Future of Railway Heritage in NSW

Reece McDougall Director NSW Heritage Office BSc Forestry, ANU; M.Env. Stud., Macquarie University.

SUMMARY: Rail heritage covers a broad range of heritage items—buildings, works, engineering structures, rolling stock, movable heritage, rail lines, development of NSW, associated events and key persons. Rail Heritage is the largest collective group on the State Heritage Register and other heritage registers. It is characterised by high community support and enthusiasm. There is also a high level of redundancy of assets making adaptive reuse a key issue and protection from fire or vandalism. Under the new government structure and with the large number of private interest groups there is a complex ownership and management issue. Rail Corp has focussed its attention on developing a heritage asset management strategy for its rolling stock and movable collection. The Heritage Office supports this initiative and awaits its finalisation.

1. GENERAL
Railway heritage in NSW covers a broad range of items including buildings, works, sites, objects and movable heritage. These include the system of railway stations and tracks, supporting infrastructure such as signal boxes and turntables, workshops and one of the largest collections of objects and movable heritage in NSW.

The conservation of rail heritage is important as it depicts the role of rail in the social, economic and cultural development in NSW.

Railway heritage is characterised by a high level of community recognition and support. The movable collection of locomotives and rolling stock has the additional feature of the passion and drive of numerous private interest groups.

The greatest numbers of items listed on the State Heritage Register belong to railway heritage. This heritage group also represents the bulk of items managed by government as represented on the Conservation and Heritage Register established under Section 170 of the Heritage Act 1977.

Currently a total of 1702 items of railway heritage are listed on the statutory heritage lists—272 items (236 in government ownership) on the State Heritage Register, 854 items on the Section 170 Registers and 576 listed on the heritage schedules of local environmental plans and regional environmental plans. This equates to 20 per cent of all items on the State Heritage Register.

2. STATUTORY FRAMEWORK
In NSW heritage conservation and management is facilitated under two acts: the Heritage Act 1977 (NSW) and the Environmental Planning and Assessment Act 1979 (NSW). A further player in the regulation of heritage is now the Australian Government with the amendments to the Environment Protection and Biodiversity Conservation Act 1999 (Australia) that came into force on 1 January 2004.

2.1 The Heritage Act 1977
The Heritage Act was gazetted in 1977 as a result of widespread community concern over the loss of its heritage in the rapid development period of the late 1960’s and early 1970s culminating in the green bans by the Builders Labourers Federation.

The first 20 years of the administration the Act was very much focussed on responding to the demands of individuals and the wider community for protection of specific items by a system of permanent and interim conservation orders. In 1987 amendments were introduced to require government instrumentalities to identify and list their heritage assets on a Conservation and Heritage Register under a new Section 170 of the Act.

In 1996 the NSW Government released a policy on heritage which culminated in the creation of a separate agency to manage heritage and provide independent advice—the NSW Heritage Office—and the 1998 amendments to the Heritage Act. Prior to this, heritage was managed by the Heritage Branch under the Department of Planning. The most significant change came with the introduction of the State Heritage Register (SHR) to replace the permanent conservation orders. The aim of the SHR was to provide a comprehensive and representative list of items of state
heritage significance in NSW. Emphasis switched from the previous reactive management system to a proactive system highlighting the value of heritage to the community through its identification, promotion and celebration.

A special feature of the 1998 amendments was the bulk transfer of any items listed on the Section 170 Register identified as being of state heritage significance to the SHR. Railway heritage items in government ownership were one of the key stakeholders in this process.

Prior to 1998 there were very few items of government ownership subject to orders under the Heritage Act. The new approach promoted by the then Minister, the Hon. Craig Knowles, was that government should be subject to the same provisions as the private sector and should lead by example.

There are now about 1580 items listed on the SHR with estimates for NSW ranging between 5000- 7500 items on completion of studies and assessments. Of these about half the items listed are in government ownership.

For items listed on the SHR, the approval of the Heritage Council is required for any works or development proposals (listed in Section 57 of the Act) by an owner being government or private.

In those cases where a development application is required the consent of the local council is also necessary. The majority of such applications are generally dealt with as Integrated Development Applications.

The other main provision relating to owner’s obligations relate to minimum maintenance standards under the Heritage Regulation. This means that the owner of a SHR listed item is required to adequately maintain the building or work consistent with the standards established under the Act (1). These requirements are not onerous but simply relate to proper management and care expected of any asset and includes protection from the weather, fire and vandalism. It does not involve the undertaking of restoration or conservation works.

The minimum maintenance standards do not currently apply to movable heritage objects, a key issue for railway heritage management and conservation.

Section 170 Provisions
The primary aim of Section 170 is for all government instrumentalities to identify their heritage assets and list them for public information on a Heritage Conservation Register established under this section of the Act.

The shortcoming of this provision was that it did not set a date for this task to be completed and as a result it has taken some time for agencies to meet this requirement.

Figure 2. Albury railway station

The responsibilities of government instrumentalities for heritage under their ownership and control were further qualified by the 2002 amendments.

A new Section 170(A) was added to oblige government instrumentalities to do more than simply list their heritage assets but to effectively conserve and manage these assets. Government instrumentalities were also required to give the Heritage Council written notice for any proposal to remove an item from the Section 170 Register, to transfer ownership, to demolish or cease to occupy the listed item.

The new provision enabled the Minister to issue State Owned Heritage Management principles and the Heritage Council could issue Heritage Asset Management Guidelines.

A government instrumentality must comply with these guidelines.

A State Heritage Guide (SHG) incorporating the Principles and Guidelines was issued by the Heritage Council and Minister on 12 December 2004 (2).

A key deliverable under the Guide was the preparation of a Heritage Asset Management Strategy (HAMS) by each government instrumentality for endorsement of the Heritage Council by no later than January 2006. If not already completed, every NSW Government agency is required to provide a date for the finalisation of their Section 170 Heritage and Conservation Register as part of the HAMS.

Minimum maintenance provisions do not apply to heritage items listed on Section 170 Registers unless they are also listed on the State Heritage Register. The new guidelines and principles do establish standards on a similar basis for the management of NSW Government heritage assets.
The Environmental Planning and Assessment Act 1979—Heritage Schedules of Environmental Planning Instruments

In addition to the provisions of the Heritage Act, heritage items can be listed and subject to specific development and management provisions by way of heritage schedules relating to environmental planning instruments (EPIs) under the Environmental Planning and Assessment Act.

Such heritage schedules are generally associated with local environmental plans prepared by local councils. In total some 30,000 items are listed on EPIs in NSW of which about 8 per cent are items of railway heritage.

Those items listed on the heritage schedules of local environmental plans require council approval for any proposed works if they are in private ownership.

While crown development is generally exempt most major proposals are provided to local councils for their response and public notification.

Figure 3. Commissioner’s carriage

3. KEY ISSUES

3.1 Ownership and Management

The bulk of buildings, works and movable heritage is owned and controlled by the State Government in its various forms. While the structure is currently under review it covers the institutions of Rail Infrastructure Corporation (RIC), Rail Corp, State Rail, Freight Corp and Australian Rail Track Corporation (ARTC).

This complexity of ownership can be challenging in determining the responsible organization for various assets. For example a railway station precinct may comprise various components of heritage value which although located in the same area are under the ownership or management of a number of railway institutions. This can provide difficulties in communications and determining responsibilities in relation to maintenance and long term conservation.

Added to this is the increasing number of heritage items being transferred to private ownership. This ranges from outright sale of the item (e.g. a stationmaster’s cottage to a private owner) to the sale or lease of redundant assets to organizations and individuals.

Structural changes to the rail industry in 2004 have altered the ownership and management arrangements for rail heritage in NSW.

Infrastructure previously under the management of a single agency is now divided between a number of organisations, and it is crucial to determine what mechanism is currently in place or is proposed to address the intersecting and/or parallel management responsibilities that each of these entities may have in relation to certain rail infrastructure.

In relation to rolling stock there are over 25 Rail Enthusiast Entities in NSW. These range from the larger organisations like Rail Heritage Australia (NSW) Inc and the Rail Transport Museum to the smaller but well known organisations such as 3801 Ltd and the Zig Zag Railway Co-op Ltd at Lithgow.

These organisations are doing a fantastic job and are in the main supported by a group of enthusiastic volunteers. While the income earned from tours and promotions provides a small funding stream most are generally constrained by the lack of funds and resources.

Consideration needs to be given to listing the most significant private collections on the State Heritage Register given that Section 170 responsibilities do not apply to non-government organisations.

3.2 Redundancy and adaptive reuse

The continued use of the heritage item as an operational asset is desirable as a means of retaining its heritage significance. A key component of the heritage significance is the use of the asset as part of the working infrastructure.

Railway heritage is characterised by an increasing number of assets being decommissioned or becoming surplus to the Government’s needs. Railway services are in constant review with upgrades, line closures, and the introduction of new technologies in response to economic and community demands.

The resultant orphan assets provide a challenge to ensure their long term maintenance and use when the increasing need is to focus scarce resources on operational infrastructure.

The first challenge is to secure an appropriate new owner or manager for the site. In addition to finding a sympathetic new owner to implement an appropriate adaptive reuse there are the additional problems of long term maintenance, insurance, public liability and public safety issues.
This can in some circumstances mean that while the asset can be transferred to the management of a sympathetic community organisation, the organisation may not be able to fund the maintenance, insurance and public liability requirements associated with the new use.

This presents a risk in that if the structure is damaged by fire or other causes there is no insurance to cover the needed remedial and restoration works.

Similarly the building may not be able to be fully utilised by the public because of liability and insurance issues.

This problem also applies to heritage rolling stock which must meet all operational and safety requirements before it can be used for the purposes of public transport.

3.3 New works and upgrades
In response to community expectations there is a continual need for reviewing rail infrastructure and upgrading services.

This includes the need to respond to issues of security, disabled access and providing the standard of services expected by today’s society.

Many of the local stations are subject to these proposals and the Heritage Office has been working closely with Railcorp to identify ways of meeting these requirements without causing irreversible impacts on the fabric and character of these important community places.

This can be best illustrated by the recent Heritage Council consideration of the proposed upgrading of the Helensburgh Railway Station Group.

The proposed development involves the construction of a new footbridge, stairs and two lifts to provide easy access to the station and access across the rail corridor.

The initial scheme with three lift towers was considered to have an adverse impact on the heritage significance of Helensburgh Railway Station.

The Heritage Office had concerns with the impact of this proposal and held a number of meetings with Railcorp to achieve a better alternative.

In accordance with the resolutions of the Heritage Council Approval Committee, Railcorp removed the tallest lift tower on the Wilson Creek Road with its associated elements (stair, the footbridge, ramp and the retaining wall) from the proposal. As a result, the current proposal comprises two lift towers and one footbridge, and generates a reduced level of impact on the heritage fabric of the station. Furthermore, the design of the lift towers was revised to reflect the changes requested. The bulkiness effect of the lift towers was reduced by integrating translucent materials above the level of the footbridge which also reduced the amount of precast concrete panels.

Overall, the proposed development addresses the safety and access issues and provides a better solution to the current arrangements.

Figure 4. Locomotive 3801

In April 2004, RailCorp, Rail Infrastructure Corporation and State Rail endorsed the process of developing a Heritage Asset Management Strategy. The future management of the movable heritage collection was a key area of this consideration.

These organizations manage a group of 286 items of rolling stock and a collection of over 4000 movable heritage objects and memorabilia making this the largest movable collection managed by any government agency.

In order to identify an appropriate strategy to manage this collection a Rolling Stock Selection Committee was established to systematically review the collection. The Committee comprises government (eg Heritage Office, Powerhouse Museum) and non-government (Railway Transport Museum) representatives.

While the final report and recommendations are yet to be received and approved there are, however, a number of matters that can be highlighted.

Before any decisions can be made the extent and condition of the collection needs to be established.

Currently about 70 per cent of the collection has been reviewed.

What then is also needed to achieve an effective management outcome for the rolling stock and movable heritage collection?

I believe that any management system for this collection needs to address the following matters:
An effective management body needs to be established to take responsibility for the future management, conservation, restoration and use of this community resource.

A suitable site needs to be provided which has adequate facilities for storage so that the condition of the collection does not further deteriorate.

There also needs to be adequate provision of workshops for repair and restoration, recognising that much of the work is facilitated through volunteers.

There needs to be a site in the Sydney CBD to provide temporary accommodation and act as a launch point for historic railway tours and the like. It also needs support and involvement of key regional sites making it an opportunity for the whole community of NSW

Promotional opportunities should be explored through partnerships with government stakeholders such as the Powerhouse Museum and other community railway organisations.

There needs to be an ongoing government connection and involvement in the management option.

Adequate funding needs to be provided both for initial capital expenditure and ongoing recurrent expenditure to supplement annual income.

The collection should continue to be subject to the provisions of the Heritage Act.

The Heritage Office awaits the final outcome of this process and compliments Railcorp on its initiatives.

Consideration needs to be given to listing the most significant private collections on the State Heritage Register given that Section 170 responsibilities do not apply to non-government organisations.

4. CONCLUSIONS AND RECOMMENDATIONS

Rail heritage comprises a significant proportion of the environmental heritage of NSW. The development of a rail system reflected the history and development of NSW. There are many challenges facing the managers of this valuable resource. With regard to the standing structures the Heritage Office is working closely with Railcorp and its other rail organisations to provide for the demands of today’s society in a manner that does not result in major loss of heritage values.

The HAMS being prepared and finalised for the rolling stock and movable collection by Railcorp is a positive response to the heritage responsibilities outlined in the NSW Heritage Council’s State Heritage Guide.

This proposal may need to be supplement with exemptions delegations and Heritage Agreements.

Given that minimum maintenance standards only apply to buildings, works and relics the Heritage Office needs to prepare and issue maintenance guidelines under Section 170(A) for movable heritage and the Heritage Act needs to be amended to cover movable heritage under the minimum maintenance standards.

Promotional opportunities should be explored through partnerships with government stakeholders such as the Powerhouse Museum and other community railway organisations.

Figure 5. Rotten Rows, Alison Engine, Thirlmere

Work needs to continue to establish NSW and national peak organisations to integrate of private and community organisations and to take advantage of national tourism opportunities.

Consideration needs to be given to listing significant private collections on the State Heritage Register given that Section 170 responsibilities do not apply to non-government organisations.

The Heritage Office is optimistic of some major achievements in the management of rail heritage and looks forward to some key announcements later this year to coincide with the 150 year rail anniversary in NSW.

5. REFERENCES

(1) NSW Heritage Office 1994 Heritage Information Series: Minimum standards of maintenance and repair
(2) NSW Heritage Office 2004 State Heritage Guide