



HERITAGE COUNCIL OF NSW

Minutes for Approvals Committee Meeting

Tuesday, 1 December 2020 | 09:00 AM - 03:45 PM

Zoom Teleconference

ATTENDANCE	
MEMBERS	
Mr Dillon Kombumerri	Chair
Mr Ian Clarke	Deputy Chair
Mr Bruce Pettman (part meeting)	Member
Dr Nicholas Brunton (part meeting)	Member
Mr David Burdon	Member
Ms Caitlin Allen	Member
Mr Niall Macken	Member
Mr David McNamara (part meeting)	Alternate Member
Ms Ingrid Mather	Observer
EXTERNAL PRESENTERS	
Ms Kerry Kyriacou	Director of Planning, Randwick City Council (item 2.1)
Ms Katie Anderson	Manager, Cultural Events and Venues, Randwick City Council (item 2.1)
Ms Roxanne Fea	Curator, La Perouse Museum, Randwick City Council (item 2.1)
Ms Hayley Segedin	Coordinator Major Projects, Randwick City Council (item 2.1)
Ms Sarah Harmston	Project Manager, Major Project Planning Group, Randwick City Council (item 2.1)

Mr George Phillips	Practice Director, TKD Architects (item 2.1)
Mr Kevin Stobbart	Chairperson, Closebourne Residents Committee (item 2.2)
Mr Trevor Nye	Resident, Closebourne Village Caravan Owners (item 2.2)
Mr Steve Laffey	General Manager, Development NSW/QLD, Lendlease Retirement Living (item 2.2)
Mr Angelo Candalepas	Candalepas Associates (item 3.1)
Mr Justin Sinfield	Owner, Albion Hotel, Braidwood (item 4.1)
Mr Abraham Cherian	Senior Program Manager, Infrastructure and Assets, Department of Communities & Justice (item 4.2)
Ms Catherine Colville	Senior Manager, Environment and Heritage Planning, Planning and Investment, Infrastructure Assets, Department of Communities & Justice (item 4.2)
Ms Luisa Alessi	Heritage Consultant, Department of Communities & Justice (item 4.2)
Mr Scott Mayer	Assistant Sheriff of NSW (item 4.2)
Ms Yvette Andrews	Manager, Community and Engagement team, City of Sydney (item 6.1)
HERITAGE NSW STAFF	
Ms Pauline McKenzie (part meeting)	Executive Director
Mr Tim Smith (part meeting)	Director Heritage Operations
Mr Steven Meredith (part meeting)	Regional Manager, Southern Region
Mr Rajeev Maini	Senior Team Leader, South Regional Heritage Assessments (item 2.1, 3.1, 4.1, 4.2, 6.1)
Ms Shikha Jhaldiyal	Senior Heritage Assessment Officer, Regional South (item 2.1)
Ms Katrina Stankowski	Senior Team Leader, North Regional Heritage Assessments (item 2.2)
Ms Veerle Norbury	Senior Heritage Assessment Officer, Regional South (item 3.1)
Ms Caitlin Stevens	Senior Heritage Assessment Officer, Regional South (item 4.1-4.2)
Ms Natasha Agaki	Senior Secretariat Officer

1.0 Welcome and formalities

The Chair, Dillon Kombumerri, opened the meeting at 9:00am, delivered an Acknowledgment of Country and welcomed attendees.

- Bruce Pettman advised that he will be required to leave the meeting at 12:00pm, Nicholas Brunton from 12:00-1:00pm, and David McNamara following item 4.1.
- It was noted that quorum had been met and will be maintained for the duration of the meeting.

1.1 Conflict of Interest Declarations

The Committee was asked to raise any conflicts of interest with items on the agenda.

Resolution 2020-59
Item 1.1 Conflict of Interest declarations.
The Heritage Council Approvals Committee noted the following perceived conflict of interest declarations and agreed that no further action needed to be taken: <ol style="list-style-type: none">1. Ingrid Mather – works often with TKD Architects but is not involved in the item being discussed (item 2.1).2. Nicholas Brunton – The firm at which Dr Brunton is a Partner is advising Parramatta City Council on the construction contract for the Aquatic Centre (unrelated to today's agenda).

1.2 Out of Session Decisions

No out of session decisions were made, however the following took place:

- Dillon Kombumerri, Caitlin Allen and Ingrid Mather attended a workshop with the proponents for Google, REVY on Friday, 27 November to further discuss the Committee's advice on how to obtain better heritage outcomes.

1.3 Minutes from Previous Meeting - 3 November 2020

The Committee received the Minutes Unconfirmed from the previous ordinary meeting.

Resolution 2020-60
Item 1.3 Minutes from previous ordinary meeting
The Heritage Council Approvals Committee confirm the minutes of the previous ordinary meeting (Tuesday, 3 November 2020) as a complete and accurate record of that meeting.
Moved by Ian Clarke and seconded by Nicholas Brunton.

1.4 Action Report

The Heritage Council Approvals Committee noted a verbal report from Tim Smith on outcomes of the compliance visit to Dead Wood Café, Albion Hotel, Braidwood on 12 November 2020. The Committee briefly discussed:

- Scope and status of the investigation relating to Albion Hotel, Braidwood balustrades, Dead Wood Café and other potential non-compliance issues related to this site.
- Impact of works carried out at Dead Wood Café and repairs required to maintain conservation.
- Timelines and feasibility of legal action.

2.0 External Presentations - Pre-Development Applications.

2.1 La Perouse Museum upgrade, Kamay Botany Bay National Park

The Heritage Council Approvals Committee received a presentation from George Phillips, TKD Architects and representatives of Randwick Council. Key points discussed:

- The Masterplan, concept design and process of work carried out thus far, including timing of consultation with the AC, is exemplary.
- Proposed design, access and use of the multipurpose addition to the West of the building and the central courtyard.
 - How the archaeological potential of the site is being considered and possible design solutions to respect it.
 - Support a contemporary approach to the multipurpose facility and encourage a design that reflects the Aboriginal and post-contact history and can be successfully interpreted in the future as '21st Century Heritage'.
 - A clear entry point to the Museum is needed but the applicant should also consider how to develop a strong design relationship between the contemporary addition and the Eastern forecourt and provide accessibility from the whole site to allow appreciation of the building from the round.
 - Maintaining the open space of the central courtyard with the proposed additions is encouraged.
- Building service and logistical needs to be considered in the development of a holistic design.
- The need to ensure ample space is provided for storage and quarantine, noting that this requirement is commonly underestimated in Museum spaces.
- Inclusion of an additional layer in the Masterplan that reflects the Aboriginal and non-Aboriginal historical cultural landscape in order to make clear links to the proposed changes.
- Opportunity to strengthen the historical reading of the Eastern landscape by building upon previous layers of history to provide a spatial interpretation of the external spaces.
- Response to community consultation.

- Proposed site activation, signage and interpretation.

Resolution 2020-61

Item 2.1 Pre-DA - La Perouse Museum upgrade, Kamay Botany Bay National Park

The Heritage Council Approvals Committee:

1. **Notes** the information in this paper and applicant's presentation.
2. **Supports** the direction and new vision of the Draft Masterplan 2020
 - Request the addition of a cultural landscape layer to the master plan that shows the locations of former buildings, features and uses and potential archaeological remains including Indigenous, French, Colonial and twentieth century sites. This will allow the layers of history on the site to more clearly inform the planning of new site uses, facilities and interpretation
 - The landscape master plan should develop the in the round spatial relation of the building and the context to provide a better setting and intuitive interpretation of the site heritage continuum.
3. **Supports** Randwick City Council's ongoing engagement with Aboriginal people with cultural connections to La Perouse to tell a broad range of stories at the headland - that stretch from deep time to the present - which would contribute to the project as it develops.
4. **Provides** in principle support for the proposed refurbishment of the interior of the Museum including the glazed courtyard and the provision of universal access via the new eastern entry to the museum and new lift and stair within the courtyard.
5. **Request a workshop to help resolve** the scale, height and roof form, floor levels and building footprint of the proposed new addition, so that it does not adversely impact on the setting of the former *Cable Station building* as a landmark feature on the La Perouse headland.
6. **Provides** the following recommendations:
 - a. The CMP for La Perouse Museum should be updated to include the State Heritage Register listing of *Kamay Botany Bay National Park (North and South) and Towra Point Nature Reserve*, the 2019 community and stakeholder consultation and detailed assessment/grading of elements to guide the proposal and to ensure that the significant values of the site are protected into the future.
 - b. Detailed design should be guided by an updated CMP. Demolition of significant fabric should be minimised.
 - c. The proposed design for the new addition to house the new multi-purpose space must be supported by an options analysis based on a visual impact assessment and the updated CMP guidelines.
 - d. The design of the new eastern entry lobby/canopy should also be amplified and relate more strongly to and connect with the Western element.
 - e. Any proposal involving excavation on the site should be based on a detailed understanding of the archaeological resource (historic and Aboriginal) present on site and the likely impact of the proposal on that resource. An Aboriginal cultural heritage assessment should be undertaken to record the location of the known AHIMS sites in the vicinity of the proposed works and assess whether other Aboriginal objects are present. An updated historical archaeological assessment should also be completed. The proposal should avoid impacts to significant archaeology present on site.
 - f. Any proposal for change to the site should be accompanied by a detailed interpretation plan in line with the Masterplan 2020 and should reflect the evolution of the site and its structures, its history from Aboriginal occupation to present times and its significance.

Moved by Caitlin Allen and seconded by Nicholas Brunton.

2.2 Pre-DA Closebourne Retirement Village RV Parking

The Heritage Council Approvals Committee received a presentation from Closebourne residents Kevin Stobbs and Trevor Nye and Steve Laffey, Lendlease. Key points discussed:

- Accept community wishes and appreciate a well-considered scheme including the potential social and commercial benefits of reinstating the Orchard.
- Concern that the care previously taken to minimise impact of the Aged Care Facility is being compromised.
- Exceeding the agreed boundaries for spatial development is a principle concern and causes a significant precedent risk for other sites.
- The absence of a strong overarching Masterplan and the ad-hoc approach to the development of the site overtime has compromised its state significance and continues to be a concern for further incremental damage.
- The view that the proposal may be a pragmatic solution to address a growing demand and may be refined with strong landscape and design solutions to minimise impact.
- Alternative solutions for a more sensitive approach to the design and cutting of the retaining wall, including banking and altering of levels and screening between the wall and staff parking.
- The Orchard should be spatially proportionate to the RV parking site.
- Ideally there are other locations in nearby areas, outside of the SHR curtilage, that would reduce impact upon an already compromised SHR site.

Resolution 2020-62
Item 2.2 Pre-DA Closebourne Retirement Village RV Parking
The Heritage Council Approvals Committee: <ol style="list-style-type: none">1. Notes the documents presented by the applicant.2. Thanks the residents from Closebourne Retirement Village and staff from Lendlease for their time and consideration in providing a detailed presentation of the draft proposal; and3. Advises that although the Committee understands the strong desire the residents have for RV parking within the precinct and appreciates the effort they have gone to find a solution to this issue, the Committee has the following concerns with the current proposal:<ul style="list-style-type: none">○ Vehicle manoeuvrability○ Cutting and levelling of the proposed site to construct the retaining walls.○ Extent of Orchard screening

- Landscaping between staff parking of the Aged Care Facility and the proposed RV vehicles.
 - The proposal doesn't meet current demands with a waitlist already existing for any parking area.
 - The likelihood of future additions that may be required for security purposes.
 - The proposed site is outside the curtilage agreed upon within the Heritage Agreement and an approval would cause a precedent risk.
4. **Advises** exploring other locations in nearby towns, outside of the Closebourne Precinct, that may be suitable for the current proposal and growing demand for additional RV Parking.

Moved by Ian Clarke and seconded by David McNamara.

3.0 External Presentations - Pre-DA's cont'd

3.1 Pre-DA Cathedral of the Annunciation of our Lady, Redfern

The Heritage Council Approvals Committee received a presentation from Angelo Candalepas, Candalepas Associates. Key points discussed:

- The importance of retaining strong memory of the site through design and interpretation, noting that radical changes may be required to accommodate ongoing functionality.
- Opportunities to relate other significant developments within the site to the Cathedral.
- Extent of heritage degradation; practical issues around the reuse of significant material and how to ensure that the elegance and prestige of the Cathedral and the significance of its sandstone façade is not compromised.
- Opportunity to further open sight lines and access and contribute to the broader site by extending into Prince Alfred Park and forming a relationship to its setting.
- Practical issues in achieving a physical connection between the Cathedral and the Park.
- Importance of thoroughly understanding the heritage significance prior to the development of a design scheme.

Resolution 2020-63

Item 3.1 Pre-DA Cathedral of the Annunciation of our Lady, Redfern

The Heritage Council Approvals Committee:

1. Strongly **support** the vision to upgrade the Cathedral as a focal point of the Greek Orthodox community in Australia.
2. **Support** continuing adaptive reuse as a place of religious worship.
3. **Notes:**
 - a) the supporting documentation and the proponent's presentation.
 - b) the information in the paper presented, in particular:

- i. The site's state and local listing; to its north and west the state listed item *Sydney Terminal and Central Railway Station Group*, to its east the locally listed item *Prince Alfred Park*, and to its south (across Cleveland Street) the locally listed conservation area *Redfern Estate*.
 - ii. The lack of supporting information, including detailed heritage significance assessment of existing buildings/elements/spaces and views assessment.
4. **Provides** the following comments to the proponent:
- a. Conservation and removal of intrusive elements to the Cathedral building is supported.
 - b. A detailed heritage significance assessment of existing buildings/elements/spaces and a detailed view assessment for the site is required with any future application.
 - c. Consideration should be given to options that interpret and retain the memory of the site and enhance the Cathedral's setting and views.
 - d. Consider visually and physically connecting the Cathedral to the Park.
 - e. Detailed historical archaeological assessment is required.

Moved by David McNamara and seconded by Niall Macken.

4.0 External Presentations - Section 60 Applications

4.1 s60 - Albion Hotel, Braidwood - subdivision of stables from Hotel

The Heritage Council Approvals Committee received a presentation from Justin Sinfield, Owner, Albion Hotel, Braidwood. Key points discussed:

- Subdivision risks recognised within the Subdivision and NSW State Heritage Register Items Policy that are relevant to this application.
- How subdivision would cause a significant risk in the loss of coordinated vision for management, given the integral relationship between the stables and Albion Hotel.
- Impact to the significance of associated objects under separate titles.
- The significance of the sheds to the local community, which are typical of the character of Braidwood town, and Council's recognition of this in the local statement of significance.
- The shed's significance includes its relationship to the space and to the Hotel; subdivision would cause a loss of connection in the spatial and historic relationship of those elements and negatively impact the readability of the site as a whole.
- Applications should not be progressed without a statement of significance.
- Legislative scope for implementing governance within subdivided plots in general.

Resolution 2020-64

Item 4.1 s60 - Albion Hotel, Braidwood - subdivision of stables from Hotel

1. The proposal does not meet the following Subdivision and NSW State Heritage Register Items Policy and Procedure factors for consideration identified on page 5 of the document in that:
 - a. It has a potential to diminish the ability of the SHR item to demonstrate its historic use (No. 1).
 - b. It does not maintain the historic relationship between key elements which are significant to the heritage item, including historically significant boundaries, fence lines or built fabric (No. 2).
 - c. It impacts historic subdivision pattern and has a potential to impact on setbacks & traditional access points (No. 5).
 - d. It does not keep significant associated elements on one title (No. 6).
 - e. It has a potential to impact the ability to interpret the historical use, design and layout (No. 7).
 - f. It has not demonstrated adequately that funds generated from the subdivision or future development will be applied to the conservation of the heritage item and that such funds will allow long term conservation and adaptive reuse of the subject item. It is also noted that a larger block of land has recently been subdivided from this item that could contribute towards such works (No. 8).
 - g. It limits future capacity to generate funds for ongoing conservation management of the Albion Hotel by separating a potential revenue generating element – the stable building has a history of being used as a café (No. 9).
 - h. The subdivision of the stable on to its own title also limits its potential to raise funds to conserve its historic fabric by separating it from the Hotel which is the main source of income on this site. The size of the proposed lot containing the café may limit the capacity for external dining and facilities to support the generation of revenue to maintain and conserve the site (No. 9).
2. It is not possible to mitigate or minimise these impacts through conditions of approval.

Moved by Nicholas Brunton and seconded by Ian Clarke..

4.2 s60 Darlinghurst Court House - determination following AC comments

The Heritage Council Approvals Committee received a presentation from Abraham Cherian, Catherine Colville and Luisa Alessi, Department of Justice. Key points discussed:

- Appreciate the applicant exploring options previously suggested by the AC and subcommittee who attended a site visit.
- Location, design and materiality of the gatehouse

- Accept the proposed location as least damaging to the views of the Courthouse and note efforts to articulate classical elements of the 1960s additions in a recessive and contemporary manner.
- However, it is still considered to be unsympathetic to the setting; the form and profile of the zinc cladding do not reflect its important function of providing security to the Court House.
- Support a recessive approach but suggest exploring both single and/or a mix of materials for a more sophisticated finish, including dark vitra panel to replace the zinc.
- The importance of finessing the design detail of simple buildings and the role of materiality in this.
- Explore the feasibility of rehangng the courtyard entry gates to open in the opposite direction for an unencumbered courtyard space.
- Alternative and simplified design options for the security exit corridor.
- The applicant should consider better aligning the separate elements within the space for a more consistent outlook overall.
- Updated photomontage from key view lines required to properly assess the proposed changes.

Resolution 2020-65
Item 4.2 s60 Darlinghurst Court House - determination following AC comments
<p>The Heritage Council Approvals Committee:</p> <ol style="list-style-type: none"> 1. Thanks the Department of Justice staff for the refinements made to the design to address the concerns raised and the comments of the Approvals Committee sub-committee. 2. Notes and understands the mandate and operational constraints required to improve security. 3. Suggest a design workshop with AC Subcommittee to refine the design detail, material and form. 4. Requests that a photomontage of the final design is provided to the Approvals Committee to enable an out of session approval. The sub-committee and Heritage NSW are available for further discussions of the final design if required.
Moved by Ian Clarke and seconded by David Burdon.

6.0 External presentations - Legislative, Policy and Administrative Matters

6.1 Millers Point Vision Statement Project Update

The Heritage Council Approvals Committee received a presentation from Yvette Andrews, City of Sydney Council. Key points discussed:

- Acknowledgement of Steven Meredith, Rajeev Maini and the Regional Heritage South Assessments Team, for their hard work in implementing Caitlin Allen's request for a community

consultation process on the Heritage Principles for Millers Point Precinct, noting pressures of managing approval timelines with a significantly increased workload.

- The importance of reaching a Vision for Millers Point that has been developed and owned by the community.
- Engagement methods applied to maximise reach across various segments of the community and how this has been factored into the budget.
- Connecting the Millers Point Vision to the reality of how the community lives with it will be a work in progress; possible next step could involve working with the community to develop Workable Principles.
- Applying this process to future community consultation work commissioned by the Heritage Council as a cost saving measure.
- The project as another positive step in the good collaboration between Heritage NSW and City of Sydney Council.
- AC subcommittee to be involved throughout the consultation process.

Resolution 2020-66
Item 6.1 Millers Point Vision Statement Project Update
The Heritage Council Approvals Committee: <ol style="list-style-type: none">1. Notes the report and the attached project scoping brief for the Millers Point Vision and Heritage Principles project.2. Support, in principle, funding (approximately \$30,000) for the community engagement aspect of the project from the Heritage Council subject to budget resolution.
Moved by Ian Clarke and seconded by Caitlin Allen.

7.0 General Business

7.1 New Standard Exemptions and Fast Track Approval Pathway

The Heritage Council Approvals Committee noted a brief update on the new Standard Exemptions and Fast Track Approval Pathway, launched on 1 December 2020.

7.2 Forward agenda

The Heritage Council Approvals Committee noted the forward agenda.

7.3 Matters Arising

- Dillon Kombumerri congratulated Caitlin Allen, David Burdon, Niall Macken and Ingrid Mather on their reappointment to the Approvals Committee until 30 June 2021.
- EOI will take place for the next round of Committee appointments.

8.0 Meeting Close

There being no items of further business, the Chair, Dillon Kombumerri, closed the meeting at 3:45pm.



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Dillon Kombumerri

Chair, Heritage Council Approvals Committee

Date: 25/2/2021