

REPORT ON PROCEEDINGS BEFORE

**SELECT COMMITTEE ON THE GOVERNMENT'S MANAGEMENT
OF THE POWERHOUSE MUSEUM AND OTHER MUSEUMS AND
CULTURAL PROJECTS IN NEW SOUTH WALES**

**INQUIRY INTO THE GOVERNMENT'S MANAGEMENT OF THE
POWERHOUSE MUSEUM AND OTHER MUSEUMS AND CULTURAL
PROJECTS IN NEW SOUTH WALES**

CORRECTED

At Macquarie Room, Parliament House, Sydney, on Thursday 8 October 2020

The Committee met at 9:30.

PRESENT

The Hon. Robert Borsak (Chair)
The Hon. Ben Franklin
The Hon. Rose Jackson
The Hon. Trevor Khan
The Hon. Taylor Martin
The Hon. Walt Secord
Mr David Shoebridge (Deputy Chair)

The CHAIR: Welcome to this hearing of the Select Committee on the Government's management of the Powerhouse Museum and other museums and cultural projects in New South Wales. The inquiry is examining issues surrounding the Government's proposal for the Powerhouse Museum and support for the State's museums and cultural sector more broadly. Before I commence I acknowledge the Gadigal people, who are the traditional custodians of this land. I also pay respect to the Elders past and present of the Eora Nation and extend that respect to other Aboriginals present. Today we will hear evidence from various representatives of the New South Wales Government, the Heritage Council of NSW, the Construction, Forestry, Mining and Energy Union [CFMEU] and the Dharug Strategic Management Group. Before we commence I will make some brief comments about the procedures for today's hearing.

Today's hearing is being broadcast live via the Parliament's website. A transcript of today's hearing will be placed on the Committee's website when it becomes available. In accordance with broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside of their evidence at the hearing, and so I urge witnesses to be careful about any comments they may make to the media or to others after they complete their evidence, as such comments would not be protected by parliamentary privilege if another person decided to take an action for defamation. The guidelines for the broadcast of proceedings are available from the secretariat.

All witnesses have the right to procedural fairness in accordance with the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness would like to answer only if they had more time or with certain documents to hand. In those circumstances witnesses are advised that they may take a question on notice and provide an answer within 21 days. I remind everyone here today that Committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. I therefore request that witnesses focus on the issues raised by the inquiry's terms of reference and avoid naming individuals unnecessarily. Witnesses are advised that any messages should be delivered to Committee members through the Committee staff. To aid the audibility of this hearing, may I remind Committee members and witnesses to speak into their microphones.

LISA HAVILAH, Chief Executive, Museum of Applied Arts and Sciences, on former affirmation

DAVID BORGER, Representative, Board of Trustees, Museum of Applied Arts and Sciences, before the Committee via videoconference, sworn and examined

The CHAIR: I now welcome our first witnesses. Would either of you like to make a short opening statement?

Ms HAVILAH: I would. I would like to thank the Committee for the opportunity to address you today. I would also like to acknowledge the traditional owners, the Gadigal people, and thank Elders past and present for allowing us to be here. I acknowledge Museum of Applied Arts and Sciences [MAAS] trustee David Borger for his leadership on the trust of the Museum. Since I last appeared before this inquiry, the trust, Museum staff and I have been focused on delivering great outcomes for the communities of New South Wales. This has included the development and launch of new exhibitions, collections development and research as part of the ongoing work of the Museum. Importantly the Museum, with its partners Create NSW and Infrastructure NSW [INSW], is delivering Powerhouse Parramatta, our new flagship museum and the first major New South Wales cultural institution to be located in Western Sydney; the expansion of the Museums Discovery Centre in Castle Hill, which will deliver world-class collection facilities; and the Collection Relocation and Digitisation Project, which is currently employing 124 staff to assess and digitise over 330,000 objects from our collection.

I am proud of the progress that we have made with our partners across government on the delivery of these incredibly significant projects that will renew our institution and provide increased impact and benefit. Following the New South Wales's Government's announcement on 4 July to retain and renew the Powerhouse Museum in Ultimo, Create Infrastructure has been leading the development of a business case for the consideration of Government later this year. Over August and September the Powerhouse Museum, with Create Infrastructure, has been undertaking extensive community and stakeholder consultation to inform the development of the business case and the renewal of the museum in Ultimo. I am pleased to let you know that the consultation has had a strong and positive response from the community, including 6,000 social media engagements, 3,000 visits to the project website, 1,000 survey responses and 250 webinar attendees.

I would like to take this opportunity to thank the many Powerhouse Museum stakeholders and friends across the community who so generously gave up their time and articulated their future ambitions for our institution so passionately. These stakeholder groups include the incredible Powerhouse Museum volunteers, the many affiliated societies that are associated with the museum, the National Trust, the Powerhouse Museum Alliance, the Pyrmont Action Group, the City of Sydney and the Greater Sydney Commission. Over this period I have led 15 webinars and heard directly from the community about their ambition for the Powerhouse Museum in Ultimo to be a world-class museum located within an active and connected precinct and to be a museum that presents diverse programming, including short- and long-term exhibitions that feature the museum's collections. While there is much nostalgia for the permanent exhibitions that are over 30 years old, most agree that contemporary museum exhibitions—alongside those exhibitions—need to reflect the new ways in which we learn and engage.

Over the last couple of months the Trust and the Museum team have achieved extraordinary outcomes, including the development of new exhibitions and partnerships. The first of these was the creation and opening of the Maton: Australia's Guitar exhibition in July. The exhibition is the largest retrospective of Australia's leading guitar manufacturer and contains over 130 Maton guitars that span 70 years of Australian music. I am very pleased to let you know that the exhibition has been drawn from the personal collection of Bankstown-based community member Wadih Hanna. Within the constraints of COVID, we have had an incredible response to this exhibition through visitation and media. In early September we launched Hybrid: Objects for Future Homes, an exhibition which explores the role of our homes in 2030 and includes nine new commissions from Australian design studios, which collaborated with Australian researchers and industry.

Also in September we launched the exhibition Design for Life. This exhibition explores the central role of design in the health and medical industry and examines the intersection between Australian science and design. The exhibition presents over 200 objects from the rich Powerhouse Collection of medical material from the 1800s to the present day, alongside the latest in medical and scientific product design. Also in September we announced a new and ongoing partnership with esteemed and world-leading medical research institute The Westmead Institute for Medical Research. The partnership will support the Powerhouse Museum to build a collection that

documents Australia's research response to the COVID-19 pandemic, with a focus on the work that is being undertaken at Westmead.

As the museum pivoted to the new ways we interact, visitors have followed us online with our digital program. In August Karlie Noon, Astronomy Ambassador at the Sydney Observatory, took us on a tour of the southern sky. As a Gamilaraay astrophysicist who is passionate about First Nations astronomical knowledge and as the first Indigenous female to obtain degrees in physics and mathematics, Karlie showed Indigenous perspectives of the sky through a digital livestream that had 8,000 viewers. Award-winning astrophysicist and the Australian Government's Women in STEM Ambassador Professor Lisa Harvey-Smith also livestreamed to up to 9,000 viewers from the Sydney Observatory, showing us planetary nebulae. Our flagship museum, Powerhouse Parramatta, has continued to progress through the New South Wales planning system. Our delivery partner, INSW, is preparing a response to submissions to address the feedback provided by the community and stakeholders.

The museum will be the heart of the arts and culture precinct of Parramatta, linking the CBD to the Parramatta River and creating a destination for community, cultural and national programming. The museum's exhibition program will vastly increase access to the treasured Powerhouse Collection not just for the people of Sydney, but also for regional and remote New South Wales visitors and students, enabled by the unique accommodation for visiting students, scientists, researchers and industry leaders. Importantly, I would like to take this opportunity to thank the museum staff. Our staff have continued to produce outstanding exhibitions, acquisitions, and digital engagement as well as providing immense value to our renewal projects. It is the staff who come to work every day, bringing their talent and professionalism that are the heart of our institution. For this, they have my ongoing respect and thanks. Thank you.

The CHAIR: Thank you. Mr Borger?

Mr BORGER: I would just like to say that this inquiry, I think, has been ongoing for some time now, and I hope one of the things the inquiry understands is the 2.2 million people who live in Western Sydney have been, frankly, deprived of access to the wonderful cultural collections of the State, the crown jewels, the amazing museums and galleries that are all located within about a kilometre of where the Committee is sitting today. We are finding, increasingly, that Western Sydney residents are leading very busy lives with, often, both parents in large families working to pay off mortgages. They are some of the longest commuters of any regional or subregional group in the country, and the opportunity to actually get out regularly and access these wonderful, fine collections, museums and performance spaces in the Sydney CBD really is out of reach for many of them.

So I ask myself the question: Why is it that people in western Sydney pay taxes to go towards these great cultural investments and do not get regular access to them? This opportunity to build a new museum—frankly, the largest museum in Australia—on the banks of the Parramatta River is a once-in-a-generation opportunity to give those new, ambitious communities of Western Sydney access to arts, culture, design and technology. I really hope the Committee will support the Government being able to do that.

The CHAIR: Thank you. Any questions?

The Hon. WALT SECORD: Thank you, Mr Chair. Ms Havilah, in your opening statement you referred to webinars, consultations, and to 6,000, 3,000 and 1,000 people responding to surveys. What was the overwhelming response to the consultations? What was the number one finding?

Ms HAVILAH: As I said in my statement, I led most of the webinars and I was present so I was able to hear a lot of that feedback firsthand. The overwhelming feeling that I got was that people love the Museum and there are a lot of people in the community who are very passionate about it. There was, also, a very strong sense across the community that the Museum does need renewal, that while the Museum has been much loved for generations it does need investment into its renewal. There was also a lot of feeling and passion about the Powerhouse Collection and the community really want in the renewal an opportunity to engage more with the Collection, so exhibitions that really focus on that and exhibitions that are generated by the Museum's staff.

One of the other things that came out, which I think is very relevant, was that what has happened around the Museum is the region and the local area has changed very significantly. So new precincts have developed around us and there is new planning work to develop it even further. There are exciting developments like the new fish market, the International Convention Centre has come online. Also, the Darling Harbour area has grown significantly. I think the communities see that there has been change around the Museum but no change within the Museum, and I think we have a responsibility, when thinking about the renewal, to make a museum that is

physically connected and responsive to the physical changes and the demographic changes that are happening around it.

The Hon. WALT SECORD: Did the status of Willow Grove come up in the consultations?

Ms HAVILAH: I would have to take that on notice because I had lots of conversations. The focus was on Ultimo. There could have been a question but I would have to take that on notice.

The Hon. WALT SECORD: Are you familiar with the proposal or the suggestion from a group, Western Sydney business leaders, this morning to relocate? One of the options is to relocate Willow Grove.

Ms HAVILAH: Yes, I did read the story in the news this morning and I am aware of that suggestion.

The Hon. WALT SECORD: I think at a previous hearing I asked a question to other witnesses about whether it is feasible to move Willow Grove. Has Create NSW or Infrastructure NSW looked at this proposal?

The Hon. BEN FRANKLIN: If only we had a public servant sitting with the witness who could answer that.

The Hon. WALT SECORD: Maybe she could pass a note up to them.

The Hon. BEN FRANKLIN: It would save time.

Ms HAVILAH: The Trust and the Museum are very fortunate to be working closely with our delivery partner Infrastructure NSW and Create NSW. They are preparing the response to submissions currently, and so that is an ongoing process and a matter for them.

The Hon. WALT SECORD: What are the options that could occur for Willow Grove? Correct me if I am wrong: destroy it, relocate it, build over it. Has the State Government explored those three options?

Ms HAVILAH: My role representing the client in the project is to get the best outcome for the Museum, so the matter of Willow Grove is a matter for our delivery partner, INSW, so I would ask that you refer that question to our delivery agency.

The Hon. WALT SECORD: Okay, but you, as the Chief Executive of the Powerhouse Museum, you must have a view on Willow Grove. What is your position? Do you want it to be destroyed, relocated, or built over the top of?

Mr DAVID SHOEBRIDGE: Or preserved?

The Hon. WALT SECORD: Or preserved, yes; four options.

Mr BORGER: Chair, would I be able to perhaps answer as a Director of the Museum?

The Hon. WALT SECORD: Mr Borger, would you please jump in?

Mr BORGER: As a Director of the Museum who wants to see this project actually occur and be successful, Willow Grove is a lovely old home. It has had an interesting history. It is listed on the local register. It is not listed on the State register. It is not a particularly significant or unique building; in fact, it is a pattern-book Victorian Italianate house that has had significant and substantial change. I know the Committee has recently visited there. Willow Grove sits in the very centre of the site, and, as you can imagine, the scale of museum buildings that have been proposed there are significant, enormous spaces. A building like Willow Grove needs to be given, obviously, context. At the moment it sits next to what I think is a 12-storey GE commercial office building and also right next door to the largest building in western Sydney, the 52-storey Harry Triguboff Meriton apartment buildings.

So, if we are thinking about context for a Victorian Italianate building, I can think of no better place for that building to be located and restored but in the grounds of the old Cumberland Hospital in North Parramatta, which has a suite of heritage buildings that cover, in fact, the full breadth of Australian architectural history. It was originally in a garden-like setting. There are some remnants of the garden there now, but it is a garden next to a 50-storey block of flats. If it were in North Parramatta, it would actually have room to breathe, it would have context, it could be restored and it could have community use. I think that would actually be a win for the people who love Willow Grove and local heritage history, but also a win for all those kids in Western Sydney who are looking for the inspiration that their first real museum will provide.

Mr DAVID SHOEBRIDGE: Have you visited Willow Grove, Mr Borger? Have you gone onto the site?

Mr BORGER: I have gone onto the site, yes. There have been some community festivals held there and some nice tacos that I remember.

Mr DAVID SHOEBRIDGE: Are you aware of the history of it, in that the person who built it was actually a prominent female business owner in Parramatta, and that social significance of the site?

Mr BORGER: Yes, and I am also aware that it was a maternity hospital for some time, which is wonderful. It has a rich history. We are all born in a hospital somewhere. We are not saving every hospital for heritage listing. But I do think it is a significant building and I think the solution that the community group—we know the community is very broad. It consists of multicultural groups, migrant groups, Aboriginal groups, business groups, arts groups—very diverse across Western Sydney. They are strongly supporting the preservation and conservation of this building in another location.

Mr DAVID SHOEBRIDGE: Have you got any heritage study? Do you know of a credible heritage consultant who supports the tearing down of Willow Grove from its current site and moving to an unrelated site? Do you have a heritage consultant or heritage report that supports that?

Mr BORGER: I think the most important heritage consultant is the Heritage Council of NSW. My understanding is that the level of significance on this building is actually relatively low. It is a locally listed building and there are many people in the heritage community who, I think, would say that it is not a building that you would necessarily preserve. There is a community view that says, "Let's preserve it", and I respect that and I think that if there is a way of doing it, it is a good thing.

Mr DAVID SHOEBRIDGE: I do not think you can bring the opinion of the Heritage Council of NSW to the table unless you can point me to a report that says it supports your proposal to tear down Willow Grove from its current site and move it. Are you saying the Heritage Council of NSW supports your proposal?

Mr BORGER: I have spoken to architects, I have spoken to people with great [inaudible] knowledge who believe that it is—

Mr DAVID SHOEBRIDGE: But with all due respect, Mr Borger, that was not my question—

The Hon. TREVOR KHAN: Point of order: This started with the Hon. Walt Secord asking for an opinion as to the alternatives.

The Hon. WALT SECORD: Then Mr Shoebridge jumped in, not allowing me—

The Hon. TREVOR KHAN: Then Mr Shoebridge jumped in. Now Mr Shoebridge, having jumped in, is jumping over the witness as the witness is starting to answer.

Mr DAVID SHOEBRIDGE: He is not answering, but anyway.

The Hon. TREVOR KHAN: If it turns into a complete kerfuffle, that is fine; I do not think that is really my job. It seems to me that Mr Secord had the floor, but if Mr Secord is now yielding it—

The Hon. WALT SECORD: No, I am not.

The Hon. TREVOR KHAN: —Mr Shoebridge should at least give the witness the opportunity to answer—

Mr DAVID SHOEBRIDGE: We agreed to share it.

The Hon. WALT SECORD: No, we did not, actually. Mr Shoebridge just jumped in.

Mr DAVID SHOEBRIDGE: We agreed to share it.

The Hon. WALT SECORD: No, we did not. Mr Borger, can I return to—

Mr DAVID SHOEBRIDGE: So the answer was "no". I will take that as a "no".

The Hon. WALT SECORD: Mr Borger, you seem to be quite knowledgeable and have some knowledge of the proposal to relocate Willow Grove to the Female Factory/Cumberland site. How much exploration has occurred on this possibility?

Mr BORGER: I think it is an idea that has certainly been discussed. I have discussed it and community groups have discussed it. It is not actually a new thing. The movement of heritage buildings has actually happened in Parramatta before. One of the oldest defence sites in Australia is Lancer Barracks, right near the station. In the 1960s the community of Parramatta picked up a building called Linden House, a sandstone building, stone by stone and relocated it. The Kings School has had three locations. The second location, which was a wonderful site that is now owned by the New South Wales Government—I think also in the 1960s the sandstone chapel was relocated. It was a building that was significant, the school community loved it and they moved it up to their new site up the road. It is not an uncommon thing to move a cherished building as a city grows such as Parramatta—one of the most successful second CBDs in the country, I think.

The Hon. WALT SECORD: Mr Borger, there is now a community-based campaign, because of flood concerns with the site the Government has selected, to move the Museum to the Female Factory site. Have you done any work on moving it to the Female Factory?

Mr BORGER: I think there certainly is a proposal. I have looked at the proposal. It is a bit like a school assignment—it is very good. But really, the idea of moving the largest museum in Australia with the biggest floor plates—we are talking about six-storey-high floor to height ceiling limits in spaces that can fit 3,000 people. Taking those enormous objects and moving them down to a precinct that contains 40-odd heritage-listed colonial institutional properties is bizarre. I do not think they are talking about moving the Powerhouse Museum; I think they are talking about a completely different concept and a different idea. There is no way that you could put a building of that scale—the largest museum in Australia—in an entire heritage precinct.

The Hon. WALT SECORD: Mr Borger, you are on the board. What is the target date for the beginning of construction for Parramatta? I think it was promised in February 2015, so we are now getting up to almost six years.

Mr BORGER: Obviously Infrastructure NSW is the delivery partner. It has developed a schedule and the project time frames, and that is all subject to planning approval and a whole range of things, but there would be a significant period of demolition and site clearing and preparing the site that would hopefully happen for the bulk of next year. Beyond that would be the base build that would take a number of years.

Mr DAVID SHOEBRIDGE: Mr Borger, you said repeatedly that community groups support the plan to relocate Willow Grove. Can you please name the community groups that support the plan?

Mr BORGER: Sure. Number one is the Deerubbin Local Aboriginal Land Council, which is one of the most significant land councils in Sydney, representing the traditional Aboriginal Owners. It also has a successful land claim over the old Parramatta Gaol in the local area. It certainly supports it. I have spoken to the Chair of Multicultural NSW, Harry Harinath, who is a huge supporter of this. I have spoken to the very famous rapper from south-west Sydney, L-Lion Fresh—he supports it. I have spoken to many of the local—

The CHAIR: There is a recommendation!

The Hon. ROSE JACKSON: I think it is "L-FRESH the Lion".

Mr DAVID SHOEBRIDGE: We will sort that name out with Hansard later.

Mr BORGER: Western Sydney is far more diverse than the North Parramatta Residents Action Group. We come in all colours and flavours. There are many groups that actually support it. The Western Sydney Business Chamber, of which I am the Executive Director, supports it. The universities support the relocation. The Catholic schools of Western Sydney—Greg Whitby, the CEO of Catholic Education Diocese of Parramatta, is a huge supporter of the move of this museum and the move of Willow Grove.

Mr DAVID SHOEBRIDGE: You say that you cannot put a museum the size of the Powerhouse on the large heritage precinct at North Parramatta. Is that your position? You could not put a museum the size of the Powerhouse on the heritage precinct at North Parramatta?

Mr BORGER: One hundred per cent. You could put a different museum there. You could put a couple of little cottages there and you could fit them in and that would be fine. But you could not put a 14-storey museum the scale of this one without destroying North Parramatta.

Mr DAVID SHOEBRIDGE: I think we would all agree that the current museum, which is of a very similar size to the proposed new museum, fits extremely well on a much smaller, much more constrained heritage

site in Ultimo. What is your intellectual or heritage basis for suggesting that it cannot be fitted on a vastly bigger heritage site in North Parramatta? What is the rationale, given what we know about the existing site?

Mr BORGER: The existing Powerhouse Museum sits on the edge of the largest CBD in Australia. Cumberland Hospital is almost a garden-like institutional colonial setting. It would be inappropriate to put a building of that scale there. This is why the North Parramatta Residents Action Group opposed the UrbanGrowth NSW proposals a few years ago: they were completely out of context, as it would be to put a building of that scale there. What you would effectively have to do to have that approval would be to squeeze it and reduce it and deprive the people of Western Sydney of a tier-one cultural institution.

Mr DAVID SHOEBRIDGE: You make that point with no architectural basis, no heritage basis—that is just your assertion. What is your expertise or the credible basis upon which you make that assertion?

The Hon. TREVOR KHAN: Point of order: Some of these questions are tinged with offensive innuendo. This witness has come along to the inquiry. He has got a position which is different from that of Mr Shoebridge—that is fine. But the questions do not have to be framed in a way which is offensive.

The CHAIR: There is no objection.

The Hon. TREVOR KHAN: Well, there is; I am taking the point of order on that basis. If one looks at the—

The CHAIR: Mr Borger can answer the questions as he sees fit or not.

The Hon. TREVOR KHAN: Of course he can. But he should be treated with a degree of courtesy.

The CHAIR: I do not detect a lack of courtesy. I have not heard any name-calling going on.

Mr DAVID SHOEBRIDGE: Mr Borger, I am happy to break it down: You do not have any architectural expertise to found this opinion. Is that correct?

Mr BORGER: I was not invited here as the heritage architect [inaudible]; I was invited here as a Director of the Museum who has opinions. My opinion is that North Parramatta is one of the most contiguous intact historic precincts in Sydney, frankly. It is very different to the site of Willow Grove. The history and the scale of those buildings tell an important story as a whole. If you put the largest museum at whatever it is, 14 storeys high, huge volume spaces in that precinct it would completely change the look and feel, the character and the way people can read and understand the site. That would be my opinion.

Mr DAVID SHOEBRIDGE: Of course, you know why the proposal is to make a tall building where it is: It is because the site is quite constrained on the riverside. Are you aware of anybody who has suggested that it would be appropriate, if you were relocating it to Fleet Street, to make it a 14-storey building? You do not have the site constraints that you have on the current flood-prone river site.

Mr BORGER: No, you have completely different site constraints there. Mr Shoebridge, I hope you are not suggesting that the museum goes on the land of the Deerubbin Local Aboriginal Land Council, because it has significant land holdings. Certainly large buildings could go in their portion, but that is not owned by the New South Wales Government. The heritage core that the New South Wales Government is hoping to retain is a relatively compact group of 40-plus heritage listed properties. There is nowhere in that precinct where you could fit something the scale of this, even if it was not in a tall building.

Mr DAVID SHOEBRIDGE: But do you think you could just plonk Willow Grove in the middle of it and that would be good? Is that your view?

Mr BORGER: Well, I think there are many locations within that precinct. Willow Grove is a two-storey Italianate building which has a couple hundred square metres of floor space versus something that might be 30,000 square metres. They are very different things.

The Hon. BEN FRANKLIN: Obviously I am focused specifically on regional areas and that particular component of the inquiry. Can you talk us through what opportunities you see the Powerhouse Parramatta will actually present for regional engagement, particularly for regional students?

Ms HAVILAH: The Powerhouse in Parramatta will feature a program that we have been developing called The Academy. That will have 60-bed accommodation and be focused on supporting an immersive science, technology, engineering and mathematic education program for over 10,000 regional and remote New South Wales students engaging with STEM education every year at the Museum. As you know, there are over

190,000 regional and remote students across New South Wales. This program will really give them direct access to a major cultural institution. It will also give them direct access to engage with scientists, leaders in the field and a whole range of programs, including an agricultural science program that we are developing that will connect them not only with industry leaders but with our collection, including the Samuel Marsden wool collection. It will connect them with advanced manufacturing—also directly with the Westmead research institute. It will connect them with engineering through Western Sydney University and artificial intelligence and connect them with opportunities for new jobs.

One of the things that I strongly believe in is that, as a young person who grew up in regional New South Wales, you cannot actually be it until you see it. That direct connection for a young person with an industry leader in the field of science and technology can be incredibly transformative. We are really focused on working closely with the Department of Education and a whole range of other industry partners to create something very special for Parramatta, but also bring in 10,000 regional and remote students into Parramatta every year to give them a broader experience of Western Sydney. I really think that that will provide new pathways for young people into science and technology jobs and future jobs. I think it is an important role for the Museum not just to create museum exhibitions but actually contribute to developing or connecting some of those employment and learning pathways.

The Hon. BEN FRANKLIN: How will it actually work? Is it a matter of "build it and they will come"? Have there been pathways established? Are there subsidies given for regional students in order to be able to access it? How will it actually work to get them into there?

Ms HAVILAH: The program is very much in development. We have actually been meeting with principals of schools across Parramatta and we are developing an advisory committee of teachers and principals from across New South Wales. Essentially we will be able to bring in two classes at any one time. The students might stay for a week and there would be a bespoke learning program developed for each of them as they come in, but developed very much in collaboration with teachers and schools.

The Hon. BEN FRANKLIN: That is awesome. Thank you.

The CHAIR: Ms Havilah, since the announcement on 4 July for the retention of the Powerhouse building itself, do you have a conservation management plan for the whole of the Ultimo site now updated?

Ms HAVILAH: Not updated, no.

The CHAIR: Do you have one at all?

Ms HAVILAH: I will have to take that on notice in terms of status of that.

The CHAIR: So there is no plan for conservation of the old building?

Ms HAVILAH: No. Of course, we manage that as a heritage asset every day, but the conservation management plan will be embedded in the process of the business case and updated as part of that process.

The CHAIR: Is there a business case that you are aware of for the Business Council of Australia for Castle Hill?

The Hon. BEN FRANKLIN: The Museums Discovery Centre?

The CHAIR: Maybe you can answer this, Mr Borger. There is quite significant money that is going to be spent out there in relation to upgrading that site. That is the plan, is it not?

Mr BORGER: Correct.

The CHAIR: Is there a business case?

Mr BORGER: My understanding is that there is certainly a business case for all of the various aspects of the—

Ms HAVILAH: David, I can answer that for you. There was a business case developed in 2018 for Parramatta which included the upgrade and expansion of Castle Hill.

The CHAIR: Can you table that, please?

Ms HAVILAH: I can take that on notice, yes.

The CHAIR: Thank you.

Mr DAVID SHOEBRIDGE: Has it been updated since the fundamental change of Government position I think on 4 August?

Ms HAVILAH: No.

The CHAIR: It has not been changed.

Ms HAVILAH: The business case? It is actually a matter—I can take that on notice, but that is a matter for Create Infrastructure because they lead the business case process.

The Hon. ROSE JACKSON: Ms Havilah, these questions are for you, although I do not mind if Mr Borger wants to contribute and comment. One of the other options that has been outlined and mentioned by my colleague Mr Secord is the idea of amending the current plans for the existing site on the Parramatta River to include the retention of Willow Grove and potentially St George's Terrace. In light of that, I wanted to ask if you were familiar with the recent redesign of the Western Australian Museum. I think it is called Boola Bardip—excuse my mispronunciation. Are you familiar with that project?

Ms HAVILAH: I am familiar with the project, yes.

The Hon. ROSE JACKSON: Are you familiar with the fact that one of the real, fundamental elements of that project was the combination of restored heritage with new buildings? That was a key feature of that particular museum and one of its real selling points. I wondered whether you had any reflections on whether that might be a good model for the Parramatta Powerhouse.

Ms HAVILAH: That is particular to that project. I do not have intimate knowledge of the project. We work very closely with Infrastructure NSW and Create Infrastructure on Powerhouse Parramatta. We have done from the very early stages and from the design brief onwards. It has been a very design-led process. We have great faith in our design team, Moreau Kusunoki and Genton, which are leading the process. I know that we will get an incredible outcome with their design and with all of the delivery partners across Government who will deliver a great outcome for the Museum.

Mr BORGER: One of the challenges of this site is that Willow Grove sits in the very centre of where the two buildings are going to be located. If you are going to put buildings adjacent to Willow Grove, they would need to be set back to provide context and space and room to breathe and all of that. If you did that, you would shrink the footprints of these vast museums spaces to be so small that actually you would not be looking at the same business case. It would be very different museum. It would be a quarter of the size. That is one of the challenges. It is in such challenging location. It is not sitting on the very edge of the site.

The Hon. ROSE JACKSON: I appreciate that it is a challenge, although sometimes the creative solutions to wicked challenges like this can be really interesting and world leading. One of the reasons that the current plan is so big and so vast, as you say, is because the original conception was to move very large objects into that space at Parramatta. Now the Government has obviously changed that proposition. It is no longer the plan to bring the very large objects from the Ultimo site to the Parramatta site. Might that lead to some redesign of the Parramatta site—not to scale back the kind of incredible opportunity for a museum there but perhaps not need such vast spaces to accommodate those large objects that are no longer coming?

Ms HAVILAH: My answer to that is that we have over half a million objects in our collection. Yes, there is a commitment to retain the very large objects at Ultimo, of course, but we have hundreds of other very large objects including planes, trains, buses—a whole range of incredible objects—that need large spaces and are required for us to really tell the great stories of ingenuity and innovation through those Collection objects. So while we are retaining the objects that we are in Ultimo, there is a whole range of objects that have never been seen before, that the community have never had the opportunity to see before, because in the whole of the 30 years that the museum has been open in Ultimo the community has only seen 10 per cent of our collection. So this is a real opportunity to really showcase our collection in an incredible new museum in a whole range of different ways but that does include large objects.

The Hon. ROSE JACKSON: Mr Borger, you talked a lot about the different sites—the fact that the current Cumberland Hospital site has a lot of pre-existing heritage and in a way your opinion was that that would be a good site for Willow Grove to be located. I guess my proposition, based not only on the incredibly successful experience in Western Australia but a range of other innovative city design projects, is, as opposed to putting all of the heritage in one place and all of the new in another place and separating them, that integrating old and new,

telling that story in the one place, can be a really interesting and dynamic way to tell those stories as opposed to separating them. I wondered why you think that you could not combine that old and new in some way on the same site.

Mr BORGER: You certainly could. You could keep Willow Grove there but if you did you would be looking at a completely new business case and new museum and, frankly, something that I think would short-change the people of Western Sydney in terms of that scale and ambition. The other interesting point is that all the evidence around the world seems to suggest that museums, galleries and performance spaces that are located in dense city centres with great pedestrian and public transport connections seem to perform better than places that are off to one side. There is a museum in Melbourne which is just outside the city centre. My understanding is that action in it is not brilliant but you get a place like the Victorian library—it is just busy 24/7. It is connected. So I think the location is fantastic. If you want it to be the beating heart of the city and at the heart of your inner city buzz it is a great place to locate it.

The Hon. ROSE JACKSON: I wondered if you, either Ms Havilah or Mr Borger, were familiar with the evidence that this Committee received on 21 August 2020 from Steven Molino from Molino Stewart or John Macintosh from Water Solutions about the flood risk on the current site. Are either of you familiar with that evidence?

Ms HAVILAH: Yes.

The Hon. ROSE JACKSON: Do you have any response to that? Because my summation of that was we had two pretty experienced independent natural hazard experts who were speaking really just from their own expertise, the work that they had done, that were identifying some pretty major risks, pretty serious risks, with the current site in terms of the flooding. I know that we have talked about this before but their evidence was quite compelling and does require a response because anyone reading that would be left with some really serious questions about the risks both to the building and to potential patrons in the building in light of a flooding event.

Ms HAVILAH: I feel completely confident that our delivery partner, INSW, with the design team, Moreau Kusunoki and Genton, and Arup, who are world-leading engineers, will ensure that there is absolutely no risk at all to human life or to the museum if there is a flood event.

The Hon. WALT SECORD: You just made a statement where you said that you were confident. What do you base that on?

Ms HAVILAH: I base that on—

Mr BORGER: Good engineers.

Ms HAVILAH: I base that on that they have delivered hundreds of thousands of projects successfully in the past.

The Hon. WALT SECORD: Mr Borger, did you want to add something to that?

Mr BORGER: Arup are a reputable international engineering company and the entire Museum is being designed to minimise risk and to ensure that the entire Museum is way above the one-in-1,000-year flood potential. So I think all of the risks have been properly considered and the Collection is not at risk. I understand other people have had different views and I think the engineers have had a look at that and they are very confident in their model that they have developed for flood affectation of the Parramatta River.

The Hon. WALT SECORD: Thank you. Can I go back to Ms Havilah? What evidence or advice do you base your view on? You said you were very confident that there will be no risk to human life. That is a bold statement. What do you base that on?

Ms HAVILAH: I have complete confidence in our delivery partner, Infrastructure NSW, who are currently completing the response to submissions at the moment.

The Hon. WALT SECORD: Have you sought clarification or advice from them on that or did you simply just accept? What did you base this conclusion on?

Mr DAVID SHOEBRIDGE: Faith or knowledge?

The Hon. BEN FRANKLIN: She has already said that she trusts Infrastructure NSW and they are completing their analysis of these issues.

The Hon. WALT SECORD: Faith.

Mr DAVID SHOEBRIDGE: So it is faith.

The CHAIR: Order! Let the witness respond.

Ms HAVILAH: I am not an engineer. My job is to get the best outcome for the Museum. Infrastructure NSW is the lead agency that is delivering the project.

Mr DAVID SHOEBRIDGE: Ms Havilah, they came up with the original design, which has now been seen by the most credible flood plain risk consultants for Parramatta. The original design, created by these people you have great faith in, has been heavily criticised by the most credible flood risk consultants for Parramatta. Does that not affect your faith?

The Hon. BEN FRANKLIN: Point of order: The witness has already made clear that the delivery of this institution will be done by Infrastructure NSW so I would respectfully submit that these questions should be put to Infrastructure NSW since they are the ones who are in fact determining what the issues are going to be and how to address them.

Mr DAVID SHOEBRIDGE: This is the client and if the client cannot answer it then—

The Hon. BEN FRANKLIN: The client has answered.

Mr DAVID SHOEBRIDGE: Anyhow, I pressed the question because this is the client.

The Hon. BEN FRANKLIN: The client has already said that she trusts Infrastructure NSW and that they are addressing the issues. But in terms of the specific issues I would have thought Infrastructure NSW is a better body to address these questions to.

The CHAIR: They may well be better suited to answer the question. I agree. But Ms Havilah can have an opinion.

Mr DAVID SHOEBRIDGE: Ms Havilah, you have expressed your opinion and your faith. I am now asking whether or not that faith has been at all tested by the fact that the same people you have faith in came up with the proposal that has now been so heavily criticised by the most credible flood risk consultants in New South Wales, in Parramatta.

The Hon. TREVOR KHAN: You can continue to use those words, Mr Shoebridge. We have some expert evidence.

Mr DAVID SHOEBRIDGE: Has that at all rattled your faith?

Ms HAVILAH: No. I have complete confidence in INSW to deliver the project. But the project is overseen by a governance group, a project steering committee, project control groups—there is a whole range of stakeholders that are working together to deliver this project and it is a very robust process. So I have complete confidence, as do the trust, that we will get an incredible outcome.

Mr DAVID SHOEBRIDGE: Do you agree with Mr Borger's statement that this building is being designed to meet a one-in-1,000-year flood risk?

Ms HAVILAH: Yes.

Mr DAVID SHOEBRIDGE: Can you please show me the records that show it has been designed to meet a one-in-1,000-year flood risk?

Ms HAVILAH: I would have to refer you to INSW.

Mr DAVID SHOEBRIDGE: Are you sure about that—that it is a one-in-1,000-year flood risk? Is that really your evidence?

Ms HAVILAH: I have to refer you to INSW.

Mr DAVID SHOEBRIDGE: It is just not. It is just not.

The Hon. BEN FRANKLIN: It is a reasonable answer, they are the ones who are building the thing, that we actually ask them.

Mr DAVID SHOEBRIDGE: Both of them, two senior players, and they do not have the most basic understanding about the flood risk analysis.

The Hon. BEN FRANKLIN: Of course they have basic understanding. They have already said—

The CHAIR: Order!

Mr DAVID SHOEBRIDGE: It is a one-in-100-year flood risk and they do not even understand that.

The Hon. BEN FRANKLIN: They have already made clear they have faith and confidence.

Mr DAVID SHOEBRIDGE: They do not have the most basic understanding.

The CHAIR: Order! I think we will let the evidence sit. Ms Havilah, is it the current plan to demolish the Harwood Building, the old Tram Depot?

Ms HAVILAH: The whole of the Ultimo precinct is being considered as part of the business case. We do not have the outcome for that yet. It is in development and will be considered by Government at the end of the year.

The CHAIR: Are you saying that you do not know? Sorry, that is not quite the answer. Is the MAAS' current plan to demolish the Harwood Building and replace it with, for example, a creative industries precinct? Maybe Mr Borger can answer this question?

Mr BORGER: I will refer to Ms Havilah or INSW on that one. I am sure we would be happy to come back with anything but I do not understand that it is, no.

Ms HAVILAH: I will just refer you to the business case that is currently being developed by Create NSW. That business case will go to Government at the end of this year.

The CHAIR: In other words, you are saying you do not know what the plan is for the Harwood Building?

Ms HAVILAH: I do not know. The business case is being developed.

The Hon. BEN FRANKLIN: That issue, I presume, is being considered in the business case.

The Hon. WALT SECORD: Ms Havilah, you must have a view or a submission, as Chief Executive, on the retention of the Harwood Building, you must have a view.

Ms HAVILAH: I am working closely with Government.

The Hon. WALT SECORD: Well, then the Government must have given you an indication—

Mr DAVID SHOEBRIDGE: Ms Havilah was going to add some more about that view. I think you cut her off halfway through.

The CHAIR: Order!

The Hon. WALT SECORD: Sorry, Ms Havilah.

Ms HAVILAH: The process that we are going through in partnership with Create NSW is to develop a business case to look at the renewal of the Powerhouse Museum in Ultimo as part of the broader creative industries precinct and for that to be considered by Government through a business case process. The work that I have been focused on over the last couple of months is to actually consult with the community and ask them a whole range of questions about the renewal and what they would like to see carried forward and what their ambition is for the future of the Museum. All of those things are being considered as part of the development of the business case, of which there is no outcome at this point.

The Hon. WALT SECORD: Has the community giving you a view on the Harwood Building?

Ms HAVILAH: There has been a range of views on the built form of the Museum, on the Harwood Building, on the circulation spaces in the Museum, the experience for visitors. There has been a very wide range of views for the whole precinct and for the Museum.

The Hon. WALT SECORD: In your submission you make reference to the architectural team of Moreau Kusunoki and, I think, Glenton?

Ms HAVILAH: Genton.

The Hon. WALT SECORD: Genton, sorry. Has the Government asked or changed or modified the design that they have put to the architectural firms?

Ms HAVILAH: Sorry, can you just clarify the question? Has the design changed, is that your question?

The Hon. WALT SECORD: That was going to be my next question.

Ms HAVILAH: Yes, sorry. Currently Infrastructure NSW are developing the response to submissions and so there may be modifications as part of that outcome.

The Hon. WALT SECORD: Have there been requests for changes since the original decision was made on the architectural firm?

Ms HAVILAH: There has been ongoing design development through the process since the architects were appointed in January this year.

The Hon. WALT SECORD: So there is ongoing consultation and discussion. What does that mean? Does that mean, "We will put in stairs. We will do this"? What does that mean?

Ms HAVILAH: Design development?

The Hon. WALT SECORD: Yes, what does that mean?

Ms HAVILAH: It means that there has been close collaboration between the Museum as the client, Create NSW as the sponsor, and Infrastructure NSW on the ongoing design and development of the Museum, which includes where the stairs go, where the front door is, all of those things.

Mr BORGER: The fundamental design concept has not changed. The vision that was presented from the award-winning architectural competition is exactly the same. There has been small modifications and changes as different things are tested, including materials, but the basic fact of there being two building modules, studio, rooftop garden, this exoskeleton building that takes the load to allow these enormous spaces, that is all very consistent with the award-winning proposal.

Mr DAVID SHOEBRIDGE: Ms Havilah, going back to the significance of the Harwood Building, you would have read the Heritage Council's minutes and assessment of the current heritage listing at the Ultimo site, you would be familiar with that?

Ms HAVILAH: Yes.

Mr DAVID SHOEBRIDGE: You would be aware that they said, in part, the submissions indicated that there may be significant in associated buildings (Wran, Harwood) and specifically associated with associated collections, steam and transport elements, and these need to be investigated. Until that happens, the Heritage Council cannot make a determination on likely significance of the rest of the site but will foreshadow to the Minister that investigation may result in an expansion of curtilage and possibly significance. Given the Heritage Council said that the heritage significance of both the Wran and Harwood buildings need to be investigated, have you commenced those investigations?

Ms HAVILAH: Yes, so we are working closely with Create Infrastructure on the development of the business case and we are undertaking community consultation. We are looking at a whole range of different aspects of the precinct and the museum building and the Harwood Building as part of the development of the business case.

Mr DAVID SHOEBRIDGE: Before you develop a business case, you need to understand the heritage significance of the current site, otherwise it looks like you are developing your heritage response in order to meet the commercial imperatives of your business case. That would look deeply conflicted, would it not?

Ms HAVILAH: I would refer you to Create Infrastructure on the business case development but we are following the normal process of business case development. We are a stakeholder in that.

Mr DAVID SHOEBRIDGE: I would suggest to you—and you can tell me if you think I am wrong—that before you develop a business case one of the key things you should do with a critical heritage site is understand the heritage constraints before you start your business case. You disagree with that, do you?

Ms HAVILAH: It is not a matter for me. It is a Create Infrastructure issue.

Mr DAVID SHOEBRIDGE: You and the board are the custodians of this important heritage site. You are the current owners. What are you doing to protect it? Ms Havilah, what are you as the custodian doing to protect it?

Ms HAVILAH: We only have had the announcement from Government on 4 July so we have only just started the process of the business case. Of course, we take the heritage of the Museum, that building and that site incredibly seriously. As I said before, we will be integrating our conservation management plan into that process. Yes, we do take it seriously and it is being considered.

Mr DAVID SHOEBRIDGE: But you cannot identify a current conservation management plan. You cannot point to it. That seems to me to be at odds with your statement that you take the heritage seriously, Ms Havilah. Do you agree or disagree? You have not even got a current conservation management plan you can point to.

The Hon. BEN FRANKLIN: With respect, that was not what her evidence was. It was that she would take it on notice.

Mr DAVID SHOEBRIDGE: Ms Havilah, you are the CEO. Major developments are happening. The first thing you look to is your conservation management plan and you cannot even find it. That does not look like someone who takes heritage seriously, does it?

The Hon. BEN FRANKLIN: Once again, that is not the evidence that she gave, Mr Shoebridge.

Mr DAVID SHOEBRIDGE: Ms Havilah can give evidence, not you.

The Hon. TREVOR KHAN: Well, you seem to spend a lot of time making statements as opposed to asking questions.

The Hon. BEN FRANKLIN: Exactly.

The CHAIR: Order!

Mr DAVID SHOEBRIDGE: Ms Havilah, you want us to accept that you take heritage seriously and you cannot identify the conservation management plan. Please square that circle.

Ms HAVILAH: It is all being developed as part of the business case so I will take that on notice.

The CHAIR: We might draw questioning to a close there. Thank you very much, Ms Havilah and Mr Borger, for attending. I note you could take some questions on notice. The Committee has resolved that answers to questions on notice will be returned within 21 days and the secretariat will be in contact with you in relation to those questions taken on notice. Thank you very much for coming.

(The witnesses withdrew.)

(Short adjournment)

JULIE JONES, Chair, Dharug Strategic Management Group, affirmed and examined

RICHIE HOWITT, Director and Finance Officer, Dharug Strategic Management Group, affirmed and examined

The CHAIR: I would like to welcome Ms Julie Jones and Professor Richie Howitt. Would either of you like to make a short opening statement?

Ms JONES: Thank you for the opportunity to address this committee of the NSW Parliament. Dharug Strategic Management Group [DSMG] is a not-for-profit company and registered charity that operates as an organisation for Dharug people, managed by Dharug people. We were established in early 2018 after more than seven years of community consultation and negotiation about ownership of and caring for the site of the Blacktown Native Institution in Oakhurst in Western Sydney. The Blacktown Native Institution [BNI] site has cultural and historical significance for Dharug people and its return to Dharug ownership in 2018 was the first return of Nura to Dharug care by the state of New South Wales since colonial times.

In early 2020, DSMG concluded a ground-breaking statement of recognition and understanding with the Museum of Applied Arts and Sciences. In that statement, MAAS recognises that Dharug yura have deep and continuing connection to country and all Aboriginal and Torres Strait Islander peoples have a deep and continuing connection to their countries as First Nation People of Australia. It also acknowledges Dharug as the traditional owners of Dharug yura. We hoped our agreement with MAAS would guide respectful engagement with Dharug yura and use of Dharug Nura as the museum developed its western Sydney location. However, we have been disappointed to find the transition process has been handled in ways that are profoundly disrespectful of Dharug yura and Nura.

In our presentation today, we will reinforce concerns put forward in our submission on the environmental impact statement [EIS] for the proposed Powerhouse at Parramatta. In our submission we objected to the project as proposed, and concluded that the EIS made unacceptable conclusions not supported by the evidence reported in the EIS. We would like to formally table a copy of that submission as part of our evidence to this Committee and offer a formal written submission in addition to our response to any questions the Committee might raise with us. Thank you.

The CHAIR: Professor Howitt, are you making a separate opening statement?

Professor HOWITT: No.

The CHAIR: Ms Jones, we heard in evidence this morning from Mr David Borger that the Dharug community were fully behind the development process, especially in questioning around the preservation of Willow Grove and were also quite happy to see Willow Grove—and I quote—moved to another site. Would you like to clarify that?

Ms JONES: Yes I would like to just clarify that.

The Hon. BEN FRANKLIN: Could I just make a quick point? My understanding was that his evidence was that specifically just referring to what the Dharug view of Willow Grove. That was my impression.

The CHAIR: Okay. I will limit the question to Willow Grove.

The Hon. BEN FRANKLIN: I am not opposed to this line of questioning but—

The CHAIR: Okay. We will start with Willow Grove and then we will move on to the rest.

Ms JONES: The Dharug community is complex and there is more than one voice in the community but we have spoken widely across the community. We were very supportive of things happening in Parramatta if it was done the right way. We have a very strong connection—the Dharug people—with Willow Grove. We have never been in favour of the destruction of Willow Grove or any other part of cultural heritage in Parramatta. We have tried to work to make inroads so that we can do that in an appropriate way. We did ask what the options were for saving Willow Grove, having to dig under and all the archaeology that might be underneath. We were pretty much sidelined so our community's position is that it is one of the rare places in Parramatta that has no negative connotations or history with the Dharug people. Our oral history states that it was one of the places that still allowed our people to have free access to the river. I can honestly say that people I have spoken to are not in favour of the demolition of Willow Grove.

The CHAIR: So to be clear you are not supportive of the destruction of Willow Grove or the dismantling and moving of Willow Grove to another site?

Ms JONES: No.

The Hon. BEN FRANKLIN: The contention of Mr Borger was that the people you represent were supportive of dismantling and moving Willow Grove and re-establishing it north of Parramatta—

Mr DAVID SHOEBRIDGE: Sorry to interrupt. I am hearing from people that there is no audio. I propose a five-minute adjournment to fix up the audio.

The CHAIR: I am happy to do that if there is a consensus. We might just break for five minutes and see how we go.

The Hon. COURTNEY HOUSSOS: There are a number of people listening in—or trying to.

The Hon. TREVOR KHAN: We have got a lengthy luncheon adjournment so we can chew into that.

Mr DAVID SHOEBRIDGE: I think there is a technical problem and Hansard are having problems.

(Short adjournment)

The CHAIR: Mr Franklin, do you want to pick up where you left off?

The Hon. BEN FRANKLIN: The contention this morning was that there was some support for moving the home to North Parramatta, which is different to demolishing it. I was wondering if you have a position on that, Ms Jones.

Ms JONES: I do not know what evidence the previous person was speaking about. Our position is that we look at the entirety of Willow Grove as a site: the house, the land and everything that encompasses it. So from a Dharug perspective, or our people's perspective, we are not in favour of and do not support the destruction of that site, which includes the house. We did have conversations—separately from the site and the dig—about even the possibility of saving the home, but that was a separate discussion from our people actually supporting the destruction of the site as a whole.

The Hon. BEN FRANKLIN: Understood. If the current proposal did go ahead, which obviously implies utilising that site for the new museum, would it be better to move the home to North Parramatta? I understand your point is that you want to keep the entire site as it is. But if that did happen, would you support moving the home to North Parramatta?

Ms JONES: I think that would be a good outcome for the people of Parramatta, to maintain the home. From a cultural perspective, the bigger problem for us is the archaeology and the dig and our home, which is what sits underneath Willow Grove.

The Hon. BEN FRANKLIN: Understood. Thank you.

The Hon. WALT SECORD: Could I ask a follow-up question: Has the Government had discussions about excavation, examination or removal of the site with the Dharug people?

Ms JONES: No, they have not.

The Hon. WALT SECORD: Would you expect that to be a normal course of events?

Ms JONES: We would hope so, yes.

The Hon. WALT SECORD: What would happen if an archaeological dig found materials on the site? What are the normal processes that would occur?

Ms JONES: The normal processes at the moment are that traditional custodians have no say in what comes out of the country here. We have land councils that have legislative power over those artefacts and bones that may come out of the ground. I want to be clear to say that I actually sit on the community reference group for the Powerhouse move to Parramatta as well. The question was asked about what would happen with the archaeology that came out of the ground, and there was just an assumption that it would be boxed and housed within the museum.

The Hon. WALT SECORD: Just bring me up to speed: What does happen in New South Wales if a construction project occurs and materials are found that are of historic significance or cultural importance?

Ms JONES: From our understanding, the land councils have priority to maintain and hold those that the Government does not keep themselves. Of course, environmental impact statements go out when there is going to be a dig; however, what happens to that from a custodial point of view is taken right out of our hands the minute that the ground is turned.

The Hon. WALT SECORD: From discussions with Elders and to your knowledge, is there any cultural significance to the site at the moment?

Ms JONES: The cultural significance of the site at the moment—one of the most important things is what I mentioned earlier: There is no negative connotation or history around that site, which is very rare in the colonial setting of Parramatta.

The Hon. WALT SECORD: Can you explain that concept? When you say no negative connotation, what you mean by that?

Ms JONES: Throughout our oral history and throughout written research, we have no negative history or interaction with anybody who owned, built or lived in Willow Grove. Our oral history states that Annie Gallagher actually allowed our people to still maintain access to the river so that we could continue some cultural practices. There was no oral history or written history of any wars or murders or massacres on that site, which is very rare for a new colonial settlement.

The Hon. WALT SECORD: Now I understand. Thank you.

The CHAIR: You are talking about access down to the river. The David Jones car park sits almost on the bank of the river and that has been built over Dharug land as well. Eventually, the Government is going to want to demolish that old car park as part of the site. Has there been any discussion about what might be under that car park as well?

Ms JONES: Not recently with us, and I would not like to say whether there has been with Dharug people in the past because our organisation's staff changes. But there has been none that I know of, no.

The CHAIR: Would you expect there to be a proper investigation? If they are going to knock Willow Grove down and then look for archaeology, would you expect the same running down to the river under the David Jones car park site?

Ms JONES: Willow Grove is yet unturned except for the house, which was built above the ground. There is an expectation that the most amount of archaeology will be found on that site. I would imagine that there would be some archaeology found because it has previously been turned. In the environmental impact statement there was a map that showed a colour-coded area of where they thought they would find the most archaeology, and Willow Grove was the big red section where they felt that the most prolific amount of colonial and First Nation artefacts and heritage would come out of.

The CHAIR: Correct me if I am wrong, but the car park sits on the site, not below ground. It does not actually go to a below-ground level; it goes up from ground level. I do not understand, and maybe we should ask the question of someone else in relation to the project as to why that would be archaeologically different. You do not have any view or any understanding of that?

Ms JONES: No, not really.

Mr DAVID SHOEBRIDGE: I suppose the difference is there has been some excavation on the car park site to lay the big slab, but on Willow Grove there really there has not been any excavation.

Ms JONES: It has been untouched. Yes. And I think because of the flooding on the plain at that front part, there would have been a natural wear and tear of country and the riverbank.

Mr DAVID SHOEBRIDGE: In terms of the First Nations history on the Willow Grove site, we are talking thousands and thousands of years of continuous occupation, are we not?

Ms JONES: We are—at least 35,000 by documented evidence, and possibly more. It is a long history.

Mr DAVID SHOEBRIDGE: As I understood it from discussions with you during the site visit, you spoke about how the nature of the colonial history of Willow Grove—caring for women—allowed it to be a much more positive site in terms of the interaction with First Nations peoples. Is that right?

Ms JONES: That is true. As First Nations people, we tend not to separate things. The whole thing about birthing, living and leaving to be reborn is part of our whole spirituality. The fact that that became a maternity hospital and that it supported enormous numbers of women who went through there and children who went through there is something that is significant to First Nation women, because that is our role as carers and mothers and leaders in our communities.

Mr DAVID SHOEBRIDGE: Given that so much of the landscape has history of conflict, does that make Willow Grove more important from a First Nations perspective?

Ms JONES: Any history on our country is part of our story. It does not matter if it is a colonial history or a First Nations history; if it happens on our country, we deem it as part of our story, whether it be past, modern or future. Parramatta is a place of very strong women's storying and women's standing for rights in that district. It has very strong women's history from our perspective, with Boorong, who was the daughter of the last clever man in the Parramatta area, being integral in relations between colonial beings and First Nation people and also just the wider First Nation community. She was very strong in there, and that continued a role throughout Parramatta for women to be strong. It has very strong storying and it has a very strong connection for not just First Nation women but all women, I think, in that place. I think Willow Grove, being for so long a maternity hospital, has added to a need for First Nation women to want to see that history respected.

Mr DAVID SHOEBRIDGE: For Hansard's benefit, how do you spell Boorong's name?

Ms JONES: It is boorong or boorong; it can be spelt either way.

The Hon. ROSE JACKSON: Could I ask a question, Mr Chair?

The CHAIR: Before we finish with that, we are talking a lot about Willow Grove, but obviously right next door you have St George's Terrace. That also occupies quite a lot of space on Dharug land. Do you have a view in relation to those buildings?

Ms JONES: We supported those buildings to be saved as well. Our stand is that we do not understand the destruction of culture and heritage to create a new culture and heritage, so we have always been in support of those buildings being maintained.

The CHAIR: Thank you.

The Hon. ROSE JACKSON: You made a comment in your evidence here today, and I think there were a couple of comments during the site visit as well, about the adequacy of the consultation. You mentioned that you sit on the consultative committee—I am probably not getting that title right. I think you reflected that—I am going to use certain words but you may wish to rephrase it—it was a bit of a tick-a-box exercise. I would like to hear your reflections on the adequacy of the consultation with you and the groups that you represent.

Ms JONES: I actually went to the community reference group of the Powerhouse as an independent person, aside from DSMG. I went as a traditional custodian and knowledge holder. My secretary at DSMG was actually a part of that committee too, representing our organisation. We did find that very challenging culturally and we did find that very challenging in a space of what true consultancy should be. When the committee came to us with things that they wanted us to decide or sign off on or approve of, everything had already been decided, so there was no discussion, and we were left thinking, "What are we actually consulting about", because there might have been three options put on the table. And, of course, then when we would ask questions, which we thought was our responsibility representing community, we would already have been told the answer was: "no" or "that is not an option", or "no, there is no plan to do that". So we were quite often left with: What are we doing here?

The CHAIR: It sounds like a sham consultation.

Ms JONES: We are ticking boxes—we are here to tick your boxes—and for Michelle and I, as First Nation women, to be sitting around that space advocating for our community, we felt that there were times through that process that the ability to educate the others on the committee was actually stifled. There were a couple of times we went to speak about things that were on the table in that particular meeting and we were asked if we wanted to have a separate meeting. It was almost as if they did not want that information to be shared with the other members of the reference group, but we held our ground quite strongly and we had the discussion at the table, and we received some emails from some members of the committee apologising for things that happened in that particular meeting and offering support.

The CHAIR: Do you have a view on the suitability of the female factory heritage precinct for a new museum?

Ms JONES: I do believe that there is some land that has been talked about in community. I have not yet been up to actually have a look at the land so I do not think I would be qualified to actually answer that.

The CHAIR: Okay.

Mr DAVID SHOEBRIDGE: Professor Howitt?

The CHAIR: Professor Howitt?

Professor HOWITT: If I am speaking as director of Dharug Strategic Management Group, I do not think that—the celebration of colonial history, which in Parramatta is quite a violent history, is not the only place that we should be talking about the healing of Nura—the healing of Country—and the development of a culture of shared belonging. In my understanding, it is very difficult for Dharug people, whose families were interred in the female factory and abused in the female factory, that is a very difficult landscape for people to feel—it is an incredibly important story that the legates of colonial history should never forget, but it is not a history to be celebrated, and it is certainly a very difficult history for Indigenous Australians in general and for Dharug people in particular to feel is a place to celebrate.

Mr DAVID SHOEBRIDGE: What about the broader precinct? There is quite a broad Cumberland precinct there? Do you have the same views about that broader precinct?

Professor HOWITT: I think what I can say from DSMG's point of view is that part of our strategic responsibility is to look after the Blacktown Native Institution site, which is the site that the native institution was moved to in 1823 and to pursue the healing of Nura, the healing of Country, across Dharug territory. So, maintaining, conserving, preserving that Country is a priority, and making sure that the Cumberland ecological landscape is maintained and looked after and expanded is absolutely critical. I think if I speak a little about the site proposed for the museum, the Willow Grove site: To disentangle it from all that narrative history and say, "No, we can just treat it as an empty space, as terra nullius; we can level it and produce a new cultural institution", speaks really sadly, I think, to the way cultural institutions are negotiated and the relationships they build.

DSMG very deliberately set out to negotiate with the Museum of Applied Arts and Sciences an agreement of mutual understanding and recognition at which we would welcome an appropriate museum into Parramatta. And we have been consistent in our support for an appropriate museum. We expressed concern about the site. We have expressed concern about the design, and in the submission that we have just tabled we have expressed concern about the assessment of that design. So, I think that, as an organisation, we have articulated a very clear statement of support and of welcome to the museum. But part of the responsibility of a guest being welcomed is that they treat with respect where they are being welcomed to. And, as Auntie Julie just said, I do not think we have seen that respect being exercised in the processes of design, evaluation and consultation.

Mr DAVID SHOEBRIDGE: If you think about the current Powerhouse site at Ultimo and how the new museum built upon and celebrated the history, do you think that there would be an opportunity to do that at some place in that broader North Parramatta precinct—to build upon and celebrate or acknowledge or work with the history, rather than do the blank slate on the riverbank?

Professor HOWITT: Yes, I do.

The CHAIR: How does the Deerubbin Local Aboriginal Land Council relate to your organisation?

Ms JONES: Deerubbin Local Aboriginal Land Council do not acknowledge the existence of any Dharug organisations or the existence of Dharug people generally. They have refused our applications to join the land council, and so we do not have a relationship with them. We have tried; they do not reciprocate the wish to have a relationship with Dharug people.

Mr DAVID SHOEBRIDGE: This is the distinction between connections through traditional ownership and family lineage as against the land council's statutory structure. That is playing out in one way or another between your relations. Would that be a fair summary?

Ms JONES: Very fair summary. They do not acknowledge that there are any custodians left here on this Country.

The CHAIR: Do you know what their view is? How do they relate to this process?

Ms JONES: This process, in particular, I do not, but previous processes is to sell our Country, sell land.

Mr DAVID SHOEBRIDGE: I think we should let Deerubbin speak for themselves.

The Hon. TREVOR KHAN: Yes, we are getting into some dangerous territory here.

The CHAIR: I just wanted to clarify that relationship, that was all, and the different view that they are taking in relation to what is going on. Do you agree with the green ban that the CFMEU has placed on the Willow Grove and St George's Terrace sites?

Ms JONES: Yes, we do.

The CHAIR: Are there any more questions? I have run over a little bit because we lost some time. Thank you very much for coming.

Professor HOWITT: With your indulgence, Mr Chair, we have got some written comments that we might table as well that we prepared in anticipation of what might come up.

The CHAIR: Yes, absolutely, please hand them up. I thank you very much for your submission.

Mr DAVID SHOEBRIDGE: And also for the politeness of your response. Many people, if they have got a bunch of written responses, provide those responses regardless of the questions. I think you have shown restraint.

Professor HOWITT: It is always better to have a conversation.

The CHAIR: Thank you very much for coming.

(The witnesses withdrew.)

ADAM LINDSAY, Executive Director, Sydney Living Museums, affirmed and examined

The CHAIR: Thank you very much for coming again, Mr Lindsay. We had a little bit of a foul-up earlier, which you might have got a repeat performance on, but we managed to fix the technical hitch. We are running a little bit late. Would you care to make an opening statement?

Mr LINDSAY: A very brief one, if I may. I begin by acknowledging that we are here today on the land of the Gadigal people of the Eora nation and I pay my respects to Elders past, present and future. My name is Adam Lindsay. I am the executive director of Sydney Living Museums [SLM], and it is in that capacity that I have been called here today to speak before the Committee. For the record, I declare that I am also executive director of NSW State Archives and note that I have not been called here today to speak in that capacity.

The CHAIR: I am sorry, could you say that again?

Mr LINDSAY: I note that I have been called here to speak on behalf of and with evidence pertaining to Sydney Living Museums.

The CHAIR: You might just pull the microphone a little closer.

Mr LINDSAY: I am sorry about that.

The CHAIR: That is better.

Mr LINDSAY: I have not been called here in my capacity and am not prepared to answer questions about NSW State Archives, although I would be very prepared to take them on notice if needed.

The CHAIR: We would be happy for you to take them on notice if you do not want to answer them here.

Mr LINDSAY: It is more around preparation for figures and whatnot.

The Hon. TREVOR KHAN: There are a lot of people who come and give evidence who are not particularly prepared—not that I am being critical at all.

The Hon. WALT SECORD: Mr Lindsay, I understand that in your organisation staff have been alerted to changes to their roles, titles and responsibilities. What prompted that to occur?

Mr LINDSAY: Regular business. There is constant need for change and to be more efficient and effective. But what prompted the latest round of organisational changes was the partnership between Sydney Living Museums and NSW State Archives. As of 1 July 2019 they came under the one executive director, being myself. We took the opportunity in a staged approach—a non-industrial staged approach—to amalgamate some functions across the two entities to increase efficiencies—things like back-of-house services, finance, human resources [HR] and information technology [IT]. That was the first round of changes. The latest, which I think you are referring to and was in the media, was centralising management of capital works across NSW State Archives and Sydney Living Museums. There are two levels to the changes, really. In both entities capital expenditure and works were being done in multiple teams, so they were consolidated into one team. That was joined as a single team to make sure that we had standard procurement functions. We could get better value going to market for similar services as a combined approach.

The Hon. WALT SECORD: Did that result in a reduction of staff?

Mr LINDSAY: No.

The Hon. WALT SECORD: Not at all?

Mr LINDSAY: None at all.

The Hon. WALT SECORD: If it resulted in, I guess, a streamlining or duplication, what did those staff who found that their duties were in fact folded into another person's position move on to?

Mr LINDSAY: In the first instance, nothing, because NSW State Archives previously outsourced all its shared services—finance, IT, HR. When we combined with Sydney Living Museums' back-of-house functions we added people to the Sydney Living Museums team to enable them to cover both entities and stopped outsourcing at NSW State Archives. There was not, if you will, the comparable positions, so there were no "spills

and fills". The only exception to that was there were two IT managers in both entities, but they were at different classifications. We simply combined the teams and worked out who would do what duties. Now there is a head of IT who came from the State Archives and Records Authority of New South Wales [SARA] entity and there was a head of IT—but at a lower grade—at the SLM entity; now they are simply in one team.

The Hon. WALT SECORD: What is the name of the merged activity or the merged facilities? What is that called?

Mr LINDSAY: It remains two separate entities, legally and in statute, and it operates under two very clear governance structures. It has its own single employees, but where we have been able to combine certain functions to get better value we have done so. But each employee continues to remain an employee of one or the other of the entities; they are simply doing duties and fulfilling roles across two. It sounds more complicated than it is—some of them are purely administrative on whose establishment you are on—but it is the combining of functions to enable better outcomes.

The Hon. WALT SECORD: What was the end result in a cost-benefit analysis? What were the savings made?

Mr LINDSAY: In NSW State Archives we are paying significantly less for our shared services when they come out of SLM than when we outsourced them—a figure of about \$400,000, \$500,000 from memory. Because we get a standard capital grant from Government and we need to expend that there are no savings; it is just that we get more for the buying power by combining the teams. When we are going out for air-conditioning upgrades, instead of NSW State Archives procuring it and SLM procuring it we are probably able to get a better rate by combining those two and giving the one supplier both jobs—and also less staff overheads to run two procurement processes. The capital savings have not resulted in a net benefit to the bottom line. They have simply resulted in more capital going to service upgrades and less to staff management.

Mr DAVID SHOEBRIDGE: Mr Lindsay, it must be a pretty tough time to be running museums with the COVID-19 impact. Do you want to just give us a summary of where you are up to and what your plans are?

Mr LINDSAY: It has been tough. I suppose there are two aspects to it. There is the museum not really being a museum when it is not open to the public—that is always tough for vocational workplaces not to be able to show off the collections and intellectual property that they are producing. The staff morale has been an interesting one. In terms of revenue it has been tough, because Sydney Living Museums gets the majority of its self-generated regular revenue from ticket sales, exhibition sales, public program sales and then also functions. We have some of the most spectacular function venues in the State—I will do a sales pitch for that—so it is a significant line of revenue. In terms of coping with that, we are still feeling the revenue impacts, because even though we are reopening it is at a reduced capacity.

In terms of management, we did a number of things quite quickly. First of all, we put into place a skills marketplace. That basically allowed anyone who had had their job or their duties reduced by COVID to log their capacity and their self-assessed skills in this virtual marketplace. Leaders in the organisation were then able to log a work package and say, "I need this done. It should take this amount of time and it needs these skills". HR would then match them up and then assign that via their leader to attest that they had those skills and, indeed, had that capacity. Then we were able to engage workers from all over the organisation in the highest-priority work for the entity.

As a result of that, we did not need to lay anybody off. Casuals ceased to get shifts because they are simply employed to generate profitable revenue, and if that revenue is not there we cannot engage casuals. But anyone who was on a permanent or even temporary public service contract has not had that contract ended early and has been involved in productive work. We have managed to keep staff morale and productivity up in those senses and, like many institutions, have converted a lot of our offering to either digital, in the interim, or now a hybrid of physical and digital.

Mr DAVID SHOEBRIDGE: What proportion of your workforce was casual prior to COVID?

Mr LINDSAY: Prior to COVID, there was probably anywhere between 30 and 60 casuals out of an establishment of about 180.

Mr DAVID SHOEBRIDGE: So between 15 and 30 per cent.

Mr LINDSAY: Fifteen and 20 per cent, yes, at the very most. It is driven by—if we have got a function every night in summer, obviously the number of casuals we need increases exponentially. Normalised over a year, I would say under 30 per cent, but probably between 20 and 25 per cent.

Mr DAVID SHOEBRIDGE: Have you had any ongoing contact with that contingent labour force? It has obviously been tough on them. What is your proposal for the casual labour force?

Mr LINDSAY: When function revenue starts to return, they will be employed again. I suppose it has been difficult because there is not enough work and revenue to pay for the entire workforce irrespective of the nature of their employment. The choice was to keep casuals in ongoing regular or irregular employment and end temporary contracts for public servants, or vice versa. We have chosen that latter option. We have regular contact with casuals. They are still on the books as employees. They still receive all employee communications. Every time work comes in, be it an education program, where casuals are a rich source of labour for us, or a function—and we have done quite a lot of filming during COVID. We often employ casuals in that capacity. We have just had word from the education department that excursions will be reinstated in term 4 and that is where the predominant amount of our casuals are employed. We are awaiting the guidelines and whether we can accommodate that. As soon as we are able to, casuals will return to our workforce.

Mr DAVID SHOEBRIDGE: You would have finalised your 2020 annual reporting. Can you give us an indication of what the size of the budget hit has been for Sydney Living Museums and how you are going to deal with it?

Mr LINDSAY: The budget hit only came in the last couple of months. We had fairly decent revenue up until March. We did not have an enormous deviation from budget. I will look for the figures while I am answering the question, but we are really concentrating on philanthropy and corporate sponsorship. I have to say our corporate sponsors have been fantastic during COVID. For Sydney Open we have had probably more sponsors than we have had previously. We have done very well in corporate sponsorship and philanthropy, but museum ticket clippings, exhibition entry and general function revenue has continued to decline.

Mr DAVID SHOEBRIDGE: I am more than happy to hear the good news part of the story by the way, Mr Lindsay.

Mr LINDSAY: Good. Our self-generated revenue from 2018-19 to 2019-20 reduced just over \$600,000.

Mr DAVID SHOEBRIDGE: What are your projections for the current financial year?

Mr LINDSAY: That is a difficult question because the State budget has not been finalised yet. We are still operating on a half-year appropriation. It is difficult to say. Revenue is starting to come back with restrictions being lifted. We are certainly stimulating a lot of self-generated revenue—more than our projections, albeit our projections are significantly down on last year. We are yet to know until the State Government finalises the budget for this year.

Mr DAVID SHOEBRIDGE: Are border openings and closures going to have an impact on your revenue? Is much of your revenue very domestically directed? What is the impact of border closures and the like?

Mr LINDSAY: For museum entry, there is a decent proportion—40 per cent—from interstate and international tourism. It has an enormous impact on us in terms of museum and exhibition entry, but the domestic market is our strongest for function revenue and for filming opportunities at our venues. That is slowly coming back in.

The Hon. ROSE JACKSON: Mr Lindsay, I just wanted to ask about the interest that you see from visitors interstate and international with the historic buildings that Sydney Living Museums manages. I know you have a suite across Sydney. Is it fair to say that there is quite a lot of community interest in visiting these heritage and historic buildings and seeing the stories that they are able to bring to life?

Mr LINDSAY: I think international visitors, absolutely, and there is a growing interest in pre-colonial history. That feedback came through very strongly from the Hyde Park Barracks, where we, in my opinion, integrate colonial and pre-colonial history in a compelling and respectful way. I think for the domestic market the challenge is putting new content and stories in those sites so that they are interested to come back. They are interested to come once; coming back to house museums and historically based museums is the challenge.

The Hon. ROSE JACKSON: I suppose I ask the question because, as you would know, the future of the Willow Grove historic house on the Parramatta Powerhouse site is a point of contention for this inquiry. There

has been quite a lot of feedback that retaining that property—and in some ways having visited it, it is a bit of a blank slate for different exhibitions to move in—as a historic house and part of a museum site would be attractive to visitors.

Mr LINDSAY: I will speak generally rather than specifically about Willow Grove. Generally it is difficult to run a historically based house museum, but it depends how dyed in the wool you are on the concept of being place based. If every story that you tell has to relate strictly to that site and no more, then you are going to find limitations on the amount of new content you can bring through. But if you do see it as a site where you can have a contemporary perspective and can even have contemporary art in a historic site—something like the Met Cloisters, which does that well. I think we have talked about that before, where you get a new appreciation for unrelated but contemporary objects in a historical setting. If you are more liberal in your interpretation, then, yes, I think it can be attractive. If you are more dyed in the wool on the conservative end of that continuum, I think it is a difficult prospect to keep visitors interested in returning.

The Hon. ROSE JACKSON: Indeed. But I think that is a reflection on the type of exhibitions you might hold in the setting, the house. But if you are a little bit more open-minded about what we might bring in and out, having that place, that house, that framework and those bones can be a very attractive setting for a range of different exhibitions.

Mr LINDSAY: Absolutely. I would not be doing my job properly if I disagreed with that statement. I completely agree with that statement. I will say—and this is not a comment on Willow Grove specifically—if there is not enough capital investment and operational funding to keep something running, you have to make difficult choices about what there is enough money to keep and care for in the optimal way. I think we are slowly approaching in heritage circles and in architecture circles particularly and in a trust responsible for 12 significant budget-hungry properties—we are talking about how sustainable a growing portfolio of these types of places is and what your A-grade, B-grade and C-grade places are. I do not think there is the ability for any types of places like this of significance to grow ad infinitum unless there is the budget line to support them.

The Hon. TREVOR KHAN: And in that regard the sort of intellectual capital that is available to keep turning over—there are only so many exhibitions you can essentially generate at any one time.

Mr LINDSAY: Well there is. There are infinite stories and I think the appetite for cultural property and intellectual property is abundant. I know I said I would not speak about New South Wales State archives but, if you have got the opportunity to come and see the breadth and depth of material, you could program every house in this country in some way or another with interesting and relevant stories. I think it is not a matter of—

The Hon. TREVOR KHAN: But we do not for a particular reason. Partly it is budgetary, isn't it? But it is also a manpower issue.

Mr LINDSAY: Exactly. I think we are heading close to a debate about intrinsic value here and to me I think there is intrinsic value, but I do not think that is a primary source of value. It has to be accessible and desirable for people to want to come and see it in an authentic and compelling way for it to have value to the community at large.

The Hon. ROSE JACKSON: One of the sites that Sydney Living Museums manages is Elizabeth Farm which is in the Parramatta precinct. Having visited it, it is not a historic building—

The Hon. TREVOR KHAN: Once or more?

The Hon. ROSE JACKSON: —in the sense of a grand sandstone structure. It is in some ways, like Willow Grove, an old house that Sydney Living Museums has incredibly beautifully and movingly transformed into a story of the Macarthur family and then it is the history of Parramatta. So I suppose having seen the great work that can be done with somewhere like Elizabeth Farm I am obviously concerned to lose the opportunity to do something similar with the Willow Grove site and turn more sites in that Parramatta area, which has so much history that is not really told, into something that is really attractive for people in New South Wales to visit.

Mr LINDSAY: Absolutely.

The Hon. ROSE JACKSON: Would you care to comment more on the potential of Willow Grove to be another Elizabeth Farm-esque property in a similar area with a similar offering that is similarly fantastic?

Mr LINDSAY: Yes. In theory, yes. It is difficult to say whose history is more relevant and more important. I think one of Australia's oldest homesteads where Macarthur spent his final 10 years committed against

his will by his own family has a very strong pull for people. Does Willow Grove have the depth of colonial history to carry that off? Possibly, possibly not. So I would comment in the general sense to say I am for preserving history and stories but I think we have to make sure that they are returning value to the community and not just resting on the laurels of intrinsic value being the only motivator.

The Hon. BEN FRANKLIN: Could I go to part of the terms of reference that talks about access? You raised the Hyde Park Barracks. The first point I want to make, which I made in a different inquiry and will make again today, is you talked about the balancing of colonial and pre-colonial histories, which I think is done brilliantly and incredibly sympathetically and I congratulate and commend you for that. One of the things that is done at Hyde Park Barracks is focus on access for those who have mobility issues and hearing issues. I think that is done extremely well. I wonder if you have any suggestions or recommendations that this Committee should consider about improving that or what can be done more broadly across the museums sector in New South Wales.

Mr LINDSAY: Certainly. Access was one of the fundamental principles of the reformation of Hyde Park Barracks. We were fortunate enough to get a Commonwealth Protecting National Historic Sites grant that enabled us to hire Accessible Arts as an access consultant. The accessibility there is on multiple levels. Firstly there are accessible pathways all around the site. The natural gravel there is part of the United Nations Educational, Scientific and Cultural Organization World Heritage listing but it is terrible for access. People with mobility devices, particularly where they are wheel-based, cannot really go over them. So the accessible pathways extend right around the building and allow you to see all of the exhibition space. We installed a lift so for the first time ever people who cannot use stairs—and they are not particularly compliant stairs in the Hyde Park Barracks—can see the second and third floor. So those kind of physical access attributes were really important.

When we run public programs and even on general days when I walk around there I see so many more people in wheelchairs accessing that site. It is really phenomenal. And they are front and centre for public programs. So you might not know what these little honeycombs in the gravel are but certainly people with mobility devices, and wheelchairs particularly, see them straight away and gravitate toward the site. So there are some of those overt symbols and then inside the story guide has been modified. It is an audio experience but if you have low vision or are blind it has descriptive text. If you are hearing impaired or deaf it has functionality for you to participate as well. So in all aspects we have considered access and I would encourage any museum doing any type of significant capital works or even rehanging their gallery spaces, permanent or temporary, to really seriously think about access and engage experts to advise you.

The Hon. BEN FRANKLIN: One of the things I noticed, for example, was even where you were able to view exhibits that for people in wheelchairs it was appropriate and really thoughtful.

Mr LINDSAY: Yes, height-wise—and for children as well. It was interesting because one of the other principles for the Hyde Park Barracks was a history museum without text because our audience research showed that people who are interested in history do not mind coming and reading long swathes of text and labels but people that are not would prefer other ways in. It is accessible even for people who may think history is boring or dry. We really took accessibility in a very broad sense.

The Hon. BEN FRANKLIN: The other issue on accessibility—

Mr DAVID SHOEBRIDGE: It is a shameful thought, though, that history is boring and dry.

Mr LINDSAY: Absolutely. I condemn it completely but I also want the ticket sales from people who do hold that and so I respect that view and take that feedback very strongly.

Mr DAVID SHOEBRIDGE: I appreciate the balance.

The Hon. BEN FRANKLIN: The other issue I wanted to raise in terms of accessibility was obviously for regional people. We have just been through a significant inquiry into Sydney Living Museums and SARA. Is there anything you particularly want to highlight in terms of what you do and your organisations do in terms of regional access? Do you have any specific recommendations that you would like to make to this Committee in our considerations?

Mr LINDSAY: Certainly I think both Sydney Living Museums, despite its name, and NSW State Archives and Records have very extensive regional networks, both physical and through digital access, and through travelling exhibitions that we often subsidise for regional galleries and libraries to be able to have either primary or secondary access to archival material and museum collection material and intellectual property. My advice or recommendation is there is not one regional solution. It is like there is not one Indigenous solution. It

depends what region. It depends what they are interested in. So I think be open and flexible. The model we have is where we are touring things outside the State to make enough money to potentially subsidise things that are touring within a State to really fulfil a statewide access mandate.

Mr DAVID SHOEBRIDGE: Mr Lindsay, I am sorry to ask this of you but if you say to somebody "the Powerhouse Museum" they know what you are talking about.

Mr LINDSAY: Yes.

Mr DAVID SHOEBRIDGE: If you say to somebody "the Art Gallery" they know what you are talking about.

Mr LINDSAY: Yes.

Mr DAVID SHOEBRIDGE: When you say to somebody "Sydney Living Museums" do you always have to explain what it means?

Mr LINDSAY: Not always.

Mr DAVID SHOEBRIDGE: But often.

Mr LINDSAY: There are occasions. I am not sure what angle you want me to explore. I will not go into brand theory or history of the brand and the name change. What I would say is that constraint and that brand recognition is very real for both NSW State Archives and Records and Sydney Living Museums and it is precisely one of the strong reasons that I am in support of the creation of a new cultural institution of which SLM and SARA would form part.

Mr DAVID SHOEBRIDGE: Okay. Yes, I think I understand what you are saying.

The Hon. ROSE JACKSON: Let's not go into it.

Mr LINDSAY: Let's not go into it but I am prepared to talk about it if anyone wants to.

The Hon. BEN FRANKLIN: For many hours, I suspect.

Mr LINDSAY: We will need an extension of time.

The CHAIR: I think we have run out of time. Thank you very much for coming, Mr Lindsay. Thanks very much for your help. Sorry we inconvenienced you before but that seems to be the way of this Committee sometimes.

Mr LINDSAY: Not at all. Thank you so much.

(The witness withdrew.)

(Luncheon adjournment)

FRANK HOWARTH, AM, PSM, Chair, Heritage Council of NSW, affirmed and examined

TIM SMITH, OAM, Director, Heritage Operations, Heritage NSW, Department of Premier and Cabinet, affirmed and examined

KATE FOY, Deputy Secretary, Community Engagement, Department of Premier and Cabinet, on former affirmation

The CHAIR: Thank you very much for coming today. Would any of you like to start with an opening statement of no more than a couple of minutes?

Mr HOWARTH: Thank you, Chairman. I thought it may be useful to give a little bit of context around the role of the Heritage Council itself. The Heritage Council is an independent statutory authority. We report to the Minister responsible for heritage. The council's membership is a diverse membership representing a range of skills and expertise in the heritage area. We have two primary committees that assist the council in its work. One is the State Heritage Register Committee, which considers applications for listing onto the State Heritage Register. The other one has the romantic name of the approvals committee and it is there to consider changes to currently listed properties. The primary responsibility of the council is to decide on items of—and I am quoting from the Act—environmental heritage that should be added to the State Heritage Register.

In doing this, the council considers seven areas of potential significance as set out in the Act. To be listed, generally an item must meet more than one criteria. An item could be listed on the basis of one criteria but, as the Act states, it must be of exceptional significance under that criteria. The general process for listing is that a person or organisation lodges an application for State Heritage Register listing. That is considered by the State Heritage Register Committee through a triage process, which determines which application should go forward for detailed consideration. An application is unlikely to proceed if the committee determines that it is not likely to be of heritage significance but will proceed to formal detailed assessment if the committee considers it may be of heritage significance. The committee will give priority to applications for properties that are not adequately protected elsewhere.

For example, something that is in the committees who are adequately protected generally would be something that is listed through a local environmental plan; or it would give priority to items that are under threat, as we did recently with the MLC building in North Sydney; or where the council is requested to do so by the Minister responsible for heritage, as we also recently did for the National Art School's old Darlinghurst jail complex in Darlinghurst. The council may advise the Minister to issue an interim heritage order if the council believes the property is under potential threat, as we also just did for the MLC building in North Sydney. It is the Minister's decision then as to whether to issue that order. If the committee or full council is satisfied that a property or place or object is likely to be of heritage significance then a notice of intent to recommend listing is issued, and comments from that process taken into account before providing a formal request to the Minister to list something.

The council's approvals committee has the key role of deciding on requests for changes to listed properties. Many of the council's functions are delegated to Heritage NSW—the team led by Mr Smith here on my left—with the full council and the committee generally considering more complex or controversial application requests. The council has also considered whether the State Heritage Register is properly representative of the range of heritage that is significant in New South Wales. It is clear that some areas of heritage, such as Aboriginal cultural heritage, migrant heritage, rural heritage, and the built heritage of the mid to the late twentieth century, are underrepresented. Arguably, some areas of heritage are overrepresented currently. For example, nineteenth century sandstone dwellings and churches, and late nineteenth and early twentieth century railway buildings. We have a lot of those on the State Heritage Register.

The council is working with Heritage NSW on ways of addressing these imbalances. In this process the council is following the model established by museums and art galleries where the collections are actively curated to ensure that they meet set representative criteria rather than simply responding to what comes through the door. The council is also aware that heritage that may be referred to as living heritage is not easily able to be represented on the current State Heritage Register due to definitional limitations in the Act. In 2016 Heritage NSW did a survey of a representative group of the entire population and asked them did they think heritage was significant. The good answer was that more than 85 per cent of people rated heritage as important or very important. The interesting answer then was asking them what they considered to be heritage. A lot of people from, say, Asian

backgrounds, South Asian backgrounds or Middle Eastern backgrounds do not consider built heritage as of primary significance compared to tradition, celebrations, festivals and events.

We are currently thinking through how that might be better represented in the State heritage system. Council is also concerned about the ongoing care and management of State Heritage Register properties. We provide advice to property owners and custodians. In particular, the council has been considering how external events such as climate change and COVID-19 will impact on that heritage and how best to advise heritage property owners accordingly. Finally, the council also has a strong policy of being more proactive around major State developments such as the Western Gateway Central railway developments, Circular Quay, the Outer Sydney Orbital. We seek to engage earlier in the process rather than simply reacting to requests so that we work with people who are developing, as we are doing extremely well in Central with the proponents for the large developments of Central. Thank you, Chairman.

The CHAIR: Thank you.

The Hon. WALT SECORD: That was a very good overview, thank you. Mr Smith, there has been much debate and much discussion about what is actually under heritage protection and what is protected at the Powerhouse site at Ultimo. There were advertisements some time ago in the *Government Gazette*, and then the Government advertisements, then there was debate and correspondence back and forth saying that, in fact, the Government has not protected this site. Could you take us through what is actually protected at the Ultimo site?

Mr SMITH: Thank you for the question. If I was going to have an opening address, it would just to be to reflect on the outcome of those deliberations. They have been very considered and careful deliberations since 2019 when the regional nomination for the national trust was prioritised and put through the rigour of a State Heritage Register assessment process. It is a rigorous process because the register, as the chair of the council has identified, is a critical register. It is those places in the State of absolutely special importance. Obviously, most places are protected appropriately at a local level under the planning Act through heritage schedules, so the heritage register's process is a very considered one. We work through nominations. That is a public process. It is completely in the public domain.

Nominations come in, they get assessed, they get a due diligence test around completeness and adequacy to then be progressed and they go through then a process. I can talk about some refinement of that, which has been a very good outcome in the last year, where Heritage NSW has been working closely with the Heritage Council to improve and streamline the process and go through the open list of nominations.

The Hon. WALT SECORD: Okay, but my question relates to the Ultimo Powerhouse site.

Mr DAVID SHOEBRIDGE: The outcome.

Mr SMITH: Absolutely. What I was trying to demonstrate that there was a process the nomination ran through that process from late 2019. There were a number of Heritage Council meetings to discuss the National Trust preferred area or nominated area. Heritage NSW says that a delegate of the Heritage Council looks at that. They present that nomination to the Heritage Council and then the Heritage Council deliberates on the merits of that nomination. Out of that process and what we have now realised, and I want to commend Heritage NSW staff that supported that, we have now the heritage core of the Powerhouse listed on the State Heritage Register and gazetted by Minister Harwin recently.

The Hon. WALT SECORD: Okay. Can I stop you there? What is the heritage core?

Mr SMITH: It is the principal heritage buildings that the Heritage Council on their reflection on the values of the place that are considered the most significant in terms of telling the particular stories of that place. The principal story is its historical use, construction of that building for electricity generation and servicing of the Sydney tram network.

The Hon. WALT SECORD: Can you name—

Ms FOY: May I ask a question of clarification? Are you asking which buildings constitute the heritage core?

Mr SMITH: Sorry. I can certainly say that.

The Hon. WALT SECORD: I would like you to list them.

Mr SMITH: It is the Turbine Hall, the Boiler House, the Switch House, the Engine House and the Office Building. It is similar to what was protected by the local City of Sydney local environmental plans [LEP] listing. I say the principal core because they are the substantive elements of the original Powerhouse site.

Mr DAVID SHOEBRIDGE: Mr Smith, did I understand you to say that the Heritage Council considered all of the site and decided to protect only the principal heritage buildings? Was that your evidence?

Mr SMITH: That was part of the process, absolutely. The nomination was only for those elements that ultimately were gazetted and endorsed on the recommendation of the Heritage Council by the Minister. But the Heritage Council and also Heritage NSW in examining that and doing the proper due diligence assessment of the wider values of the site also looked at the wider elements of the site. It commissioned external studies and drew on other existing reports that presented particular views on values and which elements had values for different stories on the use of that site and its transition.

Mr DAVID SHOEBRIDGE: Mr Smith, you were not at the meeting of the Heritage Council on 21 April when it was decided, were you? You were on standby.

Mr SMITH: That is right. The Heritage Council determined that out of session.

Mr DAVID SHOEBRIDGE: Have you read the minutes of the Heritage Council?

Mr SMITH: Yes, certainly. They considered the nomination before them which was this 2015 National Trust one. In the interval of that nomination coming through and going through the system, the National Trust landed some additional nominations—one for the Harwood Building and one for the whole site in its entirety. I do not want to speak for the Heritage Council but it framed up a view that it would look at the initial nomination, consider that and then leave open opportunities to assess other elements.

Mr DAVID SHOEBRIDGE: Well you see Mr Smith, I do not think your evidence is actually an accurate reflection of what the Heritage Council did on the basis of the minutes. I will read you a section from the minutes then I might ask Mr Howarth, AM, to comment as to whether those minutes accurately reflect the deliberations. The minutes read, in part:

The submissions indicated that there may be significance in associated buildings (Wran, Harwood) and specifically associated collections (steam and transport elements) and these need to be investigated. Until that happens the Heritage Council cannot make a determination on likely significance of the rest of the site but will foreshadow to the Minister that investigation may result in an expansion of curtilage (and possibly significance).

Now Mr Smith, that is contrary to your assertion that the Heritage Council looked at all of the buildings and decided only to protect the principal heritage buildings. It is actually directly contrary to your evidence, is it not?

Ms FOY: May I just ask through the Chair that we have a look at that document before Mr Smith responds? I do not think we have it on us.

Mr SMITH: I was certainly flagging—

Mr DAVID SHOEBRIDGE: Mr Smith, you said you read the minutes.

Mr SMITH: Yes.

Ms FOY: But if we could have a look it would be really helpful.

Mr DAVID SHOEBRIDGE: I am happy to share the document but I would like Mr Smith to respond.

Mr SMITH: I thought I alluded to the fact that the other nominations that came in would be assessed at a later stage and that goes to your point where the Heritage Council were left particularly the finding of the modernist element, the 1988 Wran Building elements. They did not get a consensus view and I do not want to speculate on behalf of members of that committee—

Mr DAVID SHOEBRIDGE: Given that you were not there Mr Smith, it is quite tricky for you to do that.

Mr SMITH: —that they determined to progress what they had consolidated as meeting a State test and to look at other elements of the site at a later stage.

Mr DAVID SHOEBRIDGE: Mr Howarth, do the minutes fairly and honestly reflect the deliberations of the Heritage Council?

Mr HOWARTH: My recollection is that yes they do.

Mr DAVID SHOEBRIDGE: Did the Heritage Council look at all of the buildings on the site and determine only to protect the principal heritage buildings?

Mr HOWARTH: The record in the minutes is the accurate record. The upshot of it was that the Minister accepted a recommendation to list the core buildings and that is the situation now.

Mr DAVID SHOEBRIDGE: But the Heritage Council was not in a position to assess the heritage significance of the Wran and the Harwood buildings because they did not have sufficient information before them. That would be a fair reflection, wouldn't it?

Mr HOWARTH: Yes. I am assuming the committee was aware from the currently published resolutions that the Heritage Council has considered the Harwood Building. Its most recent meeting decided that it was not of State heritage significance. With respect to the Wran Building, we are waiting on a commission study that is being processed by Heritage NSW to look at the architecture of the last part of the twentieth century so the Wran Building can be put in some context of the wider post-modernist architecture in particular across the State.

Mr DAVID SHOEBRIDGE: In fact it is a part of the State's heritage that is inadequately protected—that late twentieth century architectural heritage. It is part of what you said has been given inadequate protections.

Mr HOWARTH: No. What I said was that it is under-represented on the State Heritage Register. They were my exact words. The study is to determine if there are buildings of significance in the latter part of the twentieth century and specifically where the Wran Building—as it is called—sits within that particular canon.

Mr DAVID SHOEBRIDGE: I am not asking you to prejudge this particular building but it is in that historical epoqe, if you like, that is currently under-represented in terms of the State heritage.

Mr HOWARTH: Yes, it is.

Mr DAVID SHOEBRIDGE: You asked for further investigation of both the Harwood and the Wran buildings. You indicated that you had formed the view that the Harwood Building should not have State protection?

Mr HOWARTH: Yes.

Mr DAVID SHOEBRIDGE: But you are not suggesting that it is without heritage merit, are you?

Mr HOWARTH: I think I would probably refer you to the published draft resolutions but my recollection of those is that we resolved to recommend that the City of Sydney council look at potential local listing of the Harwood Building. But that is up to the council.

Mr DAVID SHOEBRIDGE: That local listing would suggest that you accept that there is heritage value to the building, you just do not think that it ticks the box for State listing?

Mr HOWARTH: We think it does not tick the box for State listing. I am not going to go into relative value judgements beyond that.

Mr DAVID SHOEBRIDGE: In terms of the Wran Building, what is the time frame for completing the Heritage Council's consideration of the State Heritage listing of the Wran Building?

Mr HOWARTH: It will be determined by that study. One of the problems is finding people who are both available and skilled enough to do that study. I would hope we would have some resolution by early next year on that.

Mr DAVID SHOEBRIDGE: Have you been in communication with Infrastructure NSW or the Powerhouse Museum about the time frame for their business case and whether or not the question of heritage listing of the Wran Building needs to be done in time for their business case?

Mr HOWARTH: No, we have not. Nor has any formal or informal advice—as far as I am aware—been provided from those agencies on those issues.

Mr DAVID SHOEBRIDGE: Before I hand over to the Hon. Walt Secord, do you think in terms of the custodianship of a building that is up for consideration of State Heritage listing that before the owner makes a major decision about removing fabric or altering fabric, that good practice would be to wait for the conclusion of the deliberations of the Heritage Council on State Heritage listing? Would that be your advice to most owners?

Mr HOWARTH: I am not going to provide hypothetical advice here. It is up to proponents to decide which way they want to turn.

Mr DAVID SHOEBRIDGE: Mr Howarth, this is not hypothetical. We are being told that the business case is currently being developed. We heard earlier today that they are developing an amended Conservation Management Plan for the site which includes the Wran Building. That is happening as we speak.

The Hon. TREVOR KHAN: People can walk and chew gum at the same time.

Mr DAVID SHOEBRIDGE: I am just asking from a heritage perspective whether you would endorse the prospect of revising the Conservation Management Plan whilst there is an outstanding assessment for State Heritage listing and you have got consultants in the field.

Mr HOWARTH: I am not going to give a professional view on a hypothetical like that. It is something the council would consider if it is formally asked, or even formally asked for advice. But we have not been so I am not going to provide a view.

Ms FOY: I can provide some additional information, if that is helpful.

Mr DAVID SHOEBRIDGE: By all means, Ms Foy.

Ms FOY: As part of the final business case and the master planning, we have engaged heritage consultants to review the current conservation management plan [CMP]. They are also engaged to prepare a new draft of the CMP. Obviously, the benefit of having heritage and arts in the one portfolio means that we can consider and take into account those types of interacting issues. Certainly, we would have regard to, and be thinking about and conscious of, any potential heritage issues as part of the master planning process so that any future planning would be absolutely considerate and so that we have options to be able to present to government that do not offend any of our own planning, heritage or other policies or legislation.

The Hon. TREVOR KHAN: We should have had Ms Foy here this morning with Ms Havilah.

Mr DAVID SHOEBRIDGE: We can have that discussion in another place.

Ms FOY: But the Heritage Council has a slightly different role as it comes to that. We undertake the heritage studies that we are required to do. When it comes to matters of listing and assessment, we would hand that to the Heritage Council. I just want to emphasise Mr Howarth's point earlier that they are independent, so we do not seek to have negotiations about these things. We let them go about their business independently, with support from Heritage NSW.

Mr DAVID SHOEBRIDGE: Mr Smith, noting the two roles—both heritage and arts—in the same organisation, have you provided to the Heritage Council the requested advice on the perceived potential conflicts of interest for situations where the Minister or department responsible for heritage is also the Minister or department responsible for a property being considered for listing or for approval for work under section 60? Have you provided that advice to the Heritage Council?

Mr SMITH: I have not directly in my role, but I understand there was advice. The question was raised by the council in its deliberations, just as due diligence and governance check and balance, and advice was provided that there was no conflict in those roles.

Mr DAVID SHOEBRIDGE: Was that advice in writing?

Mr SMITH: I cannot really talk on behalf of legal.

Mr HOWARTH: If I can perhaps clarify that, it was not Mr Smith. We had the verbal advice from Heritage NSW that they had legal advice that there could not be or there was not a conflict, by the very nature of Heritage NSW being part of government. The council has asked for that advice in writing; we have not yet got it.

Mr DAVID SHOEBRIDGE: The concern, if I could put it in simple layman's terms, is that if the agency that is proposing a major development that impacts upon a heritage property is the same agency that is providing the advice about the heritage values of the property for the purpose of listing, there is a potential conflict.

Mr HOWARTH: In essence, yes.

Mr DAVID SHOEBRIDGE: That has not been resolved yet, in terms of formal written advice to the Heritage Council?

Mr HOWARTH: We have not got the formal written advice. We anticipate getting that, hopefully, fairly soon.

Mr DAVID SHOEBRIDGE: Ms Foy, if you have the advice—it would appear that the advice, at least for the Heritage Council, is that there is legal advice—would you provide that to the Committee?

Ms FOY: I do not have the advice. I am happy to look into it. If I can say, Ministers of the Crown deal with complex issues all of the time. There are particular protections in place through the Act and through our operating policies to make sure there is independence, but I would not suggest in any way there is any conflict at all. If there is advice to that effect, I will take advice on the basis of providing it to the Committee.

The Hon. WALT SECORD: Can we go back to the nomination of the Ultimo site? My understanding is that the National Trust nominated the whole site for listing.

Mr SMITH: Their actual nomination, with the delineated area which they recommended as the core, was what was ultimately considered by the Heritage Council and actually gazetted by the Minister. They did talk about other values on the site, one of them being the adaptive reuse of the site as a key landmark museum project and the work of Lionel Glendenning—a very respected architect—and they also talked generally to values around social significance and attachment to the museum. But they did not frame those elements up succinctly. Their main thrust was the engineering and historical importance of the former Powerhouse functions. That was the key thrust of their nomination in late 2015.

The Hon. WALT SECORD: Sorry, I am not following. Was the nomination by the National Trust for the whole site? Can you clarify? I have read things that contradict that.

Mr HOWARTH: The National Trust lodged three separate nominations for parts of and, in the final nomination, for all of what is commonly known as the Powerhouse site. The 2015 nomination was essentially the core site as currently listed and as pretty much listed on the LEP. I think later in 2019 it lodged a nomination by itself for the Harwood building, and then either in late 2019 or early 2020 it lodged a further nomination for the entire site, in common parlance.

Mr SMITH: We can certainly table that document that was in the public domain at the time of the assessment. One of the things a nominator is required to do on the Heritage Council nomination form is to have an attempt at the values against the seven criteria and which values they think, as the nominator, might be the most robust. But they are also required to delineate an area, which is known in heritage terms as a curtilage. The curtilage is fundamentally the main capture of the site that is then assessed, because that is the area the proponent said those elements—those structures, in this case—are the most significant in their mind. That is what was progressed as a process.

Mr DAVID SHOEBRIDGE: The curtilage sets the boundaries.

Mr SMITH: Yes, effectively—what they would see as an effective boundary to protect the values that they have articulated through the nomination form.

The Hon. WALT SECORD: What is the impact of having State Heritage listing versus Sydney city council listing? What are the restrictions that—

Mr DAVID SHOEBRIDGE: Are alleviated if you move down from State to local.

The Hon. WALT SECORD: Thank you.

Mr SMITH: It actually works the other way; it enhances the protections by being on the State Heritage Register. It means that any change, whether it is conservation works or adaptive reuse or any new elements in that curtilage—in that listed area—comes through an integrated development process under the Planning Act and requires the consent of the Heritage Council or its delegate before the council can determine it.

The Hon. WALT SECORD: Did not Mr Howarth say that if something did not meet State Heritage listing, it could be downgraded—that is my word, not his—or meet a lower level with Sydney heritage?

The Hon. BEN FRANKLIN: It could be locally listed.

The Hon. WALT SECORD: It could be locally listed.

Mr SMITH: You can have a range of listing levels on a particular site. The Parramatta North site is an example, where there is national listing for an element, there is State listing for almost an aligned element, and

then there is a local listing. So a site can have multiple layers of legislative protection and each of those has a different sort of through point.

The Hon. WALT SECORD: If you were a property developer, what would be the listing that you would prefer to have: Sydney city council listing or State Heritage listing?

Mr SMITH: I could not speculate on that.

Ms FOY: I do not think Mr Smith can put himself in the shoes of a property developer, to be perfectly honest.

The Hon. TAYLOR MARTIN: What a bizarre question.

The Hon. WALT SECORD: If you were going to value a site for resale, what would be the one that you would prefer to get maximum dollar for value?

The Hon. TREVOR KHAN: You want to turn him into a valuer now?

Mr SMITH: I certainly would not be drawn on being a valuer or a property or real estate developer.

Mr DAVID SHOEBRIDGE: Mr Borger felt free to opine on a variety of things on which he has not been established as an expert. He would have given us an opinion.

Mr SMITH: Can I just reiterate that the different tiers of heritage protection have a particular role and responsibility to manage values that have been identified at particular levels. Some values on a site might be to the local landscape character or streetscape character. There might be elements on the site that have a higher value of importance to the people of New South Wales, which is the test for State Heritage Register listing and it is the bar I mentioned. Then there is national, and world above that. Each has different thresholds for triggers and consents.

Mr DAVID SHOEBRIDGE: The long and the short of it is that State Heritage listing limits what you can do in terms of development on the site, does it not, Mr Smith?

Mr SMITH: We issue over 1,700 permits a year to State-listed assets, and nearly all of those get approved—with conditions, sometimes, to manage that change. But we certainly see the value of heritage is in it being active in the community and part of the community's assets. To do that, my mantra is "lived in and loved". That is the best way to protect heritage and heritage places.

The Hon. WALT SECORD: If you have State Heritage listing on a site, can you lift heritage listing? Is it a process that is easy to go through, and does it occur?

Mr SMITH: Local council listings are a matter—

The Hon. WALT SECORD: No, State Heritage.

Mr SMITH: Oh for State listings. Certainly, for local government, that is a local government matter.

The Hon. WALT SECORD: No, State Heritage listing.

Mr SMITH: State Heritage listing. There is a de-listing procedure under the New South Wales Heritage Act.

The Hon. WALT SECORD: Does it occur?

Mr SMITH: Very, very rarely. It is usually when a site has either been lost through fire or some cataclysmic event. To remove it from the registers, you have to go through the process. It is a reversal of the listing. Occasionally it is used as an opportunity, as the Chair of the Heritage Council of NSW said, where there is over-representation perhaps through the formation of the register from asset registers and a reassessment with modern views and values on heritage and aspects of heritage value can find it no longer to be of State significance and it would not meet the test in today's assessment.

The Hon. WALT SECORD: So for Powerhouse Ultimo on Harris Street, as of 1 October what percentage of that site has State Heritage listing?

Mr SMITH: I would have to take that on notice in terms of actual percentage but it would be in the order of 70 per cent would be protected by the State listing, 60 to 70 per cent.

The Hon. WALT SECORD: Mr Howarth, does that fit with your understanding of the site?

Mr HOWARTH: Broadly. Without measuring it, it would be of that scale, yes.

The Hon. WALT SECORD: So 70 per cent of the site?

Mr SMITH: It is properly more in the order of 60 per cent but I would have to get a spatial mapping done, but we can do that quite readily.

The Hon. WALT SECORD: So between 60 and 70 per cent, but you will take it on notice?

Mr SMITH: Yes, I will absolutely take that on notice. Can I just add one point to that? That is measuring a land area, but there is also an elevation level so in terms of the scale of the buildings that are captured by that footprint, that is a significant part of the site.

The Hon. WALT SECORD: Can you provide both? Can you do a geographical ground percentage and then I guess a 3D approach with topographical?

Mr SMITH: We can certainly look to—

The Hon. TREVOR KHAN: What is that going to show, Walt?

The Hon. WALT SECORD: It could show something interesting. It could show the dollar value.

The Hon. BEN FRANKLIN: I think this is a fishing expedition.

Mr DAVID SHOEBRIDGE: Why don't you have a look at what is there? No-one is asking you to do a fresh calculation measuring the floor space and the like.

Ms FOY: Yes, we are very happy to take what we can provide. There would no doubt be information and we will make sure that that is as easy to read as possible.

The Hon. BEN FRANKLIN: Hear, hear—very helpful.

The Hon. WALT SECORD: Thank you.

Mr DAVID SHOEBRIDGE: Mr Howarth, there has been significant discussion recently about the heritage values of Willow Grove property out at Parramatta. You are aware of Willow Grove?

Mr HOWARTH: Oh yes.

The Hon. TREVOR KHAN: It has taken until 2.15 p.m. to ask that question.

Mr DAVID SHOEBRIDGE: It is polite to ask, Mr Howarth; that's all. You would be aware that there are some proponents who suggest that its heritage value can be protected by demolishing it in its current site and moving it across the river onto a site at North Parramatta. If I could distil that at a theoretical level, what is the current heritage thinking about what used to be a more common practice of demolishing and rebuilding heritage properties in new sites? What is the current heritage thinking about that as an idea?

Mr HOWARTH: I will respond to that very strictly as an in-general hypothetical and without any reference to Willow Grove. The general view would be: To move a building from its original site diminishes its heritage significance.

Mr DAVID SHOEBRIDGE: In terms of the process of moving a building that was built 150 or 140 or 130 years ago, given the fabric of that building, is it a question of just pulling it apart like a Lego set and then rebuilding it block by block on the other side, or do you inherently do damage to the property?

Mr HOWARTH: I am not at all qualified to provide those sort of technical assessments, so I would rather not provide a view on that.

Mr DAVID SHOEBRIDGE: In terms of Willow Grove itself, do you have any views about whether or not demolishing it in its current site and rebuilding Willow Grove in the Cumberland or North Parramatta precinct—do you have any idea about how much that would cost?

Mr HOWARTH: The Heritage Council of NSW has no view on that. It has not been approached on that. It has not considered that question.

Mr DAVID SHOEBRIDGE: Given your heritage expertise, have you been engaged in that kind of project before—the demolition and rebuild?

Mr HOWARTH: No, I have not, but again that is a hypothetical; but I have not, no.

Mr DAVID SHOEBRIDGE: Mr Smith, have you undertaken any studies about the demolition and rebuild of Willow Grove?

Mr SMITH: No, Heritage NSW certainly has not. We have no remit in terms of that precinct, that property, and have no management role other than archaeology controls.

Mr DAVID SHOEBRIDGE: It feels like Goldilocks; too hot, still a little bit too warm. Maybe it is just right with you, Ms Foy. Ms Foy, have you undertaken any studies—

Mr HOWARTH: I have been called worse.

Mr DAVID SHOEBRIDGE: —about the prospect of demolishing Willow Grove in its current site and moving it across the river?

Ms FOY: At the risk of being the third bear, any matter associated with moving anything, any works that happen on the Powerhouse site at Parramatta, is within the domain of Infrastructure NSW. So, again hypothetically, should there be any decision about a relocation or otherwise of any asset on a property, the delivery agency would be the one to do it and they would have to comply with whatever the planning controls are in terms of assessment.

Mr DAVID SHOEBRIDGE: Okay, so I think we can be clear that—

Ms FOY: Please, I am not obfuscating, but I am trying to be clear.

Mr DAVID SHOEBRIDGE: No, as I understand the position, Infrastructure NSW has approached none of the Heritage Council of NSW, Heritage NSW, or Create NSW for any advice about the heritage impact of moving Willow Grove. Is that right? You are all nodding.

Mr SMITH: That is correct.

Ms FOY: That would be a matter for Infrastructure NSW, any works they have done, so I would refer it to them.

The CHAIR: Thanks very much for coming today. I do not think that anything was taken on notice.

The Hon. WALT SECORD: Yes, there was.

The CHAIR: I do not know who that was.

The Hon. BEN FRANKLIN: The percentage.

Ms FOY: That was the space—

The Hon. WALT SECORD: The percentages, measuring up with the tape measures.

Ms FOY: Yes, the quantum of heritage space in Ultimo.

The CHAIR: The secretariat will be in contact with you and you will have 21 days to provide those answers. Thank you very much.

(The witnesses withdrew.)

DARREN GREENFIELD, Secretary, Construction and General Division, Construction, Forestry, Mining and Energy Union NSW, affirmed and examined

RITA MALLIA, President, Construction and General Division, Construction, Forestry, Mining and Energy Union NSW, affirmed and examined

The CHAIR: Thank you very much for coming. Would either or both of you like to make a short opening statement?

Mr GREENFIELD: I will make an opening statement. In regards to the two buildings out at Parramatta the Construction, Forestry, Mining and Energy Union NSW obviously placed a green ban on those two buildings being demolished earlier in the year. We did not do that lightly. When we place a green ban we thoroughly look into who we are being asked to support and what we are being asked to support. We did get approached, I think, about eight months earlier and we had internal discussions in our union. We were then approached again earlier this year, as I said—I think it was in March or April—through our committee of management. From there it gets endorsed, yes or no, and then goes to our whole delegate forum.

What we were taken through at that time we thought was definitely a proposal that we should support and our union should support. That was unanimously endorsed, as I said, by our committee of management and our whole delegate structure of 170, 180 delegates. In regards to it, it was around the two buildings that were there. A lot of our members as a community out there in western Sydney think that too many times our heritage gets trodden over and is just discarded for new structures all around our country. Obviously we are a building union and our members work in construction. As I said, we do not do these things lightly. Our members would be working on a new museum in western Sydney, so it is not something that we just do to say our members would agree to do it and do themselves out of work. It is an important issue for them. Our opinion was the community was not being listened to out there in regards to these two important buildings.

I just add that we are not in favour of not having a museum in western Sydney. We think the people deserve that. We placed a green ban on this site to say build a museum but retain the two buildings that are there: Willow Grove and St George's Terrace. Other people have opinions, obviously, around a better site for it, or whether it is better there or better elsewhere for a museum. Our green ban is around retaining the two buildings that are there. We say that a museum can be built out at Parramatta on that site. There are issues we see around flooding and other issues with that site. But if that has to be 100 per cent a site that has to have a museum they can retain the two buildings and they can be part of a museum. What better thing to have associated with a museum than two lovely buildings like that, a part of our heritage? It is there forever as part of a museum to hold artefacts for the community and people who come to this country to visit. I think it is a very important issue, and that is why we have backed it to the limit.

The CHAIR: Ms Mallia?

Ms MALLIA: I am fine, thank you.

The Hon. WALT SECORD: Mr Greenfield, what do you make of this morning's proposal from a number of businesses out there to move Willow Grove to another site? Does that meet your expectations? What do you think?

Mr GREENFIELD: We have looked at that. I had a proposal put to me by KPMG on behalf of the State Government, I was told, or the Minister. I still have not had a meeting with the Minister; he has cancelled twice on me when we have had meetings locked in. My opinion of that is it was because there was not a firm decision. To me, you have a meeting to try and come to a decision, but that meeting has not happened. When we looked at the proposal of moving it we had concerns, firstly, around what they are stating it will cost to move that building and the amounts of money they are talking. We have not seen any figures on that. We have asked for feedback from people in our industry and the figure that has been thrown around of around \$5 million—people are saying to us, "No. You would be looking at two to three, possibly four times that moving a heritage building to another site". We have concerns around that.

We have a lot of concerns around losing the value of those buildings in the position they are and the meaning of it to the community out there. When I was out there doing some media stuff and talking to the community a few months back one of the nurses came up to me and said, "My mum was born in this hospital. She worked in this hospital". To the community out there and the people I have spoken to that site means a lot.

It means a lot to them to have those buildings there with that they were used for in the past. We do not see why they cannot retain them. As I said, it has been done before—retaining a building, building around them. We still say that they have not openly looked—

The Hon. WALT SECORD: Can I take you back to that?

Mr GREENFIELD: Yes.

The Hon. WALT SECORD: Is it possible to build around them?

Mr GREENFIELD: Yes, it is.

The Hon. WALT SECORD: How does that occur?

Mr GREENFIELD: We have got various heritage buildings around Sydney where they have retained a majority of the building and built buildings around them. They can design a building to include any building. There is a back portion of Willow Grove that is relatively new, in the scheme of things. From what I have looked at, part of the new proposed museum will cut off the back corner of that building. There are ways and means of designing it. What we see is that the State Government is looking at pushing those buildings down and getting rid of them to have a civic walkway through where that building sits—Willow Grove. To us, it is disgusting to demolish a building of that nature to have a civic walkway. Manage the building. Build a building around it—which can be done and has been done in the past—to include it in a museum and keep it there.

From all our discussions it is important to the community. I have got to say on this issue, and I have said it to a lot of people, that the feedback and the response we have had to our green ban—I have been involved with this union for probably about 41 years, and in our industry. It has been at least 20 years, 25 years since I have seen a response from the Australian community to a green ban or any of our issues. It has been massive.

The Hon. WALT SECORD: Do you throw green bans around?

Mr GREENFIELD: No, not very often. Rarely. As I said, we do take them very seriously. We did put one on not long ago at the Bondi Pavilion.

Mr DAVID SHOEBRIDGE: You won that one.

Mr GREENFIELD: Yes, we won that, and the community had a lot of support out there. That was a very important issue for them and for us. Prior to that, we had one on the Female Factory out at Parramatta that was successful in keeping it there.

The Hon. WALT SECORD: You do not throw them around.

Mr GREENFIELD: No, not willy-nilly at all. We pride ourselves on what they mean and the meaning of a green ban. Obviously our opinion is that if we did throw them out there willy-nilly they would mean nothing. We hold them dearly from where they come from. As we and our members say, you would not have The Rocks, you would not have Centennial Park—half of Sydney would not be there if you threw them around and it did not—they would not have the weight. No, we do not.

The Hon. WALT SECORD: I hear you.

Ms MALLIA: On examples of where it is done, we are sitting in a building that is heritage protected with modern appendages to it. It may not be the most attractive appendage, and maybe they could do a better job at Parramatta. But you have—

The Hon. TREVOR KHAN: Oh, cruel, cruel!

Ms MALLIA: —got the Australian Museum down the road that has just added on a massive wing to existence. You have got the Art Gallery of New South Wales putting on an absolutely fandangled new wing. It is not beyond the realms of possibility to incorporate this building and St George's Terrace in the overall scheme of things.

Mr DAVID SHOEBRIDGE: You can go to Phillip Street, just across the way, and you can see that row of colonial terraces that have buildings right up against them.

The Hon. TREVOR KHAN: I think that is almost what you call "facadism".

Mr DAVID SHOEBRIDGE: I disagree. It wraps around to the museum. I think it is quite nice.

Mr GREENFIELD: They have kept a couple there.

Mr DAVID SHOEBRIDGE: Mr Greenfield, can I just be clear: The union's green ban extends to demolishing it and relocating Willow Grove?

Mr GREENFIELD: Yes, it does.

Mr DAVID SHOEBRIDGE: You are unambiguous on that.

Mr GREENFIELD: Yes. We have placed that to retain the two buildings on that site on behalf of the community.

Mr DAVID SHOEBRIDGE: You know a bit about construction.

Mr GREENFIELD: Yes.

Mr DAVID SHOEBRIDGE: How would you go about tearing apart an 130-year-old building and then relocating? It is not like pulling apart a Lego set, is it? You are going to inevitably do major damage to the fabric.

Mr GREENFIELD: It is a major project to dismantle a heritage building and relocate it. That is why we have major concerns around the figure being thrown around of \$5 million, I think it is. As I said, from the feedback that we have received, that will not happen. Once you start pulling apart a heritage building brick by brick, aside from the damage that you will do to certain components of that building, there are massive costs that can come into play in re-erecting it in another place. The other week when we were out there and did the walk with the inquiry, there were two women from the Indigenous community and they were telling me the value of the grounds to the Indigenous community out there. It is not just the two properties; it is the grounds and the whole site there. That is what our green ban is based on.

Mr DAVID SHOEBRIDGE: But if you do tear apart a heritage building, not only is it a hugely expensive and complex process but the plaster, ceiling fabric and so much of the heritage fabric is going to be lost. It is going to be like a Disney replica that they build in North Parramatta, won't it?

Mr GREENFIELD: It would be very similar to what was put to me by Infrastructure NSW about putting a video display of Willow Grove and St George's Terrace in the new museum. You will not have the original building. It will not be the original building; it will be a new building. The original building moved. The original parts of the buildings that we walked through the other day that do remain—at least we have them there. It can be upgraded where it is. There is a bit of damage in there, but to move it and pull it down—everything gets redone.

The CHAIR: A lot about a heritage building is its curtilage, location, context and all those things that go along with it.

Mr GREENFIELD: Yes.

The CHAIR: Especially with St George's Terrace which, I have got to say, looked in very bad shape when I had a look at it the other day when we were there. They were actually functioning restaurants and shops and were actually being used. It is really rather sad. Mr Greenfield, have you considered what might happen to the Harwood buildings in terms of protection by the union?

Mr GREENFIELD: We have had early discussions around the buildings. We understand that the Government has come out and said with the museum in Ultimo—obviously we are based over at Pyrmont. It was fantastic for the community there to keep the buildings at the museum down at Ultimo. But we have still got concerns that we have been discussing internally about how long that is for and whether certain buildings down there are still going to be attempted to be sold off or demolished in the near future or in the coming years. We are having internal discussions with our committee of management around that. We have had discussions about going for a walk down there because some of our committee of management and delegates have not been through the museum. They are keen to go and have a look. We are concerned about where that is going to end up.

The Hon. ROSE JACKSON: Mr Greenfield, you mentioned in your opening statement one of the factors that led you to taking in some ways the significant step of placing a green ban on Willow Grove. It was the feedback from your members who in fact live in western Sydney and have a kind of lived experience of what is happening to heritage and the communities out there. I just wanted a little more feedback from you on that because I think it is quite an important perspective that that concern was coming up from your delegates and

members who are part of those communities and coming from what they want to see in their streets and neighbourhoods.

Mr GREENFIELD: It was a major concern. That is why it was unanimous from our members. They said that all too often in the job they do in construction buildings just get bowled over. A lot of the times it goes unnoticed and nothing gets said about it because they are not that old. But sometimes they are and they are just bowled over anyway. In regard to this, we have a lot of members at the moment working in that vicinity on maybe half a dozen projects there. They were very concerned about it. They said, "Look, there is not a lot left in Parramatta, so why are we getting rid of something that should be retained there?" They said they take their kids to Parramatta. They live in western Sydney.

I keep hearing out there in the media that the CFMEU is against a museum for western Sydney. We are not against a museum for western Sydney. We love western Sydney. I am from western Sydney. I would love western Sydney to have a museum and many more buildings out there for the community to use and enjoy, but to bowl these buildings over is just unthinkable. We say that and our members say the same thing.

Ms MALLIA: It is also representative of their past. There are skills in the making and construction of Willow Grove that you could not even—I actually don't know how you could rebuild some of it because I don't know that we have got the skills to replicate the kind of work that it took to build that building, and the same with St George's Terrace. For construction workers, it is actually part of their lived history. They are building the buildings of today, but they can look back at what their forefathers built in the past. It is all tied into that industrial history as well as the history of how long white settlement et cetera has been at Parramatta.

The CHAIR: Do you think that someone may attempt to knock the buildings down despite the green ban?

Mr GREENFIELD: We have grave concerns that the Government will announce a week or two days out from Christmas that they are moving ahead and attempt to get someone in there over the Christmas break and demolish the buildings. We saw what happened with the hotel in Parramatta. At 10 to midnight people came in—a demolition company—and bowled the building over, obviously so the public were not aware until the morning, when the building was gone. We do have concerns that some time in a quiet period over Christmas—we have a lot of our members out that way keeping an eye on it. As I said, we have a fair few sites around the project out there. I am quietly confident we can get a large number of people there very quickly if they do attempt to demolish them because we hold a green ban very dear to our hearts. We will be out there if they do.

The CHAIR: You mentioned earlier that the Government had sought to make times with you to discuss the issue. Do you think that is still going to happen or is the perception that they have given up?

Mr GREENFIELD: My perception is that I do not think they want to at the moment. I would like them to. I would like to have a discussion but, as I have said in many interviews and in letters to the Government, I think they are trampling over the people who elected them. Some did not, but I am sure a lot did. They are not sitting down and taking on board what the community out there in western Sydney are asking for. It is pretty straightforward to keep part of the heritage in Parramatta. I just say to them that I hope they do come and sit at the table and have that discussion. I think to not come to a meeting and postpone it twice because there is not something on the table that is an agreed position prior to the meeting—I have meetings daily from six in the morning to probably nine at night and there is rarely a position at the table. You have a meeting to resolve issues obviously. I just don't see how they want to resolve the issues when they are not prepared to sit at the table.

The CHAIR: Does the union have a position in relation to where a new Powerhouse Museum in Parramatta should be located? Keep in mind that in a previous iteration of this Committee we actually did recommend that there should be a museum in western Sydney. In fact, we even talked about a museum of New South Wales or something, did we not?

Mr DAVID SHOEBRIDGE: Yes.

The CHAIR: We talked in terms of two. Do you or the union have a view on that?

Mr GREENFIELD: As I said earlier, our green ban is that it is built there at the site but retaining the two buildings. That is why we placed our green ban. We do also have the information everybody has that there are concerns around flooding in that area with a museum and the community attending. In the last short period obviously the Government has come out and said they are going to redesign parts of the bottom of that building because of the flooding. To me, that tells us that it has not been looked into properly and the whole design of this

building needs to be re-looked at. Infrastructure NSW said to me that it would put it back a year if we have to go back to the drawing board on the design. Well, I said to them, "What is a year if it means retaining them two buildings and going back and looking at the design?"

We are happy for it to be built there if it encompasses the two buildings. Others have a view that there may be a site at Fleet Street, but to us to put a brand-new building in Fleet Street as a museum with the heritage buildings that are there at the moment—whether that works or if it is a similar design or depending on what they are going to build—our green ban was for that site to retain the two buildings and have the museum for western Sydney.

The CHAIR: Thank you very much for coming. We appreciate your contribution.

Mr GREENFIELD: Thank you.

(The witnesses withdrew.)

The Committee adjourned at 14:50.