

# TASMANIAN HERITAGE COUNCIL

## MINUTES OF MEETING NO. 20200219

### Wednesday 19 February 2020

Venue: Level 8, Vodafone Building, 59 Liverpool Street, Hobart  
 Start time: 10:07am

#### 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   |
| 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              |
| 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

|                |  |
|----------------|--|
| Stuart King    | Member representing heritage conservation interests            |
| Kathryn McCann | Member representing the Tourism (Industry) Council of Tasmania |

##### **Heritage Tasmania**

|                  |  |
|------------------|--|
| Ian Boersma      | A/Director and Works Manager                                   |
| Annita Waghorn   | Registration Manager for section 2.2                           |
| Nic Haygarth     | Heritage Research Officer for section 2.2 (by videoconference) |
| 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 potential interests in the following agenda items by virtue of his role as a current City of Launceston council member:
  - 1.5.1 – *Briefing on Launceston City Deal*
  - 1.5.2 – *Briefing on current Launceston developments*
  - 1.5.3 – *Briefing on the University of Tasmania's Northern Transformation Project*

It was agreed that as the briefings would all be high level, for noting only and with no determinations to be made, that Jim could remain for these items. It was however agreed that if detailed discussions ensued on any place or development in which the City of Launceston has an interest – in these, or any other agenda items - Jim would leave the meeting for those discussions.

- Philip Mussared advised that he is no longer a member of the Hobart International Airport Pty Ltd Board, or its associated entities.
- In light of agenda item 1.5.3 – *Presentation on the University of Tasmania's Northern Transformation Project*, Frazer Read reiterated his 2018 advice that the University is an ongoing client, however the projects in which he is involved are all in the south of the state. This was noted by the meeting and it was agreed that no conflicts exist.
- Brett Torossi advised that she has recently concluded her term on the Tasmanian Development Board and, has also been appointed as the Chair of the Board of Trustees of the Tasmanian Museum and Art Gallery.

In relation to agenda item 1.5.3 – *Presentation on the University of Tasmania's Northern Transformation Project*, Brett advised that she has engaged one of the presenters, Irene Duckett, as a planner for a current private project. She noted that the project is in the south of the state, is in no way related to any matter before the Heritage Council and, that no conflict exists.

### 1.1.3 Review of agenda and noting of 'asterisked' items

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

- The asterisk against agenda item 1.4.1 - *HT Report to 31 January 2020* to be removed, making this a matter for discussion rather than noting.
- A new agenda item be inserted as 2.1.3 – *Delegations of powers under Part 6 of the Historic Cultural Heritage Act 1995 to external organisations*, the papers for which were circulated to members by email on 17 February 2020.
- Noted that material in relation to agenda item 2.2.3 – *Strategy for improved identification, assessment and management of places with archaeological values* had been provided to members by email on 14 February 2020.
- An in-camera session at the end of agenda item 1.3.1 – *Chair's general update* was requested by the Chair and agreed by members.

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

**20200219/1 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

1.5.4 THC Finance Report

1.5.5 THR Works Committee Minutes – Meeting 484, 24 July 2019

1.5.6 Discretionary permit application – WA#6113 – Proposed carpark, Launceston Gas Works Site – determined under delegation

1.1.4. Register of Interests

See item 1.1.3 above.

1.1.5. Work Health and Safety

Nil

1.1.6. Round Table

- Frazer Read advised that he is undertaking some work for the Department of State Growth in relation to the Bridgewater Bridge project.
- David Gatenby noted his disappointment in not being able to make it to the tour of the Treasury Complex the previous afternoon. Those able to attend agreed that it had been excellent. Heritage Tasmania requested to arrange another time for members to see the site.
- Philip Mussared advised that the National Trust is nearing completion of urgent capital works at its Clarendon property, with one-off funding provided by the State Government. He expressed the Trust's thanks to Heritage Tasmania for their assistance with the approvals process for the works.

Discussion ensued on the current lack of a coordinated approach around the maintenance of, and funding for, heritage places. It was suggested that an interest group, with members from organisations such as the National Trust and the Tasmanian Museum and Art Gallery could be convened to share ideas on asset management and the best way to structure conversations with Government around funding for deferred or catch-up maintenance, conservation or capital works and strategic asset management planning.

Items 1.5.1 and 1.5.2 were brought forward on the agenda.

1.5.1 Briefing on Launceston City Deal

Catherine Murdoch, Executive Director Northern Cities Office from the Office of the Coordinator General, joined the meeting and provided an overview of the Launceston City Deal and the key projects planned and underway.

1.5.2 Briefing on current City of Launceston developments

Michael Stretton, General Manager of the City of Launceston, joined the meeting and provided an update on City of Launceston developments, with reference to the Greater Launceston Plan and the value of heritage to the City.

**1.2. Minutes, Agenda Review and Action Sheet**

1.2.1. Draft Minutes of 10 December 2019 THC Meeting

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

**20200219/2 Resolved:**

**That the Tasmanian Heritage Council:**

Accept as a true and accurate record, the draft minutes of 10 December 2019 (meeting 20191210).

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 advised that she recently met with the new Minister for Heritage, Elise Archer MP, to discuss current heritage issues. The Minister is keen to meet with the Heritage Council at one of its upcoming meetings.
- The process to consider membership renewals and filling of current and pending vacancies on the Heritage Council is ongoing.
- It was noted that the role and process for appointment of the new Deputy Chair position will need to be considered by the Heritage Council so as to ensure transparency and good governance.
- The Tasmanac project is progressing well, with hosting of the digital platform now agreed.

As agreed at 1.1.3 above, Heritage Tasmania staff and Jim Cox left the meeting for the in-camera session and then returned once the session had concluded.

The Works Manager provided a brief overview of the status of the appeal against the THC's refusal of Works Application # 6113 and the appeal that has been lodged against this decision.

**Move:** Alex van der Hek **Second:** David Gatenby

**20200219/3 *Resolved:***

**That the Tasmanian Heritage Council:**

Authorise the Chair to represent it at mediation sessions relating to *Works Application#6113 – Proposed multi-storey carpark and subdivision, Launceston Gas Works Site* to obtain the best outcome possible and draw the matter to a conclusion.

#### 1.3.2 THC Risk Register

See 1.1.3 above.

### 1.4 Director's Report

#### 1.4.1 Heritage Tasmania Report to 31 January 2020

Following discussion, it was agreed that Heritage Tasmania would provide the Heritage Council with a report of the process followed for approval of works to the Kelvedon boat shed.

The Heritage Tasmania Report to 31 January 2020 was noted by members.

#### 1.4.2 June 2020 regional visit

Ian Boersma advised members that a number of site visits in the Derwent Valley and Central Highlands were being planned for Tuesday 16 June 2020 as part of the Heritage Council's annual regional visit. Members were asked to provide Heritage Tasmania with any suggestions or requests to assist with planning for the day.

#### 1.4.3 Feedback on Treasury Complex site visit

See 1.1.6 above.

- 1.4.4 Update on Northern Accommodation Project  
The department has reconsidered its plans for relocation of the northern office of Heritage Tasmania and has decided that the office will not be a part of the Northern Accommodation Project (NAP) and will remain in the Public Buildings at 53 St John Street, Launceston.

## **1.5 Matters for Noting**

- 1.5.1 Briefing on Launceston City Deal
- 1.5.2 Briefing on current City of Launceston developments  
**Move:** Alex van der Hek **Second:** Genevieve Lilley  
**20200219/4 Resolved:**  
**That the Tasmanian Heritage Council:**  
Note and express their appreciation for the presentations provided earlier in the meeting by Catherine Murdoch and Michael Stretton on the Launceston City Deal and City of Launceston Developments respectively.
- 1.5.3 Briefing on the University of Tasmania's Northern Transformation Project  
Deferred until later in the meeting.
- 1.5.4 Tasmanian Heritage Council Finance Report as at 31 January 2020  
See 1.1.3 above.
- 1.5.5 Works Committee Minutes – Meeting 484, 24 July 2019.  
See 1.1.3 above.
- 1.5.6 Discretionary permit application – WA#6113 – Proposed Car Park, Launceston Gasworks Site – determined under delegation out of session  
See 1.1.3 above.

## **2. MATTERS FOR DECISION**

### **2.1 Works Matters**

- 2.1.1 Discretionary permit application – WA#6113 – Proposed multi-storey car park and subdivision, Launceston Gasworks Site  
Following the earlier update from the Chair, Ian Boersma noted that the applicant has engaged with Heritage Tasmania and is engaging with the feedback provided by the Heritage Council.
- 2.1.2 A Guide to Drafting Requests for Further Information, Permit Conditions and Reasons for Refusal  
Ian Boersma provided a brief background to the draft Guide and noted that it would be a valuable document for new staff and Heritage Council members.  
**Move:** David Gatenby **Second:** Roger Hesketh  
**20200219/5 Resolved:**  
**That the Tasmanian Heritage Council:**  
Endorse the revised document titled *A guide to drafting requests for further information, permit conditions and reasons for refusal (for use in the processing and determination of discretionary permit conditions)*.
- The Heritage Council congratulated the Works Team on the quality of the document, which will be added to the Heritage Council Meeting Papers web site for the reference of members.

2.1.3 Delegation of powers under S42 of the Historic Cultural Heritage Act 1995 to external parties.

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

**20200219/6 Resolved that:**

1. The Tasmanian Heritage Council hereby revokes the delegation of its powers under section 42(3), (4), (5) & (6) of the *Historic Cultural Heritage Act 1995* to the **Director of Conservation and Infrastructure, Port Arthur Historic Site Management Authority** (“the Authority”) as made by resolution dated 21 October 2015.
2. The Tasmanian Heritage Council hereby revokes the delegation of its powers under section 42(3), (4), (5) & (6) of the *Historic Cultural Heritage Act 1995* to the **Archaeology Manager, Port Arthur Historic Site Management Authority** (“the Authority”) as made by resolution dated 21 October 2015.
3. The Tasmanian Heritage Council hereby revokes the delegation of its powers under section 42(3), (4), (5) & (6) of the *Historic Cultural Heritage Act 1995* to the **Conservation Manager, Port Arthur Historic Site Management Authority** (“the Authority”) as made by resolution dated 21 October 2015.
4. The Tasmanian Heritage Council hereby revokes the delegation of its powers under section 42(3), (4), (5) & (6) of the *Historic Cultural Heritage Act 1995* to the **Section Leader (Historic Heritage), Parks and Wildlife Service** as made by resolution dated 21 October 2015.
5. The Tasmanian Heritage Council hereby revokes the delegation of its powers under section 42(3), (4), (5) & (6) of the *Historic Cultural Heritage Act 1995* to the **Historic Heritage Officer, Parks and Wildlife Service (position 335360)** as made by resolution dated 21 October 2015.
6. The Tasmanian Heritage Council hereby revokes the delegation of its powers under section 42(3), (4), (5) & (6) of the *Historic Cultural Heritage Act 1995* to the **Cultural Heritage Program Coordinator, Hydro Tasmania** as made by resolution dated 21 October 2015.
7. The Tasmanian Heritage Council hereby revokes the delegation of its powers under section 42(3), (4), (5) & (6) of the *Historic Cultural Heritage Act 1995* to the **Environmental Policy Officer, Hydro Tasmania** as made by resolution dated 21 October 2015.
8. For the purposes of s23AA(2)(b) of the *Acts Interpretation Act 1931*, the Tasmanian Heritage Council resolves to and hereby authorises the Chairperson of the Tasmanian Heritage Council to sign on its behalf any minutes of meetings of the Tasmanian Heritage Council at which the Tasmanian Heritage Council delegates its functions and powers and to sign any further written record evidencing such delegations.
9. The Tasmanian Heritage Council resolves to and hereby delegates to the person holding the position of **Director of Conservation and Infrastructure, Port Arthur Historic Site Management Authority** (“the Authority”) its powers and functions under section 42(3), (4), (5), (6) & (7) of the *Historic Cultural Heritage Act 1995* to approve or refuse an exemption certificate application, subject to the conditions and/or limitations that:
  - i. The delegated powers and functions may only be exercised and performed in respect of places entered in the Tasmanian Heritage Register under the direct management of the Authority.

- ii. The delegated powers and functions may only be exercised and performed in respect of an application where, in respect of the heritage works the subject of the application, no application for a development permit to a planning authority under the *Land Use Planning and Approvals Act 1993* is required.
10. The Tasmanian Heritage Council resolves to and hereby delegates to the person holding the position of **Archaeology Manager, Port Arthur Historic Site Management Authority** ("the Authority) its powers and functions under section 42(3), (4), (5), (6) & (7) of the *Historic Cultural Heritage Act 1995* to approve or refuse an exemption certificate application, subject to the conditions and/or limitations that:
- i. The delegated powers and functions may only be exercised and performed in respect of places entered in the Tasmanian Heritage Register under the direct management of the Authority.
  - ii. The delegated powers and functions may only be exercised and performed in respect of an application where, in respect of the heritage works the subject of the application, no application for a development permit to a planning authority under the *Land Use Planning and Approvals Act 1993* is required.
11. The Tasmanian Heritage Council resolves to and hereby delegates to the person holding the position of **Conservation Manager, Port Arthur Historic Site Management Authority** ("the Authority) its functions and powers and functions under section 42(3), (4), (5), (6) & (7) of the *Historic Cultural Heritage Act 1995* to approve or refuse an exemption certificate application, subject to the conditions and/or limitations that:
- i. The delegated powers and functions may only be exercised and performed in respect of places entered in the Tasmanian Heritage Register under the direct management of the Authority.
  - ii. The delegated powers and functions may only be exercised and performed in respect of an application where, in respect of the heritage works the subject of the application, no application for a development permit to a planning authority under the *Land Use Planning and Approvals Act 1993* is required.
12. The Tasmanian Heritage Council resolves to and hereby delegates to the person holding the position of **Section Leader (Historic Heritage), Parks and Wildlife Service** (position number 706515) its powers and functions under section 42(3), (4), (5), (6) & (7) of the *Historic Cultural Heritage Act 1995* to approve or refuse an exemption certificate application, subject to the conditions and/or limitations that:
- i. The delegated powers and functions may only be exercised and performed in respect of places entered in the Tasmanian Heritage Register under the management of the Director of National Parks and Wildlife or the Director-General of Lands, in the latter case only where the Director-General of Lands has made arrangements with the Director of National Parks and Wildlife and/or officers of the Parks and Wildlife Service for their management of Crown land that has been reserved to the Crown as a public reserve under section 8 of the *Crown Lands Act 1976*.
  - ii. The delegated powers and functions may only be exercised and performed in respect of an application where, in respect of the heritage works the subject of the application, no application for a development permit to a planning authority under the *Land Use Planning and Approvals Act 1993* is required.

13. The Tasmanian Heritage Council resolves to and hereby delegates to the person holding the position of **Historic Heritage Officer, Parks and Wildlife Service** (position 335360) its functions and powers and functions under section 42(3), (4), (5), (6) & (7) of the *Historic Cultural Heritage Act 1995* to approve or refuse an exemption certificate application, subject to the conditions and/or limitations that:
- i. The delegated powers and functions may only be exercised and performed in respect of places entered in the Tasmanian Heritage Register under the management of the Director of National Parks and Wildlife or the Director-General of Lands, in the latter case only where the Director-General of Lands has made arrangements with the Director of National Parks and Wildlife and/or officers of the Parks and Wildlife Service for their management of Crown land that has been reserved to the Crown as a public reserve under section 8 of the *Crown Lands Act 1976*.
  - ii. The delegated powers and functions may only be exercised and performed in respect of an application where, in respect of the heritage works the subject of the application, no application for a development permit to a planning authority under the *Land Use Planning and Approvals Act 1993* is required.
14. The Tasmanian Heritage Council resolves to and hereby delegates to the person holding the position of **Environmental Scientist (Cultural Heritage Coordinator), Hydro Tasmania** (position 00007006) its powers and functions under section 42(3), (4), (5), (6) & (7) of the *Historic Cultural Heritage Act 1995* to approve or refuse an exemption certificate application, subject to the conditions and/or limitations that:
- i. The delegated powers and functions may only be exercised and performed in respect of places entered in the Tasmanian Heritage Register under the direct management of Hydro Tasmania.
  - ii. The delegated powers and functions may only be exercised and performed in respect of an application where, in respect of the heritage works the subject of the application, no application for a development permit to a planning authority under the *Land Use Planning and Approvals Act 1993* is required.
15. The Tasmanian Heritage Council resolves to and hereby delegates to the person holding the position of **Environmental Planning and Policy Specialist, Hydro Tasmania** (position number 50014778) its powers and functions under section 42(3), (4), (5), (6) & (7) of the *Historic Cultural Heritage Act 1995* to approve or refuse an exemption certificate application, subject to the conditions and/or limitations that:
- i. The delegated powers and functions may only be exercised and performed in respect of places entered in the Tasmanian Heritage Register under the direct management of Hydro Tasmania.
  - ii. The delegated powers and functions may only be exercised and performed in respect of an application where, in respect of the heritage works the subject of the application, no application for a development permit to a planning authority under the *Land Use Planning and Approvals Act 1993* is required.

## 2.2 Registration Matters

### 2.2.1 Provisional replacement entry – Millbrook Water Mill, Ouse

Annita Waghorn and Richard Allen provided a briefing on this provisional replacement entry, which is being expanded to incorporate the full length of the historic (disused) millrace. Members acknowledged the values of the place and were fully supportive of the entry. The development of site-specific works guidelines was discussed as a possible means to provide clarity and reassurance to property owners.

It was agreed that Heritage Tasmania: proceed with the preparation of site-specific works guidelines for the Millbrook millrace, with assistance and input from Heritage Councillor and Tasmanian Farmers and Graziers representative, David Gatenby; and then progress the provisional replacement entry for the place out of session.

### 2.2.2 Progressing the provisional entry to the THR – Tasmania Gold Mine Site & Beaconsfield Mine and Heritage Centre, Beaconsfield

Annita Waghorn and Nic Haygarth provided a briefing on this proposed provisional entry to the Heritage Register. The Heritage Council expressed its support for the listing and it was also suggested that criterion f) could be expanded in light of the community involvement with the development of the museum on site.

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

**20200219/7 Resolved:**

**That the Tasmanian Heritage Council:**

1. PROVIDES input on the draft datasheet and proposed boundary for the Tasmania Gold Mine Site and Beaconsfield Mine & Heritage Centre (THR#5674), 5 West Street, Beaconsfield as provided in Attachment 1 to the minute;
2. NOTES that Heritage Tasmania will continue discussions with West Tamar Council regarding the proposed registration of this site; and
3. REQUESTS that the provisional entry for the Tasmania Gold Mine Site and Beaconsfield Mine & Heritage Centre (THR#5674), 5 West Street, Beaconsfield 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* following further discussions with West Tamar Council.

### 2.2.3 Strategy for improved identification, assessment and management of places with archaeological values

This matter was deferred for discussion at the April 2020 Heritage Council meeting due to time constraints.

## 2.3 Strategic & Policy Matters

### 2.3.1 Revised and updated Tasmanian Heritage Council Annual Work Plan (2019-20)

**Move:** Genevieve Lilley **Second:** Denise Gaughwin

**20200219/8 Resolved:**

**That the Tasmanian Heritage Council:**

Endorse the draft revised *Tasmanian Heritage Council Annual Work Plan for 2019/20 (5 February 2020)*.

## 2.3.2 Implementing the amendments to the Historic Cultural Heritage Act 1995

### 1) Revised Tasmanian Heritage Council Membership Policy

**Move:** Brett Torossi **Second:** Deidre Wilson

**20200219/9 Resolved:**

**That the Tasmanian Heritage Council:**

1. Endorse the draft revised Tasmanian Heritage Council Membership Policy; and
2. Distribute the revised Policy to members with a request to complete new confidentiality declarations.

Deidre Wilson left the meeting at 2.00pm.

### 1.5.3 Briefing on the University of Tasmania's Northern Transformation Project

Phil Leersen, Executive Director, UTAS Northern Campus Transformation and Irene Duckett, Principal, Ireneinc joined the meeting.

Phil provided the meeting with an overview of the Transformation Project and the University's vision for making learning more flexible, accessible and engaging for future students via developments at Inveresk and West Park. Irene provided input on the planning for the project, particularly around the provisional replacement THR entry for the Launceston Railway Workshops.

Frazer Read left the meeting at 2.27pm.

## 2.3.2 Implementing the amendments to the Historic Cultural Heritage Act 1995 (cont'd)

### 2) Revised Works Decision Policy

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

**20200219/10 Resolved:**

**That the Tasmanian Heritage Council:**

Endorse the revised *Works Decision Policy (5 February 2020)*.

### 3) Members' feedback on initial resolution 'outside of meeting'

It was agreed that advice be sought on the operation of the new provisions within Schedule 2, s5A of the Act to inform further discussion and the preparation of a procedural document for the Heritage Council.

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

**20200219/11 Resolved:**

**That the Tasmanian Heritage Council:**

Note the resolution made by the Council outside of meeting on 11 February 2020 to revoke previous delegations of powers under Part 6 of the *Historic Cultural Heritage Act 1995* and, in turn, to delegate a number of its powers under Part 6 to various positions within Heritage Tasmania, the Tasmanian Heritage Council and its committees, as per the Minute for Decision dated 7 February and provided to members on 10 February 2020.

## 3. OTHER BUSINESS

### 3.1.1 Meeting review

- It was noted that the presentations at today's meeting had been very good and provided useful context for matters that will eventually come before the Heritage Council.

- There was a suggestion that there is potential for 'facadism' to become an issue in Tasmania and that the Heritage Council may need to consider its position on this at some point. Ian Boersma however noted that the Heritage Council's Works Guidelines do not support facadism as an approach to redevelopment.
- Members agreed to an 'in-camera' session at the beginning of future Heritage Council meetings.
- Following on from the papers prepared for agenda item 2.2.3 – *Strategy for improved identification, assessment and management of places with archaeological values* (deferred to the April 2020 Heritage Council meeting), the location and accessibility of the historic database and records of Sustainable Timbers Tasmania / Forest Practices Unit was raised. Heritage Tasmania undertook to follow up with these organisations and report back to the Heritage Council.
- The need to align reviews of the Tasmanian Heritage Council Register of Risks with the annual strategic planning process was agreed.

### 3.1.2 Confirmation of April 2020 meeting location

The location of the April 2020 Heritage Council meeting will be confirmed following discussions with the office of the Minister for Heritage, to determine her attendance.

## 4. **NEXT MEETING**

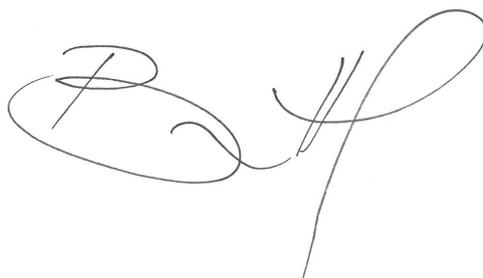
### 4.1 **Date of next meeting:**

**Wednesday 8 April, 2020**  
**Details TBC**

Meeting concluded at 2.55pm.

**Meeting No 2020219**  
**Held on 19 February 2020**

**Signed as a correct record**



Brett Torossi  
**Chair**

8 April 2020