



HERITAGE COUNCIL OF NSW

Minutes for Approvals Committee Meeting

02/06/2020 | 09:00 AM – 02:45 PM

Virtual Meeting

ATTENDANCE	
MEMBERS	
Mr Dillon Kombumerri	Chair
Mr Ian Clarke	Deputy Chair
Mr Bruce Pettman	Member
Mr David Burdon	Member
Ms Caitlin Allen	Member
Mr Niall Macken	Member
Dr Nicholas Brunton	Member
Mr David McNamara	Alternate Member for Mr Brett Whitworth
Ms Ingrid Mather	Observer
APOLOGIES	
Nil	
EXTERNAL PRESENTERS	
Mr Dennis Fernandes	Muswellbrook Shire Council (Item 2.1)
Mr Huw Turner	Collins and Turner (Item 2.1)
Ms Genevieve Lilley	Genevieve Lilley Architects (Item 2.1)
Mr Tasman Storey	Tropman and Tropman Architects (Item 2.2)
Mr Mike Stokes	Private owner (Item 2.2)
Mr Ian Stapleton	Lucas Stapleton & Partners (Item 3.1)

Mr David Scobie	Heritage Advisor for Orange City Council (Item 3.1)
Mr John Cook	Chairperson of Duntryleague Mansion Foundation (Item 3.1)
HERITAGE NSW STAFF	
Ms Siobhan Lavelle	A/Director Operations
Ms Cheryl Brown	Regional Manager, North
Mr Steven Meredith	Regional Manager, South
Ms Katrina Stankowski	Senior Team Leader, North Regional Heritage Assessments (Items 2.1 and 3.1)
Mr Rajeev Maini	Senior Team Leader, South Regional Heritage Assessments (Items 2.2 and 4.1)
Ms Mariyam Nizam	Senior Heritage Assessment Officer (Item 2.2)
Ms Natasha Agaki	Senior Secretariat Officer
Ms Rosanna Luca	A/Advisory Panels Coordinator

1.0 Welcome and formalities

The Chair, Mr Dillon Kombumerri, opened the meeting at 09:00am, delivered an Acknowledgment of Country and welcomed attendees.

- There were no apologies and it was noted that quorum had been met.
- Members were asked to raise any conflicts of interest with items on the agenda. No conflicts of interest were declared.
- There were no out of session decisions to note.

1.1 Minutes from previous meeting – 5 May 2020

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

Resolution 2020-26
Item 1.1 Minutes from previous meeting – 5 May 2020
The Heritage Council Approvals Committee confirmed the minutes of the previous ordinary meeting (Tuesday, 5 May 2020) as a complete and accurate record of that meeting.
Moved by Mr Ian Clarke and seconded by Ms Caitlin Allen.

1.2 Action report

The Committee received and noted the monthly Action Report.

2.0 External Presentations – Part 1

2.1 Loxton House, 142-144 Bridge Street, Muswellbrook - IDA

The Committee received a revised a proposal and presentation from representatives of Muswellbrook Shire Council; and a paper and verbal report from Ms Katrina Stankowski. Following the presentation, the Committee discussed the following:

Landscaping

- The Committee's preference to incorporate soft landscaping in the public open space, noting it is a small area. Also noted is a water feature already included in the design and Council may include some sculptures.

Colour scheme

- The proposed oxide red colour scheme which is based on Loxton House and Weidmann Cottage, as referenced in the Heritage Impact Statement, appears dense in the designs. Some Committee members expressed concerns about the colour being too dominant next to the two heritage buildings.

The column

- The investigation of multiple single columns vs a single three dimensional column; noting the design choice was determined by the narrow space available. The Committee supports the design of the single column.

Original internal walls and building fabric in the upper level of Loxton House

- The proposal to open up the space in the upper level for functionality by removing divider walls (covered with gyprock) but keeping part of the spine wall and fireplaces; noting the need to further assess which internal walls are original and may provide structural stability.

Community consultation

- Council did community consultation about the proposal and has received positive feedback.

Site interpretation

- The Committee's desire for meaningful interpretation of the site to be considered at the design stage; noting it should also include engagement with local Aboriginal community.

Resolution 2020-27
Item 2.1 Loxton House, 142-144 Bridge Street, Muswellbrook - IDA

In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the Heritage Council Approvals Committee grants the following general terms of Approval for the integrated development application:

APPROVED DEVELOPMENT

1. All work shall comply with the information contained within:
 - A: Architectural/ Engineering/ Landscape drawings, prepared by Collins and Turner as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Tertiary Education Centre Stage 2			
318_DA_010	Title Sheet	19.12.19	G
318_DA_011	Location Plan	19.12.19	G
318_DA_012	Site Plan and Site Analysis	7.2.20	H
318_DA_121	Lower Ground Floor Level	19.12.19	G
318_DA_121	Ground Floor Level	19.12.19	G
318_DA_122	Level 1	19.12.19	G
318_DA_123	Roof Plan	22.04.20	H
318_DA_201	East and West Elevation	20.03.31	H
318_DA_202	North and South Elevation	20.03.31	H
318_DA_310	Sections	19.12.19	G
318_DA_411	Shadow Diagrams	2.12.19	G
318_DA_501	Loxton House Ground Level Plan	31.01.20	A
318_DA_502	Loxton House Level 1 Plan	31.01.20	B
318_DA_503	Loxton House Section	31.01.20	B
318_DA_521	Notification Plan	19.12.19	G
318_DA_531	Material Board	19.12.19	G
318_DA_532	Proposed Materials Loxton House Interior	02.12.19	A
318_DA_541	Ground Level Landscape Drawings	2.04.20	H
318_DA_542	Lower Ground Level Landscape Drawings	2.04.20	H
318_DA_601	3D View Bridge Street Elevation	19.12.19	G
318_DA_602	3D View – North Courtyard	19.12.19	G
318_DA_603	3D View – Bridge Street South	19.12.19	G

318_DA_604	3D View – South Courtyard	19.12.19	G
318_DA_PM_0	Photomontage View from Bridge Street	31.01.20	A
318_DA_PM_1	Loxton House Artists Impression of Upper Level	31.01.20	A
318_DA_PM_1_AN	Loxton House Artists Impression of Upper Level with Annotation	31.01.20	A
SKT_319_200331_01	Building Signage	ND	-
Stormwater Services Plan by Marine Building Services Engineers:			
SW000	Cover Sheet	April 2020	1
SW001	Notes	April 2020	1
SW100	Site Services	April 2020	1
SW200	Lower Ground Stormwater Layout	April 2020	1
SW201	Ground Floor Stormwater Layout	April 2020	1
SW202	Level 1 Stormwater Layout	April 2020	1
SW203	Roof Stormwater Layout	April 2020	1
SW400	Detail Sheet 1	April 2020	1
SW401	Detail Sheet 2	April 2020	1

B: Statement of Environmental Effects Proposed – Stage 2 of Tertiary Education Centre, alterations and additions to Loxton House, terraced area to Weidmann Cottage by Casson Planning & Development Services dated 13 January 2020;

C: Statement of Heritage Impact MUS: MTEC2 Bridge Street Muswellbrook by Genevieve Lilley Architects dated 20 April 2020 including amendments to fabric diagrams dated 11 May 2020.

D: Baseline Archaeological Assessment State 2 Tertiary Education Centre by AMAC Archaeological dated May 2018

E: DA Access Report by BCA Access Solutions dated 30 January 2020.

EXCEPT AS AMENDED by the conditions of this approval:

THE FOLLOWING WORKS ARE NOT APPROVED

2. *The extent of removal of the spine wall and cross walls on Level 1, Loxton House is not approved until further detail of significance is confirmed and the structural stability determined.*

All relevant plans are to be updated and a new layout/design for this level is to be supplied with the future s.60 application which shows all significant and original fabric incorporated into the design.

Reason: details submitted with the application have not justified the removal of this potentially original and significant walls.

DETAILS TO BE SUBMITTED FOR APPROVAL WITH FUTURE S.60

3. The following information is to be submitted with the s60 application for approval by the Heritage Council of NSW (or delegate):
 - a. A new material and finishes palette for Loxton House, and specifically Level 1 which shows a more balanced blend of modern and traditional so that the internal heritage values and aesthetics can be better understood by its users.
 - b. An internal electrical reticulation for Level 1 showing all lighting fitting locations and fixtures.
 - c. Detailed plans must be submitted outlining the exact location and size of the slimline roof lights which ensures that no significant or original roof fabric will be impacted by their installation.
 - d. A thorough survey of the entire roof must be undertaken to record any timber shingles that may remain, before any works commence. If timber shingles do remain, the works including the inclusion of the slim line lighting must be amended to ensure that the timber shingles will not be impacted and will remain protected, in situ.
 - e. An Archaeological Research Design prepared by a suitably qualified and experienced historical archaeologist.
 - f. An Excavation Methodology prepared by a suitably qualified and experienced historical archaeologist.
 - g. The name of a nominated Excavation Director suitable to satisfy the Excavation Director Criteria of the Heritage council of NSW for the proposed activity and significance level.
 - h. Consultation with local Indigenous community to incorporate Aboriginal cultural heritage values into the scheme and the wider plans for the Precinct.
 - i. Submit colour scheme options that harmonise with current buildings.

Reason: this information was either not included in the application documents or the proposed works were not considered appropriate.
4. Following the receipt of the Archaeological Research Design and Excavation Methodology as part of the Section 60 Application, the Heritage Council of NSW reserves the right to issue Archaeological Conditions as part of the Section 60 Approval to manage the archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting may be included as part of these archaeological conditions.
5. An application under section 139 of the Heritage Act 1977 must be submitted, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing which may disturb 'relics' outside the SHR curtilage of Loxton House.

Reason: to ensure the archaeological values of the site are appropriately managed.

HERITAGE CONSULTANT

6. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

SPECIALIST TRADESPERSONS

7. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice.

SITE PROTECTION

8. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

HERITAGE INTERPRETATION PLAN

9. An interpretation plan must be prepared in accordance with the Heritage NSW publication 'Interpreting Heritage Places and Items Guidelines' (2005) and submitted for approval to the Heritage Council of NSW (or delegate) prior to the issue of a Construction Certificate/ Government certification.
10. The interpretation plan must detail how information on the history and significance of name of item will be provided for the public, and make recommendations regarding public accessibility, signage and lighting. The plan must identify the types, locations, materials, colours, dimensions, fixings and text of interpretive devices that will be installed as part of this project.
11. The approved interpretation plan must be implemented prior to the issue of an Occupation Certificate

Reason: Interpretation is an important part of every proposal for works at heritage places.

PHOTOGRAPHIC ARCHIVAL RECORDING

12. A photographic archival recording must be prepared prior to the commencement of works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006).

The digital copy of the archival record must be provided to Heritage NSW, Department of Premier and Cabinet.

Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric.

UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

13. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

ABORIGINAL OBJECTS

14. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.

COMPLIANCE

15. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

SECTION 60 APPLICATION

16. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

Moved by Mr Ian Clarke and seconded by Mr Niall Macken.

2.2 19 Lower Fort Street, Millers Point IDA - front balcony enclosure

The Committee received a presentation from Mr Tasman Storey of Tropman & Tropman Architects and a paper and verbal report from Mr Rajeev Maini. Following the presentation, the Committee discussed the following:

Conservation Management Plan

- To date Heritage NSW has followed the intent of the Millers Point and Dawes Point Village Precinct CMP which shows the enclosed balconies were not part of the original terrace, promotes the removal of enclosed balconies if possible and to only approve repairs of existing enclosures.
- The Committee noted that historically the balconies have been enclosed at different times, for different reasons such as creating an extra room for space, and that a more wholistic approach to approvals for this precinct is needed rather dealing with individual DAs. This would lead to better outcomes for the streetscape.
- Heritage NSW has refused other balcony enclosures for this group of terraces.

Amenity issues

- The Committee acknowledged the residents’ needs to mitigate loud noise, vibration and dust from the Harbour Bridge and City Trains, due to regular transport movement and essential night works; noting the associated health issues due to long term exposure.

Other options

- The Committee’s preference that other less intrusive options are considered first such as tightening or altering the French doors and installing double glaze windows; noting that enclosing the balcony should be considered the last resort.

Broader vision and strategy for Millers Point Precinct

- Heritage NSW is currently developing a guideline for a strategic approach in the Precinct, which will also address balcony enclosures.

Resolution 2020-28
Item 2.2 19 Lower Fort Street, Millers Point IDA - front balcony enclosure
<p>The Heritage Council Approvals Committee</p> <ol style="list-style-type: none"> 1. Noted the issues raised with Millers Point CMPs and balconies are important and require detailed consideration to ensure consistency across the Millers Point Precinct. 2. Deferred consideration of the application until Heritage NSW has completed its review on development and design issues in the Millers Point Precinct, and following this the matter will be reconsidered by the Approvals Committee.

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| <p>3. Requested that alternative options are explored for mitigating noise and pollution including upgrades to the French doors and windows, as input into the full consideration of the application.</p> |
| <p>Moved by Dr Nicholas Brunton and seconded by Mr Ian Clarke.</p> |

3.0 External Presentations – Part 2

3.1 Duntryleague Mansion, Orange - IDA (December 2019 report)

The Committee received a presentation from Mr Ian Stapleton. Following the presentation, the Committee discussed the following:

Adaptive reuse

- The Committee supports the overall proposal for adaptive reuse of the building; noting it is operated by a community organisation.

The lift

- The Committee reiterates its previous support given for the proposed lift installation to meet access requirements; noting that various types of lifts should be investigated that are good quality but with a discreet protrusion through the roof. The representation of the roof protrusion should have minimal visual impact.

Internal amenity rooms and rear addition

- The re-arrangement of the linen room, laundry, toilets, second cool room, servery etc in the western wing and servicing the dining rooms; noting whether the spaces could be further rationalised.
- Mr David Scobie, Consultant, David Scobie Architects, proposed an alternative option to prevent penetration of the original back wall fabric (the 'Scobie option'); noting also that a separate wall, stepped away from the original rear wall would protect the original fabric and create a lightwell.

Attic and dormer windows

- The configuration of the upper level plan; noting whether the same amount of dormer windows, light and ventilation could be kept by creating three bedrooms and having the fourth room (chapel room) returned as a common break out room for guests.
- The mechanical plant in the attic space over the sitting room with stain glass window; noting whether an alternative location for the plant could be found.

Resolution 2020-29
Item 3.1 Duntryleague Mansion, Orange - IDA (December 2019 report)

The Heritage Council Approvals Committee:

1. Noted the re-presentation of existing information from the 4th December AC meeting.
2. Noted that, as previously advised, the Heritage Council supports the modernisation of Duntryleague to increase its functionality for heritage tourism, and the Approvals Committee has provided suggestions to improve the design and heritage outcomes of the proposal.
3. Provided the following additional comments:
 - The requirement for, and location of, the lift was accepted in December 2019. Investigate other options for the lift design to minimise the over-run dimensions and impact on the roof, so that whatever protrusion is required is more sympathetic to the existing dormer design. The lift penetration should also avoid the roof hip.
 - Reconsider air conditioning system overall to avoid requirement for new ventilation openings in stained glass window wall on the western elevation.
 - Reconsider the attic plan, ideally to negate the need for additional dormers. Relocate bathrooms (A01, A02) to provide east facing dormer window with a view from the bedroom out over main entry. Suggest returning the existing central suite to a common room (A03).
 - Consider relocating the existing Northern dormer and fabric to a central location matching the Southern dormer.
 - Adapt the previously accepted 'Scobie option' by offsetting the new addition with a glazed corridor to view the entire stain glass window wall. This will establish a clear opening to provide light and ventilation to modified toilets and new corridor and thereby reduce the impact on heritage fabric.
4. Request applicant to modify current Development Application plans and submit amended plans for further consideration by Heritage NSW.

Moved by Dr Nicholas Brunton and seconded by Mr Bruce Pettman.

4.0 General Business

4.1 Millers Point precinct guidelines

The Committee discussed the Millers Point guidelines (work in progress by Heritage NSW) to articulate the vision and values for the precinct. Specifically, the importance of:

- Acknowledging historic and contemporary social values as well as aesthetics when making determinations.
- The liveability issues and understanding how the community is trying to resolve them.
- Consulting with the community to make the guidelines reflect these issues.
- Collaborating with the City of Sydney and utilising their processes for community consultation.

Resolution 2020-30

Item 4.1 General Business

The Heritage Council Approvals Committee:

1. Agreed to attend a workshop convened by HNSW to draft precinct wide heritage guidelines for Millers Point.
2. Agreed that the development of the guidelines will require community consultation and collaboration with the City of Sydney.

Moved by Mr David McNamara and seconded by Mr Ian Clarke.

5.0 Meeting Close

The Chair, Mr Dillon Kombumerri, closed the meeting at 2:45pm.



9 JUL 20

Mr Ian Clarke

Deputy Chair, Heritage Council Approvals Committee

Date: