

TERMS OF REFERENCE

HUNTER'S HILL TOWN HALL

1866

CONSERVATION ADVISORY PANEL

September 2022



Conservation Advisory Panel

Terms of Reference

PREAMBLE

The Hunters Hill Local Environmental Plan recognises over 70 percent of the Municipality as heritage conservation area and lists over 500 items of local heritage significance in its 5.7 square kilometres.

The special character of Hunter's Hill came under threat in the 1960s, which saw the loss many old homes, due to the construction of the current Figtree, Gladesville and Tarban Creek Bridges and associated freeways as well as extensive home unit development.

A succession of events led to the formation of the Hunters Hill Advisory Committee in 1972 to advise the Council on "townscape" matters. This Advisory Committee was reconstituted in 1989 as the Conservation Advisory Panel.¹

In 1979, the Australian National Committee of International Council on Monuments and Sites adopted the *Australia ICOMOS Burra Charter*.²

In 1985, Council adopted the principles of the *Burra Charter* to guide consideration of applications for change related to listed heritage items, Conservation Areas and contributory buildings.³

The Hunter's Hill community has placed a high priority on the conservation of our character and heritage as reflected in successive Community Strategic Plans.

The *Burra Charter* explains why places are conserved:

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records, that are important expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

These places of cultural significance must be conserved for present and future generations in accordance with the principle of inter-generational equity.

The *Burra Charter* advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.⁴

¹ Hunters Hill Council, *Conservation Advisory Panel* < <https://www.huntershill.nsw.gov.au/development/heritage-conservation/conservation-advisory-panel/> >.

² Australia International Council on Monuments and Sites, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* (2013) < <https://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf> >.

³ Hunters Hill Council, *Development Control Plan No. 15: Residential Development* [4.5], superseded by Hunters Hill Consolidated Development Control Plan 2013.

⁴ Australia ICOMOS, above n 2, 1.

1 NAME OF THE PANEL

The name of the Panel is: the Conservation Advisory Panel (Panel).

2 STATUS AND COMMENCEMENT OF THE PANEL

The Panel is an Advisory Committee of Council constituted to achieve the objectives and perform functions stated hereunder in accordance with the provisions of the Hunters Hill Local Environmental Plan 2013 (as amended) (the LEP) and the Hunters Hill Development Control Plan 2013 (the DCP) in particular the Heritage conservation section.

The Panel commenced on appointment of the first members of the Panel by resolution of Council.

3 DEFINITIONS

Contributory items are a building, work, archaeological site, tree or place and its setting, which contributes to the heritage significance of a conservation area.

Environmental heritage means those places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance.⁵

Should interpretation of these Terms of Reference require definition of any other terms, reference should be made to Article 1 of *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, 2013 and/or the *Heritage Act 1977 (NSW)*, s 4 Definitions.

4 OBJECTIVES

The objectives of the Panel are to provide advice to the Council and Director of Planning and Regulatory Services (or nominee) (the Director) to:

- (a) ensure that the unique heritage values and environmental qualities of the Municipality of Hunter's Hill are protected and preserved;
- (b) promote an understanding of local heritage;
- (c) encourage the conservation of local heritage;
- (d) assist in the identification and registration of items of local heritage significance; and
- (e) to encourage the adaptive reuse of items of local heritage significance.

5 FUNCTION

The function of the Panel is to advise the Council and Director of Planning and Regulatory Services (or nominee) by:

- *Reviewing development applications referred to the Panel by the Director; which involve proposals for development that could affect heritage and conservation values and detail how such affectation occurs and if affectation is detrimental how such could be eliminated or minimised;*
- *Providing independent advice and recommendations to Council and the Director in relation to likely heritage and conservation impact of development proposals referred*

⁵ *Heritage Act 1977 (NSW)*, s 4 (definition of 'Environmental heritage').

to it by the Director, particularly on heritage items, heritage conservation areas and contributory items;

- *Providing heritage conservation advice to landowners, applicants, architects and others in relation to applications and matters referred to it by the Director and/or Council;*
- *Providing heritage conservation advice on matters referred to it by Council and/or the Director;*
- *Developing policies on heritage conservation matters in conjunction with the Director for consideration by Council;*
- *Representing community interests in conserving the heritage values of Hunters Hill.*

6 MEMBERSHIP OF THE PANEL

6.1 Members, Chair and Secretary:

Up to eight (8) members comprising:

- One (1) Councillor elected by Council as Chair of the Panel.
- One (1) other Councillor elected by Council – who will act as Chair, if the Chair is unable to attend.
- Two (2) community members with relevant expertise appointed by Council from public nominations.
- One (1) representative nominated by the Hunters Hill Trust.
- One (1) representative nominated by the Institute of Architects.
- One (1) member with expertise in heritage planning.
- One (1) member with expertise in heritage landscape architecture.

The General Manager shall nominate a suitably qualified Council Officer to attend Panel meetings as a standing invitee to provide technical advice and assistance.

Volunteers and other advisors may attend the Panel meetings from time to time by invitation of the Panel for the purpose of consultation but are not entitled to vote.

Non-member Councillors may attend the Panel meetings at any time but are not entitled to vote.

The General Manager shall appoint a Council Officer to provide secretarial support to the Panel (the Secretary).

6.2 Selection Criteria

Community representatives of the Panel shall be appointed by public nomination in accordance with Policy Guideline 3 of Council Policy No CORP.S.23 Committees Policy.

A community representative must not be a currently serving Councillor.

6.3 Term

Members shall be appointed for a term commencing on the date of their appointment by Council until the day before the date of the next General Election of Council.

6.4 Vacancies

Council may, at its discretion, approve the filling of any vacancy in the membership of the Panel.

A member absent for three or more consecutive meetings without apology or leave of the Panel shall have their membership position declared vacant.

6.5 Removal of Member

Council may at any time remove a member of the Panel but shall observe the principles of natural justice.

7 MEETING PROCEDURE

7.1 Quorum

The quorum for a meeting of the Panel is a majority of the members of the Panel who are entitled to vote.

7.2 Decisions

Decisions of the Committee will generally be made on a consensus basis, except where making a recommendation to Council, or if a formal vote is called for by the Chair, where decisions will be made by a majority of voting members present.

7.3 Frequency

The Panel will meet not less than monthly generally commencing late afternoon on the third Wednesday of the month but may meet more frequently as required.

7.4 Notice of Meetings

The Councillor members of the Panel, in consultation with Council Officer nominated as the standing invitee advisor by the General Manager, will finalise the agenda before each meeting. Members may suggest additional agenda items and may raise items not on the agenda at the meeting.

A notice of each meeting confirming the date, time, venue and agenda will be approved by the Chair of the Panel and forwarded to each member and the General Manager generally not less than three business days prior to the date of the next meeting by the Secretary.

Meetings will be held in person although the use of any technology or combination of technologies and in person attendance which permits each person participating in the meeting to communicate with every other person participating in the meeting, may be used where any members of the Panel would otherwise be unable to attend.

8 REPORTING

The discussions, advice, recommendations and resolutions of the Panel will be recorded in minutes kept by the Secretary.

The Secretary will prepare and circulate the minutes of the meeting to all members as soon as possible after each meeting.

Following each meeting the Secretary, in consultation with the Chair, shall provide a report including the minutes and any recommendations for consideration by Council.