

TASMANIAN HERITAGE COUNCIL

MINUTES OF MEETING NO. 20191210

Tuesday, 10 December, 2019

Venue: Level 8, Vodafone Building, 59 Liverpool Street, Hobart
 Start time: 11:40am

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
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
Kathryn McCann	Member representing the Tourism (Industry) Council of Tasmania
Philip Mussared	Member representing the National Trust
Frazer Read	Member representing the building development industry
Alex van der Hek	Member representing community interests

Apologies

David Gatenby	Member representing the Tasmanian Farmers and Graziers Association
Danielle Gray	Member with expertise in planning, nominated by the Local Government Association of Tasmania
Deidre Wilson	Alternate member for the Director of National Parks and Wildlife

Heritage Tasmania

Pete Smith	Director
Ian Boersma	Works Manager for section 2.1 (by videoconference)
Chris Bonner	Regional Heritage Advisor for section 2.1 (by videoconference)
Annita Waghorn	Registration Manager for section 2.2
Richard Allen	Heritage Research Officer for section 2.2
Felicity Britten	Minutes

The Chair welcomed members to the meeting.

1.1.2. Declarations of Interest

- Jim Cox declared an interest in the following agenda items:
 - 2.1.1 - *WA#5989 – Discretionary Permit Application, 165 George Street, Launceston*
 - 2.1.2 – *Briefing on WA#6074 – Discretionary Permit Application, Harrap Hotel – 116-128, 130, 132 & 136 Cimitiere Street, Launceston*
 - 2.1.3 – *WA#6009 - Discretionary Permit Application for subdivision and multi-storey car park, Launceston Gasworks*
 - 2.2.1 – *Kings Meadows Convict Station – determination on application to enter*
 - 2.2.3 – *Cataract Gorge – determination on permanent entry*

Jim is involved in statutory decision making for these places in his role as Councillor with Launceston City Council (LCC). LCC is also the owner of Cataract Gorge. It was therefore agreed that Jim should not participate in any Heritage Council discussions or determinations and would leave the meeting for these items.

- Stuart King declared an interest in agenda item 2.1.1 - *WA#5989 – Discretionary Permit Application, 165 George Street, Launceston*. Stuart contacted Heritage Tasmania in 2017 regarding unpermitted works at this place, and it was therefore agreed that he would leave the meeting for discussion of this item.
- Frazer Read declared a potential interest in agenda item 1.5.3 - *Discretionary permit application determined under delegation out of session – Glencoe, Falmouth*. It was agreed that, as this was a briefing containing information already on the public record, and no discussion or determination was involved, there was no conflict of interest.

1.1.3 Review of agenda and noting of ‘asterisked’ items (moved forward in the agenda)

A number of amendments to the agenda were noted and/or agreed:

- The asterisk against agenda item 1.4.1 - *HT Report to 30 November 2019* to be removed, making this a matter for discussion rather than noting.
- A new agenda item be inserted as 2.2.2 – *Provisional replacement entry to the THR – Treasury Complex and Public Buildings, Hobart* (with subsequent registration items to be renumbered accordingly).
- A new agenda item to be inserted as 2.2.7 – *Communications and Media*
- Noted that additional material in relation to agenda item 2.1.3 – *Briefing – Launceston Gasworks Site – proposed car park*

Move: Alex van der Hek **Second:** Jim Cox

20191210/1 Resolved:

That the Tasmanian Heritage Council:

NOTE those items from the agenda marked with an asterisk:

1.1.4 Register of Interests

1.2.2 THC Action Sheet

1.2.3 THC Contact List

1.3.2 THC Risk Register

1.5.1 THR Registration Committee Minutes – Meeting 3, 20 August 2019

1.5.2 Briefing - Interaction between the *Strata Titles Act 1998* and the *Historic Cultural Heritage Act 1995* (the Act).

1.5.3 Discretionary permit application – Glencoe, Falmouth – determined under delegation out of session

- 1.1.4. Register of Interests
See item 1.1.3 above.
- 1.1.5. Work Health and Safety
It was agreed that a building safety and evacuation briefing would be arranged for Denise Gaughwin and Jim Cox.
- 1.1.6. Round Table
Due to time constraints, it was agreed not to proceed with this item.
- 1.2. Minutes, Agenda Review and Action Sheet**
- 1.2.1. Draft Minutes of 15 & 16 October 2019 THC Meetings
Move: Stuart King **Second:** Kathryn McCann
20191210/2 Resolved:
That the Tasmanian Heritage Council:
With minor amendments, accept as a true and accurate record, the draft minutes of:
– 15 October 2019 Tasmanian Heritage Council meeting (meeting 20191015); and
– 16 October 2019 Tasmanian Heritage Council meeting (meeting 20191016).
- 1.2.2. Action Sheet
See 1.1.3 above
- 1.2.3. Tasmanian Heritage Council contact list
See 1.1.3 above.
- 1.3. Chair's Report**
- 1.3.1 General Update from the Chair
The Chair has been working with Heritage Tasmania on a number of works and registration matters and has recently received a briefing on the 2019/20 budget.
- 1.3.2 THC Risk Register
See 1.1.3 above.
- 1.3.3 THC Annual Report
Copies of the THC 2018/19 Annual Report were provided to members. The Council expressed its formal thanks to Ester Guerzoni for her work in preparing the Report.
- 1.4 Director's Report**
- 1.4.1 Heritage Tasmania Report to 30 November 2019
Following discussion of recent artefacts unearthed at Government House, the 30 November 2019 Heritage Tasmania Report was noted by members.
- 1.4.2 2019-20 THC Budget
A copy of the draft indicative Heritage Council budget for 2019/20 was tabled for the information of members. The Chair advised that she will continue to negotiate with the Department of Primary Industries Water and Environment to establish a workable budget for the Heritage Council.

1.5 Matters for Noting

1.5.1 Registration Committee Minutes – Meeting 3, 20 August 2019

See 1.1.3 above.

1.5.2 Briefing - Interaction between the Strata Titles Act 1998 and the Historic Cultural Heritage Act 1995

See 1.1.3 above.

The Heritage Council thanked Peter Coney for his excellent briefing on this matter.

Frazer Read and Philip Mussared joined the meeting at 12 noon.

2. MATTERS FOR DECISION

2.1 Works Matters

As agreed at 1.1.2 above, Jim Cox and Stuart King left the meeting.

2.1.1 WA#5989 – Discretionary Permit Application, 165 George Street, Launceston – for determination

Chris Bonner provided the meeting with a briefing on this matter. Following discussion, determination of the application was held over to later in the meeting to allow for preparation of appropriate conditions for the Heritage Council's consideration.

Stuart King returned to the meeting.

2.1.2 Briefing on WA#6074 – Discretionary Permit Application, Harrap Hotel – 116-128, 13, 132 & 136 Cimitiere Street, Launceston

Chris Bonner provided the meeting with a briefing on this matter.

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

20191210/3 Resolved:

That the Tasmanian Heritage Council:

NOTE the briefing on the discretionary permit application for a Hotel development in Cimitiere Street, Launceston, and that:

- (i) The THC has limited statutory interest in the development site; and
- (ii) The DA determination date will be advised on receipt of further information, and after the clock re-start date.

Denise Gaughwin suggested that the importance of the city squares on which Launceston is built should be investigated.

It was agreed that this application should be assessed by the full Heritage Council, rather than under delegation.

2.1.3 Briefing on WA#6113 – Discretionary Permit Application, proposed car park, Launceston Gasworks Site

Ian Boersma provided a briefing on this matter, noting that a determination on the application is due by 8 January 2020, with the public comment period closing on 23 December 2019.

In light of the timeframes, it was agreed that the Heritage Council would discuss the application in detail today to form a position, with final determination to be made by the Chair under delegation following closure of the public comment period. The

Chair will take into account the Heritage Council's position and any representations received.

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

20191210/4 Resolved:

That the Tasmanian Heritage Council:

Does not support the Discretionary Permit Application in its current form, and that supporting correspondence detailing the Heritage Council's reasons for not supporting the Application should be prepared.

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

20191210/5 Resolved:

That the Tasmanian Heritage Council:

Agrees that the final determination on the Application be made by the Chair under delegation in January 2020, taking into account the Heritage Council's position and any representations received.

Jim Cox returned to the meeting.

2.1.4 Works Committee audit of delegations exercised under Part 6

Genevieve Lilley gave a brief report on the Works Committee's recent audit of delegations exercised under Part 6 of the Act. She advised that the process had gone well, with only minor procedural issues raised. Full details of the process and discussions will be forthcoming in the Works Committee minutes for that meeting.

The Chair thanked the Works Committee for conducting the audit.

Frazer Read left the meeting.

Following the lunch break, the Chair spoke on behalf of the Heritage Council to Kathy Evans, whose term expires on 31 December 2019. She expressed her sincere thanks and appreciation to Kathy for her invaluable contribution to the Council and its committees, including her time as Chair of the Works Committee.

Jim Cox and Stuart King left the meeting.

2.1.1 WA#5989 – Discretionary Permit Application, 165 George Street, Launceston – for determination

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

20191210/6 Resolved:

That the Tasmanian Heritage Council:

Consents to the discretionary permit being granted in accordance with the documentation submitted with Development Application DA0250/2019, advertised on 02/11/2019, subject to the following conditions:

1. The Federation Queen Anne building must be protected from damage during the construction of the new development. Site works, including excavation and construction of the new development must be monitored for potential impact on the structural integrity of the Federation Queen Anne dwelling.

Reason for condition

To ensure that heritage fabric of the place is not unnecessarily damaged by the new work.

2. The retrospective alterations to the ground floor front verandah are not approved.

3. Documentation for the reinstatement of the ground floor front verandah, to the condition prior to January 2017, including timber posts, balustrade and iron valance details must be provided to the satisfaction of Heritage Tasmania's Works Manager within 60 days of this Notice.
4. The verandah detail must be reinstated in accordance with the approved documentation within 180 days.

Reason for conditions 2 to 4

The existing verandah columns were installed without heritage approval. The removal of the verandah joinery has diminished the integrity and representative characteristics of the Federation Queen Anne dwelling.

Advice to Applicant

It is recommended that a Tree Protection Zone (TPZ) as defined by AS4970-2009 Protection of Trees on Development Sites be marked around the mature Ulmus Minor (field elm) with high visibility barrier tape, and any works that are to occur within the TPZ be undertaken under the supervision of a suitably qualified arboriculturalist with the object of avoiding any action that will be injurious to the health of the tree.

Stuart King returned to the meeting.

2.2 Registration Matters

- 2.2.1 Kings Meadows Convict Station – determination on application to enter
Annita Waghorn provided a briefing on this matter and answered a number of questions from members.

Move: Denise Gaughwin **Second:** Stuart King

20191210/7 Resolved:

That the Tasmanian Heritage Council:

1. REJECT the application to enter Kings Meadows Convict Station in the Heritage Register on the basis that it does not meet the criteria for entry under s.16 of the Historic Cultural Heritage Act 1995;
2. REQUEST Heritage Tasmania discuss options available to the City of Launceston to complete excavation and recording of the brick barrel feature (Feature 37) and associated brick feature (Feature 57) before the subdivision works proceed in this area;
3. REQUEST Heritage Tasmania discuss options available to the City of Launceston to undertake monitoring to identify and record unanticipated intact archaeological features that might be uncovered during subdivision-related works;
4. REQUEST Heritage Tasmania encourage City of Launceston to facilitate public access to the Kings Meadows Convict Station archaeological investigations reports;
5. REQUEST Heritage Tasmania encourage the City of Launceston to work with the property owner to lodge the Kings Meadows Convict Station artefact collection in an appropriate public repository;
6. REQUEST Heritage Tasmania work with the City of Launceston to assist it to develop suitable public interpretation for the Kings Meadows Convict Station;
7. REQUEST Heritage Tasmania progress the amendment of the entry in the Heritage Register for the Evandale-Launceston Water Scheme (THR#11063) to

remove reference to the Kings Meadows Convict Station being located at 94 Relbia Road and to note that although the Station is identified in the entry's history as being associated with construction of the Water Scheme, the Station itself has been confirmed as being most likely located in Kings Meadows;

8. UNDERTAKE further research to determine if the archaeological site at 94 Relbia Road is associated with the Evandale-Launceston Water Scheme, and depending on the findings progress the amendment and updating of the Heritage Register entry datasheet and boundary for the Water Scheme entry accordingly;
9. REQUEST Heritage Tasmania to initiate a project with the Heritage Council to undertake a review of the existing assessment priorities for convict work and probation stations as developed by Angela McGowan;
10. REQUEST Heritage Tasmania develop a draft brief and proposed membership for a working group to devise a strategy to improve the identification and assessment of archaeological sites for potential entry in the Heritage Register. The proposed brief to be presented to the Heritage Council for consideration in early 2020; and
11. REQUEST Heritage Tasmania implement the communications strategy as outlined at the meeting, as a way of ensuring the Heritage Council's decision, rationale and the proposed public benefits are communicated to the community of interest engaged with this place.

Jim Cox returned to the meeting

2.2.2 Provisional replacement entry to the THR – Treasury Complex and Public Buildings, Hobart

Annita Waghorn and Richard Allen provided a briefing on this matter and answered a number of questions from members.

Move: Jim Cox **Second:** Philip Mussared

20191210/8 *Resolved:*

That the Tasmanian Heritage Council:

1. NOTE revisions to the draft replacement entry presented to the Heritage Council at the 16 October 2019 meeting;
2. NOTE that the decision is being referred to the Heritage Council for determination, rather than the Delegate, given the proposed changes to the provisional replacement entry since this matter was last considered by the Heritage Council;
3. ENDORSE the provisional replacement entry for the Treasury Complex and Public Buildings, Hobart (THR#11734), consolidating existing Heritage Register entries for the Public Buildings adjacent to Franklin Square (THR#2468) and the Franklin Square Office Complex (THR#2516), as per the revised datasheet and boundary plan provided in Attachment 2.
4. NOTE the correspondence provided by the Department of State Growth (DSG) with respect to ongoing management of Davey Street provided in Attachments 3 and 4; and that an appropriate reply from the Chair will be prepared.

2.2.4 Provisional entry to the THR – Cornelian Bay Boatsheds and Slipway

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

20191210/9 *Resolved:*

That the Tasmanian Heritage Council:

1. ENDORSE the provisional replacement entry for Cornelian Bay Boatsheds and Slipway, Queens Domain (THR#11995), as per the datasheet and boundary plan provided in Attachment 2, which consolidates the existing Heritage Register entries for THR#2065 Boat House No.1A; THR#6182 Boat House No.1 to THR#6213 Boat House No.36, inclusive; THR#6214 Slip (Aquatic Club); and THR#6215 Former Baths (Aquatic Club); and
2. NOTE the draft revised Site Specific 'Development Guidelines' for the Cornelian Bay Boathouses and Aquatic Baths (Attachment 3) which will be finalised and brought to the Heritage Council for consideration at the time of the determination on the permanent entry of the consolidated entry for the Cornelian Bay Boatsheds and Slipway, Queens Domain (THR#11995).

Jim Cox left the meeting.

2.2.3 Permanent entry to the THR – Cataract Gorge, Launceston

Move: Roger Hesketh **Second:** Kathy Evans

20191210/10 Resolved:

That the Tasmanian Heritage Council:

APPROVE the permanent entry for Cataract Gorge, Launceston (THR#11817), consolidating existing Heritage Register entries for Cataract Gorge (THR#3955) and Caretaker's Cottage, King's Bridge (THR#3873) as per the datasheet and the boundary plan provided in Attachment 1.

Jim Cox and Frazer Read returned to the meeting.

2.2.6 Cambria (THR#1559) – Progressing the provisional replacement entry

Move: Alex van der Hek **Second:** Stuart King

20191210/11 Resolved:

That the Tasmanian Heritage Council:

1. NOTES the application to amend the Glamorgan Spring Bay planning scheme to insert a Specific Area Plan (SAP) for Cambria, has recently been rejected by the Tasmanian Planning Commission (TPC);
2. NOTES this application to Glamorgan Spring Bay and TPC triggered the THC policy that required the assessment and provisional replacement entry of this place to be deferred due to the instigation of a counterpart process under the resource management and planning system;
3. NOTES that Heritage Tasmania will now act to finalise its re-assessment of the entry for Cambria as a matter of some priority, in order to ensure a more comprehensive and contemporary entry is in place should the proponent decide to lodge a fresh development application;
4. NOTES that while the Director would usually make a decision to provisionally enter a place in the Heritage Register, acting as delegate, given the high level of public interest in this particular place the decision would usually instead be made by the Heritage Council; and
5. AGREES that, in view of the circumstances and potentially tight timeframes involved, the provisional replacement entry for Cambria (THR#1559), be determined by the Chairperson under delegation in accordance with s9 (delegation by Heritage Council) and s17 (provisional registration) of the Historic Cultural Heritage Act 1995.

2.2.5 Registration Plan – presentation of draft plan for endorsement

Move: Kathryn McCann **Second:** Jim Cox

20191016/12 Resolved:

That the Tasmanian Heritage Council:

ENDORSE the draft Registration Plan that has been developed by the Registration Committee with Heritage Tasmania to guide the strategic development of the Heritage Register in 2020-2025.

2.2.7 Communications and Media

Pete Smith noted the opportunity to promote positive outcomes from today's meeting. He also recognised the need to convey the basis for the Heritage Council's determinations on various agenda items once property owners have been advised of the outcomes of the meeting.

A series of media releases have been prepared and will be released at the appropriate time according to the particulars of each place.

2.3 Strategic & Policy Matters

2.3.1 Tasmanian Heritage Council Strategic Plan (2019/20 – 2023/24)

Correction of typos and amendments to the format of the Plan were agreed.

Move: Kathryn McCann **Second:** Jim Cox

20191016/13 Resolved:

That the Tasmanian Heritage Council:

ENDORSE the THC Strategic Plan 2019/20 – 2023/2024.

2.3.2 Draft Tasmanian Heritage Council Meeting Schedule (2020)

With amendment to some times, locations and dates, the 2020 meeting schedule was agreed.

3. OTHER BUSINESS

3.1.1 Meeting review

- It was agreed that the direction and papers received from Heritage Tasmania staff on the matters before the Heritage Council had been excellent.
- It was also noted that in matters where the Heritage Council's decision differs from the recommendation of Heritage Tasmania staff, that appropriate external representation would be required for any appeals.

3.1.2 Any other business

Nil

4. NEXT MEETING

4.1 Date of next meeting:

10.00am – 2.00pm, Wednesday 19 February, 2020

Level 8, Vodafone Building, 59 Liverpool Street, Hobart

Meeting concluded at 3.00pm.

**Meeting No 20191210
Held on 10 December 2019**

Signed as a correct record

A handwritten signature in black ink, appearing to read 'Brett Torossi', with a large loop at the end of the name.

**Brett Torossi
Chair**

19 February 2020