



STATE HERITAGE REGISTER COMMITTEE

OUT OF SESSION MEETING MINUTES

16 September 2022 | 9:30 AM – 11:00 AM

Via teleconference

ATTENDANCE

State Heritage Register Committee

The Hon Robyn Parker	Chair
Ms Colleen Morris	Deputy Chair
Dr Stephen Gapps	Member
Dr Wayne Johnson	Member
Mr Paul Knight	Member
Ms Lisa Trueman	Member
Ms Natalie Vinton	Member

Apologies

Dr Brian Lindsay	Member
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Heritage Council of NSW

Mr Frank Howarth AM PSM	Chair
Mr Ian Clarke	Deputy Chair
Ms Vanessa Holtham	Member
Mr Dillon Kombumerri	Observer

Aboriginal Cultural Heritage Advisory Committee

Ms Glenda Chalker	Chair
Mr Bert Gordon	Member
Mrs Erica Smits	Member

Heritage NSW

Mr Sam Kidman	Executive Director
Ms Anna London	A/Director, Heritage Programs
Dr Natalie Blake	A/Manager, Heritage Programs South
Ms Christine Hay	Senior Heritage Officer, Heritage Programs South
Mr David Hoffman	Senior Heritage Officer, Heritage Programs South
Dr Damian Tybussek	Senior Heritage Officer, Heritage Programs South

Secretariat

Ms Olgica Lenger	Manager Secretariat
Miss Linda Bugarin	Assistant Secretariat Officer

Welcome and Formalities

The Chair, Robyn Parker, opened the meeting at 9:30 am and delivered an Acknowledgment of Country.

It was noted an apology was received from Brian Lindsay and a quorum had been met.

Conflict of Interest Declarations

Glenda Chalker and Paul Knight declared potential perceived conflict of interest as Tharawal Custodians.

Item 1.0 Appin Massacre Cultural Landscape – Recommend to List

The State Heritage Register Committee noted the report on Appin Massacre Cultural Landscape – RTL by Natalie Blake, Christine Hay, David Hoffman and Damian Tybussek.

Key points discussed:

- The Appin Massacre Cultural Landscape was jointly nominated by the Aboriginal Cultural Heritage Advisory Committee (ACHAC) and the Heritage Council of NSW, in 2021.
- The Committee acknowledged the hard work of Heritage NSW on this nomination, including the preparation of complex cultural mapping and developing a curtilage that reflects the sensitive cultural heritage values intrinsic to the site.
- The Committee acknowledged and thanked the contribution of Aunty Glenda Chalker, the Committee members, and particularly Stephen Gapps, and Executive Director Sam Kidman, for their part in the challenging negotiations with developers and private landowners.
- The Executive Director also thanked Natalie Blake, David Hoffman, Christine Hay and Damian Tybussek, for their extraordinary work on this nomination, conducted in very limited time.
- The Committee acknowledged the complexity of the listing and the need to balance the Government's priorities for affordable housing and to protect the immense cultural values of the site.
- The Committee noted that Crown Lands and the Mir Group have not made submissions; and that the advertised curtilage is different to the curtilage that was presented at the meeting today.
- The process highlighted the importance of early engagement with landowners and developers to address any potential misunderstandings about what an SHR listing means, its potential implications on the economic value of the land, and opportunities to manage the future development of the site through site-specific exemptions.
- Early consultations with landowners and developers will also provide opportunities to raise awareness and recognition of the history of the landscape and its cultural and historic values; and to gain their commitment to preserving and interpreting those values through the listing process.
- Heritage NSW and the Committee will be closely involved in the decision-making process throughout the development phase of Appin. This is to ensure appropriate interpretation, buffers between the sites and the development areas, and the visual and spatial connections between the sites, are maintained.
- Heritage NSW has been working closely with Walker over six months regarding view lines and interpretation. Walker is committed to ensuring those non-contiguous sites can be read as a collective; and is committed to working with community to ensure that happens.
- The Committee reflected on the work of Aunty Glenda, Heritage NSW team and others, which prevented the proposed corridor of land for the Outer Sydney Orbital from impacting on the cultural landscape.

- Emphasising the importance of having the Aboriginal Cultural Heritage reforms in place to protect the intangible values, Aunty Glenda commented that the three separate areas will break the storyline and continuation of the cultural route, and thus lessen the value of the place. The space will never look the same again and that remains a responsibility on everyone's shoulders. Members of the Committee discussed the desirability to continue engagement in the planning process to achieve the best possible outcome.
- The Committee specifically acknowledged Aunty Glenda Chalker for her enormous contribution to this listing process and to ACHAC, noting that her contribution is recognised by many.
- Heritage Council member and Approvals Committee Chair, Dillon Kombumberri, expressed his respect for Aunty Glenda as a senior leader. The Executive Director stated that Aunty Glenda was central to the growth of his understanding of issues during his engagement with Aboriginal communities.
- The Chair thanked the members of ACHAC for their contribution and co-nomination of this item.

Resolution 2022-52

That the State Heritage Register Committee:

1. In accordance with section 33(1)(d) of the *Heritage Act 1977*, has **considered** the submissions received in response to its Notice of Intention to Consider Listing and considers the item known as *Appin Massacre Cultural Landscape* at Appin, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria (a, b, c, d, e, f, g), as detailed in the report at **Tab 1.0A**.
2. **Recommends** to the Minister, in accordance with sections 32(1) and (2) of the *Heritage Act 1977*, that the Minister **direct** the listing of the item, *Appin Massacre Cultural Landscape* at Appin, on the State Heritage Register, as shown in the plan at **Tab 1.0D** of the report.
3. In accordance with section 33(1)(e) of the *Heritage Act 1977*, **give notice** of its decision to persons notified under section 33(1)(a).
4. **Recommends** that Heritage NSW includes Part Lot 92 DP 721526 to the proposed curtilage (of Area 1) should the members of the Tharawal Local Aboriginal Land Council approve its inclusion at their Annual General Meeting on 25 September 2022.
5. **Recognises** the contribution of great many people to this important and complex SHR listing process of historical events that resonate today. In particular, the Committee **acknowledges** Aunty Glenda Chalker and thanks her for her invaluable knowledge, expertise and contribution.

Moved by Colleen Morris and seconded by Stephen Gapps

Meeting Close

There being no further items of business, the Chair, Robyn Parker, closed the meeting at 11:00 AM.



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Colleen Morris

A/Chair, State Heritage Register Committee

4 October 2022