the theme of 'Challenging Histories'. The group toured Julie Gough's *Tense Past* exhibition with the artist.
- Genevieve Lilley recently attended a New South Wales Department of Environment workshop on intangible heritage. Of particular interest was the discussion around the means for heritage listing of community *events* such as Sydney Mardi Gras and the Grafton Jacaranda Festival, which by their nature are constantly changing and evolving.
- Denise Gauthwin will be presenting at the Australasian Society for Historical Archaeology meeting in Port Macquarie in October. Her presentation will be on *John Glover: restoration of the artist's studio at his Patterdale home and the role of archaeology*. Denise will be an apology for the October Heritage Council meeting as a result.
- David Gatenby has been continuing work on the remains of his historic residence. He advised that the book he has co-authored with Carol Bacon, *The Early Colonial History of Tasmanian Agriculture*, is currently being proofread and will be going to print shortly. The prohibitively high cost of printing within Tasmania was discussed.
- New Local Government Association of Tasmania representative, Jim Cox, introduced himself to members. Jim is also a councillor with Launceston City Council, and noted that there is currently much development underway in Launceston. He advised that he is looking forward to his time with the THC and working closely with members.
- Deidre Wilson, newly-appointed alternate member for the Director of National Parks and Wildlife, introduced herself to members. She advised that she is the owner of a heritage listed property and has a keen interest in understanding history. She is very pleased to be on the THC and looks forward to working with members.

1.2. Minutes, Agenda Review and Action Sheet

1.2.1. Draft Minutes of 19 June 2019 THC Meeting

Move: Genevieve Lilley **Second:** David Gatenby
20190821/1 Resolved:

That the Tasmanian Heritage Council:

ACCEPT as a true and accurate record, the draft minutes of 19 June 2019 Tasmanian Heritage Council meeting (meeting 20190619).

1.2.2. Action Sheet

Move: Frazer Read **Second:** David Gatenby

20190821/2 Resolved:

That the Tasmanian Heritage Council:

NOTE the 7 August 2019 Action Sheet.

1.2.3. Review of Agenda and noting of 'asterisked' items

It was noted that a briefing paper for agenda item 1.5.6 – *Former Trinity Uniting Church, Launceston – DA determined under delegation* had been tabled for members' reference.

1.2.4. Tasmanian Heritage Council contact list

See item 1.3.1 below.

1.3. Chair's Report

1.3.1 General Update from the Chair

- Negotiations with the Department of Treasury and Finance are still underway and there have been some recent activities in terms of the development of a CMP for the Treasury Complex. The Chair, however, is keen for Heritage Tasmania to proceed with the revised registration for the place as soon as possible.
- The Chair and Pete Smith recently attended a Legislative Council briefing, which was held as a follow up to its Built Heritage Tourism Inquiry. The THC's Strategic Plan and activities to advance the recommendations of the Inquiry were discussed, as was the apparent lack of heritage funding in Tasmania.
- Ester Guerzoni is currently working on the THC's 2018-19 Annual Report and the Chair advised that she would appreciate members' feedback on the draft text when it's circulated for comment.
- It was noted that the list of THC policies and policy priorities is evolving and the winter Parliamentary recess had provided the chance to progress this work.
- The Chair has recently written to the Vice-Chancellor of the University of Tasmania to encourage the University to develop a course in historic cultural heritage. Denise Gaughwin was thanked for her drafting of this letter. A response is yet to be received.
- The Chair and staff of Heritage Tasmania have recently attended a fruitful meeting of stakeholders for the Launceston Railyards redevelopment.
- A number of consent memoranda have been signed in recent times following resolution of appeals before the Resource Management Planning and Appeals Tribunal.
- It was noted that following the recent provisional registration of Oura Oura at Liffey, a letter of support has been received from former owner, Bob Brown. The registration has promoted further discussions of facilities and interpretation at the site by owner, Bush Heritage Australia. Permanent registration of the place will be considered by the Heritage Council at its October 2019 meeting.
- The Chair and committee chairs recently attended the Australian Institute of Architects' 2019 Tasmanian Architecture Awards Dinner.
- It was noted that a new heritage advisor has been appointed within the office of the Minister for Heritage. Following a suggestion from members that both the Minister and his advisor be invited to join the Heritage Council at one of its meetings, Deidre Wilson undertook to follow this up.

Move: Alex van der Hek **Second:** Genevieve Lilley

20190821/3 Resolved:

That the Tasmanian Heritage Council:

Note the general update from the Chair and those items from the agenda marked with an asterisk:

- 1.1.3 Register of Interests
- 1.2.4 THC Contact List
- 1.3.2 THC Strategic Plan
- 1.3.3 THC Annual Work Plan
- 1.3.4 THC Risk Register
- 1.4.1 Heritage Tasmania Report to 31 July 2019
- 1.5.7 Registration Committee Minutes – Meeting 2019-01, 20 March 2019
- 1.5.8 Registration Committee Action Sheet as at 20 March 2019
- 1.5.9 Works Committee Minutes
 - Meeting 482, 13 March 2019
 - Meeting 483, 22 May 2019
- 1.5.10 Works Committee Action Sheet as at 10 May 2019

1.3.2 Tasmanian Heritage Council Strategic Plan

See item 1.3.1 above.

1.3.3 Tasmanian Heritage Council Annual Work Plan

See item 1.3.1 above.

1.3.4 THC Risk Register

See item 1.3.1 above.

1.3.5 Utilising funds in the Heritage Fund

The Chair referred members to the briefing for this matter, noting that the 2019/20 Heritage Tasmania recurrent budget allocation is not yet known. Members provided initial feedback on possible projects and agreed to consider the matter in December, following the 15 October 2019 Strategic Planning Session.

Agenda items 1.5.3 and 1.5.4 were moved forward.

1.5.3 Presentation on the Right to Information (RTI) process and the implications for the Heritage Council

Alison Scandrett, A/Program Manager (RTI) with the Department of Primary Industries, Parks, Water and Environment joined the meeting to provide a briefing to the Heritage Council on the *Right to Information Act 2009*. She provided an overview of the requirements of the legislation and possible obligations for the Council.

Alison answered a number of specific questions from members, and it was agreed that induction material for new Council members should include information around RTI. The Chair thanked Alison for her time.

1.5.4 Presentation – Cascades Female Factory history and interpretation centre proposal

Jane Harrington, Director of Conservation and Infrastructure with the Port Arthur Historic Site Management Authority (PAHSMA); Pamela Hubert, PAHSMA's Conservation Manager; and Richard Mackay, Director of Possibilities with Mackay Strategic joined the meeting.

Richard Mackay provided an overview of the history and interpretation centre proposed for the Cascades Female Factory in South Hobart. A discretionary permit

application for the centre will be lodged, and in turn considered by the THC in due course. He provided details on the location and appearance of the proposed building, the design process undertaken to minimise or negate impacts on the place and the complex consent and approvals process for this World Heritage site.

Denise Goughwin commended the approach and proposed design adopted by the architects to minimise impact and keep the archaeology on site.

Jane Harrington expressed her appreciation for the support provided by staff of Heritage Tasmania in the planning of this project.

Jane, Pamela and Richard thanked members for their time and left the meeting.

1.4 Director's Report

1.4.1 Heritage Tasmania Report to 31 July 2019

See item 1.3.1 above.

1.4.2 Historic Cultural Heritage Amendment Bill 2019

Pete Smith advised that the first reading speech for the *Historic Cultural Heritage Amendment Bill 2019* was made on 30 July and that the second reading speech had been delayed until early September.

Pete gave an overview of the Bill, noting that the main emphasis is on further integrating the *Land Use Planning and Approvals Act 1993* and the *Historic Cultural Heritage Act 1995*, with other elements around governance of the Heritage Council also included.

The Chair expressed her thanks to Pete, Peter Coney and Frazer Read for their work in progressing the Bill.

Move: Frazer Read **Second:** Jim Cox

20190821/4 Resolved:

That the Tasmanian Heritage Council:

Note the briefing and update on the tabling and passage of the *Historic Cultural Heritage Amendment Bill 2019*.

1.4.3 Proposed kunanyi/Mount Wellington Cable Car

Pete Smith advised that the Department of Premier and Cabinet is seeking information from Government statutory bodies and/or boards who are either dealing with, may deal with, or be peripherally associated with, the proposed kunanyi/Mount Wellington cable car in order to identify any conflicts of interest that currently exist, or have existed, between board members and any parties to the development.

Whilst noting that neither the Heritage Council nor Heritage Tasmania is expected to have statutory involvement in the proposal at this time, Pete sought declarations of interest from members.

All Heritage Council members at the meeting reported and no direct conflicts of interest were identified. All potential professional associations and any public commentary were noted to ensure management of perception of conflicts of interest (if the THC were to have a role in future decision making). The THC register of interests of individual members will be updated as required. Members agreed to inform the Chair and members if a conflict of interest arises in future as is standard practice.

[Note that following the meeting, declarations of interest in the project were sought from those members not in attendance, and no direct conflicts of interest were identified.]

1.5 Matters for Noting

- 1.5.1 30 June 2019 THC Finance Report - see item 1.3.1 above.
- 1.5.2 Briefing on the Policy & Procedures Library
Felicity Britten provided a brief update on this project from the Heritage Council Action Sheet. The completed inventory of policies and associated documents will come back to the THC for noting at a future meeting.
- 1.5.3 Presentation on the Right to Information (RTI) process and the implications for the Heritage Council
This item was moved forward in the agenda. See above.
- 1.5.4 Presentation – Cascades Female Factory history and interpretation centre proposal
This item was moved forward in the agenda. See above.
- 1.5.5 Woolmers, Woolmers Lane, Longford – Discretionary permit application determined under delegation, out of session
Move: Frazer Read **Second:** Genevieve Lilley
20190821/5 *Resolved:*
That the Tasmanian Heritage Council:
Note the briefing on the determination of a discretionary permit application by delegate on 4 July 2019, for works at Woolmers, Longford, following consultation with Heritage Council members out of session.
- 1.5.6 Former Trinity Uniting Church, 96 Margaret Street, Launceston – Discretionary permit application determined under delegation, out of session
Regional Heritage Advisor, Chris Bonner, referred members to the briefing paper tabled for this matter. The meeting discussed the best means of ensuring adequate timeframes and appropriate processes for out of session consultation with Heritage Council members on matters to be determined under delegation.

It was noted that although members were being consulted on their views to inform the delegate's determination, this was not part of the formal decision making process. However, with the passing of the *Historic Cultural Heritage Amendment Bill 2019* (the Bill), formal out of session resolutions of the Council will be possible.

It was agreed that a policy and procedure for out of session decisions would be developed following passing of the Bill. In the meantime, it was agreed that the Council would be provided with a summary update on 'Category A' works applications in the month between Council meetings. It was suggested when members are consulted by the delegate about a matter for determination, that 'reply all' is used.

It was also suggested that there is a need to be mindful of subdivision and strata approvals and the associated impacts on heritage values, curtilage etc. and that this should be discussed further by the Council's Works Committee.

Move: Frazer Read **Second:** Jim Cox

20190821/6 *Resolved:*

That the Tasmanian Heritage Council:

Note the briefing on the determination of a discretionary permit application by

delegate on 14 August 2019, for works at Trinity Uniting Church, Launceston, following consultation with Heritage Council members out of session.

- 1.5.7 Registration Committee Minutes
- Meeting 2019-1, 20 March 2019
See item 1.3.1 above.
- 1.5.8 Registration Committee Action Sheet as at 20 March 2019
See item 1.3.1 above.
- 1.5.9 Works Committee Minutes
– Meeting 482, 13 March 2019
- Meeting 483, 22 May 2019
See item 1.3.1 above.
- 1.5.10 Works Committee Action Sheet as at 10 May 2019
See item 1.3.1 above.

2. MATTERS FOR DECISION

2.1 Works Matters

2.1.1 Discretionary permit application – WA5933 – Archaeological test trenching – 242-250 Elizabeth Street, North Hobart

Chris Bonner provided a briefing on this matter, noting the Heritage Council's limited statutory interest, given that the three test trenches proposed are essentially outside the heritage listed 242-250 Elizabeth Street, with just one of the three situated on the boundary of the listed place.

Discussion of the officer recommendation ensued, and minor agreements to the proposed conditions were agreed.

Move: Alex van der Hek **Second:** Philip Mussared

20190821/7 *Resolved:*

That the Tasmanian Heritage Council:

Consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-19-308, advertised on 17/07/2019, subject to the following conditions:

- 1. This approval is limited to the first step archaeological test trenching described in the Archaeological Method Statement of the Archaeological Test Trenching Program, by Praxis Environment, May 2019. Any further archaeological works remain subject to further heritage approval.**
- 2. A copy of the final excavation report, and project archive from the archaeological test trenching is to be provided to Heritage Tasmania within 6 months of completion of the excavations.**

Reason for conditions

To ensure that the endorsed archaeological program is delivered in accordance with the Archaeological Method Statement.

Advice to Applicant

The Tasmanian Heritage Council's statutory interest is limited to works proposed within the parcels of land being entered in the Tasmanian Heritage Register at 242-250 Elizabeth Street, Hobart (CT174098/2 & CT174098/3). The north-western extent of Trench # 3 is likely to encroach into the Registered property title. The remaining Trenches #1, 2 & 4 are outside of the land being subject to provision of the Historic Cultural Heritage Act 1995.

The Tasmanian Heritage Council notes that the proposed Archaeological Test Trenching Program involves 4 trenches (5x5m) sited to primarily intersect the footprint of known historic structures.

This proposed program will be able to assess the relative survival of building footings and features including cellars as well as the potential for sub-floor archaeological deposits. However it will not be able to assess the likely presence of intact sub-surface features and deposits across the broader site and in particular in the various yard areas associated with the Robinson house.

Given the focus of the research questions on Aboriginal Tasmanians who occupied the site sporadically in the late 1820s and the expectation that they may have made use of yard and other open areas to the rear of the residential structures, it could be argued that the proposed testing program is insufficient to identify associated deposits.

A suggested alternative approach might involve a larger number of smaller trenches (e.g. 1 x 2m) distributed not only to intersect building footprints but also across the yard areas within the Robinson lot with the expectation that any trench positioned within the Robinson house that identified a cellar structure may have to be extended to allow deposits within the cellar to be safely tested.

As agreed at 1.1.2 above, Jim Cox left the meeting for discussion of item 2.1.2.

2.1.2 Discretionary permit application – WA5974 – UTAS student services & library building, Inveresk

Chris Bonner provided a briefing on this matter, noting that following receipt of further information, the application is expected to progress next week.

It was discussed that, rather than considering one building at a time, it would be THC's preference that UTAS look at the management and development of the Inveresk site as a whole. The Chair advised that UTAS are keen to discuss their Master Plan and plans for Inveresk and would like to present to a future meeting of the Heritage Council.

Move: Alex van der Hek **Second:** Genevieve Lilley
20190821/8 Resolved:

That the Tasmanian Heritage Council:

Consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application PLN-19-308, advertised on 17/07/2019, subject to the conditions and advice per officer recommendation, as amended by the Heritage Council.

1. NOTES the assessment of the application received for the proposed development of UTAS Inveresk Library and Student Services;
2. PROVIDES its in-principle consent to the development, with the conditions as presented in the officer recommendation dated 13 August 2019; and
3. REQUESTS the application be determined under delegation, taking into account any engineering constraints identified by the applicant and any heritage representations that may be received by the Launceston City Council in response to the public exhibition of the proposal.

Jim Cox returned to the meeting.

2.1.3 Revised THC Works Decision Policy

It was agreed that consideration of agenda item 2.1.3 be deferred to the 16 October 2019 Heritage Council meeting.

2.2 Registration Matters

2.2.1 Determination on request for removal from THR – 62 Victoria Street, Ulverstone

Move: Alex van der Hek **Second:** Roger Hesketh

20190821/9 Resolved:

That the Tasmanian Heritage Council:

REJECT the application to remove 62 Victoria Street, Ulverstone (THR 804) for which evidence had been identified to support the criteria for listing in the Heritage Register, pursuant to s22(1) of the *Historic Cultural Heritage Act 1995*, and subsequently writing to the applicant.

2.2.2 Determination on request for removal from THR – 14-16 Lindsay Street, Invermay Annita Waghorn provided a briefing on this matter. Following discussion, it was noted that additional history identified for this place could be added to the listing via a S94 amendment.

Move: Denise Gaughwin **Second:** Alex van der Hek

20190821/10 Resolved:

That the Tasmanian Heritage Council:

REJECT the application to remove 14-16 Lindsay Street, Invermay (THR 8163) for which evidence had been identified to support the criteria for listing in the Heritage Register, pursuant to s22(1) of the *Historic Cultural Heritage Act 1995*, and subsequently writing to the applicant.

2.3 Strategic & Policy Matters

2.3.1 Proposed THC Policy – Deputations and Presentations

Move: Alex van der Hek **Second:** Frazer Read

20190821/11 Resolved:

That the Tasmanian Heritage Council:

Endorse the proposed Deputations and Presentations Policy

2.3.2 Insuring heritage listed places

Members were reminded of the feedback from Philip Mussared provided at 1.1.5 above regarding his recent experience renewing the insurance of his heritage listed property. Anecdotal evidence from other property owners in Tasmania and from officials in other jurisdictions shows that securing affordable insurance for listed properties can be problematic.

Members were referred to the resources produced by Heritage Tasmania on this matter. It was suggested that while the policies that govern the services provided by insurance companies are set at a national level, it would be prudent for the Heritage Council to consider this issue further.

Move: Alex van der Hek **Second:** Frazer Read

20190821/11 Resolved:

That the Tasmanian Heritage Council:

1. NOTE the feedback provided by Philip Mussared at 1.1.5 above on his recent experience as a heritage property owner;
2. NOTE the briefing, RACT presentation and web content on this subject provided by Heritage Tasmania; and
3. AGREE to consider the implications for owners and what role the THC might fulfil in response to this issue.

3. OTHER BUSINESS

3.1.1 Meeting review

New members, Deidre and Jim, agreed that they'd both found their first meeting of the Heritage Council very interesting and engaging.

4. NEXT MEETING

4.1 Date of next meetings:

- **Strategic Planning Session**
12.00pm lunch for a 12.30pm start, to conclude at 5.30pm
Tuesday 15 October 2019, level 6 board room, 4 Salamanca Place, Hobart
- **Heritage Council Meeting**
10.00am – 2.00pm, Wednesday 16 October 2019, level 8, Vodafone Building, 59 Liverpool Street, Hobart

Meeting concluded at 2.20pm.

Meeting No 20190821
Held on 21 August 2019

Signed as a correct record



Brett Torossi
Chair

16 October 2019