



## Minutes for Approvals Committee Meeting

03/11/2020 | 09:00 AM – 4:00pm

Zoom Teleconference

<b>ATTENDANCE</b>	
<b>MEMBERS</b>	
Mr Dillon Kombumerri	Chair
Mr Ian Clarke	Deputy Chair
Mr Bruce Pettman	Member
Dr Nicholas Brunton	Member
Mr David Burdon	Member
Ms Caitlin Allen	Member
Mr Niall Macken	Member
Mr David McNamara	Alternate Member
Ms Ingrid Mather (part meeting)	Observer
<b>EXTERNAL PRESENTERS</b>	
Mr Zac Abrams	Project Director, CBRE, Google (item 2.1)
Mr Blair Johnston	Principal, Warren & Mahoney Architects (item 2.1)
Mr Graham Books	Heritage Consultant, GBA Heritage (item 2.1 and item 3.1)
Danyal Kola – observer	Program Manager, CBRE at Google (item 2.1)
James Morgan – observer	Associate, Warren & Mahoney Architects (item 2.1)
Sven Ollmann – observer	Principal, Warren & Mahoney Architects (item 2.1)
Dov Midalia – observer	Senior Heritage Consultant, GBA Heritage (item 2.1)
Mr David Walker – observer	Town Planning Discipline Lead, Premise (item 2.2)
Ms Kate Higgins	Heritage Consultant (item 2.2)

Mr Scott Maunder	Director Community Recreation and Cultural Services, Orange City Council (item 2.2)
Mr Johnathan Redman	Principal, FJMT (item 3.1)
Mr Richard Francis-Jones	FJMT (item 3.1)
Mr Bruce Ballard	General Manager, Development, Abacus Property (item 4.1)
Ms Megan Jones	Principal & Practice Director, TKD Architects (item 4.1)
Mr David Earp	Senior Associate, TKD Architects (item 4.1)
<b>HERITAGE NSW STAFF</b>	
Ms Pauline McKenzie (part meeting)	A/ Executive Director
Mr Tim Smith (part meeting)	Director Heritage Operations
Ms Cheryl Brown	Regional Manager, Northern Region
Mr Steven Meredith	Regional Manager, Southern Region
Mr Rajeev Maini	Senior Team Leader, South Regional Heritage Assessments
Ms Shikha Jhaldiyal	Senior Heritage Assessment Officer, Regional South
Ms Tempe Beavan	Senior Heritage Assessment Officer, Regional North
Ms Mariyam Nizam	Senior Heritage Assessment Officer, Regional South
Dr Damian Tybussek	Senior Heritage Operations Officer, Regional South
Mr Mark Callanan	Senior Heritage Programs Officer, Compliance
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.

Ingrid Mather advised that she is required to leave the meeting at 2:00pm. It was noted that quorum had been met.

## 1.1 Conflict of Interest Declarations

The Committee were asked to raise any conflicts of interest with items on the agenda. The below potential conflicts were declared.

## Resolution 2020-51

### Item 1.1 Conflict of Interest declarations.

The Heritage Council Approvals Committee:

1. **Note** the following potential conflict of interest declarations and agreed that no further action needed to be taken.
  - Nicholas Brunton - Norton Rose Fulbright Australia represents Waverly Council in leasing matters concerning Bondi Pavilion (item 1.2)
  - Ingrid Mather - Currently engaged on an unrelated project with Megan Jones, TKD Architects (item 4.1).
  - Caitlin Allen - Co-authored the CMP for Bloomfield Hospital and provided advice on the base hospital redevelopment in 2010, however no involvement in the Orange Sports Precinct (item 2.2).
  - Bruce Pettman
    - Currently a consultant to NSW Department of Justice for reviewing CBD sites including Darlinghurst Courthouse (item 1.2).
    - Involved in the Bloomfield Hospital CMP update in 2020 and the proposed subdivision of the hospital site near the proposed Sports development (item 2.2).

## 1.2 Out of Session Decisions

There were no decisions made out of session. However, the following workshops took place:

1. David Burdon, Niall Macken and Ingrid Mather attended a combined workshop and site visit to Darlinghurst Court House on 15 October 2020. The Subcommittees comments were circulated to the Approvals Committee out of session on 26 October 2020 for review and are yet to be endorsed.
2. Dillon Kombumerri, Ian Clarke and Bruce Pettman attended workshops with the applicant for Bondi Beach Surf Bathing Life Saving Club (BSBLSC) on 23 October 2020 and 30 October 2020 to discuss design options relating primarily to the roof. The Committee's concerns regarding the roof design remain and the applicant will be presenting further options that interpret the original roof form of the Surf Club building (the western and/or eastern pitch roofs to the sides).

## 1.3 Minutes from Previous Meeting - 29 September 2020

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

<b>Resolution 2020-52</b>
Item 1.3 Minutes from previous ordinary meeting
The Heritage Council Approvals Committee confirm the minutes of the previous ordinary meeting (Tuesday, 29 September 2020) as a complete and accurate record of that meeting, subject to minor amendments.
Moved by Dillon Kombumerri and seconded by Bruce Pettman.

## 1.4 Action Report

The Heritage Council Approvals Committee noted the Action report and the Executive Director’s Monthly Report to the Heritage Council. The Committee briefly discussed:

- Tim Smith’s correspondence with Suzanne O’Neill, Owner of 40 Merriman Street, Millers Point, to advise on approval pathways under the *Heritage Act* and the Committee’s support for her appeal made on 29 September 2020.
- Closebourne Oval Village – the possibility of providing design advice to the applicant out of session - Ingrid Mather and Niall Macken suggested to represent the Approvals Committee should this occur.

## 2.0 External Presentations - Part 1

### 2.1 Google Campus, Royal Edward Victualling Yard (REVY), Pyrmont - Pre-DA

The Heritage Council Approvals Committee received a presentation from Zac Abrams, Blair Johnston and Graham Books. Following this, the Committee discussed:

- Impacts of the proposed three-storey office building addition to the Work Yard, especially in terms of its location, bulk and scale and its disruption to both key significant view lines and the historic relationship of the group of REVY buildings within the SHR curtilage.
- How the proponent aims to demonstrate the functional aspect of the cultural landscape in its design and interpretation plans; connection to the former use of the work yard needs to be strengthened.
- Plans to construct a public above-water boardwalk – note the preliminary ideas for activation and interpretation along this space, however it’s design, function, and relationship to the private boat land area requires more thought.
- Public access and activation plans for the REVY A eastern building frontage and impacts of the proposed pavilions on building façades and view lines.

- The importance of conducting the historic and maritime archaeological assessment early on, noting the significant archaeological remains that have been discovered in reclaimed land areas around the Harbour, e.g. Darling Walk.
- Significant cumulative effects of the proposal, noting the approved DA for REVY E development.
- Issues with the approach to re-writing the CMP and the view that the site should be managed holistically as a Functional Precinct and cultural landscape.
- Alternative design options that may address the needs of a contemporary workspace within a more compressed area, minimising heritage impacts to the site and broader Precinct.

### Resolution 2020-53

#### Item 2.1 Google Campus, REVY, Pyrmont - Pre-DA

That the Heritage Council Approvals Committee:

1. **Notes** the supporting documentation and the applicant's presentation.
2. **Recognises** the need to upgrade the REVY A and B buildings to adapt to its new status as part of the Google Campus.
3. **Supports** removal of later intrusive additions including the southern entrance addition and later fencing.
4. **Provides** in principle support for the adaptive reuse of REVY A and B buildings.
5. **Supports** the endorsed assessment of heritage significance in the SHR listing that highlights the place as a complex of elements including warehouse buildings, equipment and operational spaces that have a relationship to the work yard and the water. These relationships demonstrate its high level of significance as a rare example of a victualling yard for the Royal Navy in the southern hemisphere through the twentieth century.
6. **Expresses** concern regarding the scale and form of the proposed addition to the REVY work yard as it would disrupt the significant visual and historic relationship of the group of REVY buildings and the water. The new addition would have an adverse impact on significant view lines, spatial relationship and setting of these buildings within the SHR curtilage and the harbour, especially at close quarters.
7. **Provides** the following recommendations:
  - a) The scale and form of the new addition to REVY work yard should be reduced to address the concerns noted above. The form and massing of the addition should respect the original layout comprising two-buildings-and-tower design around the work yard and give due consideration to retaining an understanding of the former use of the work yard in the new design.

- b) Contemporary design approach to distinguish new additions from the old is supported. The new additions should be of high design merit and quality to complement the architectural quality and workmanship displayed in the REVY group of buildings.
- c) The two-storey pavilion additions to the REVY A eastern façade would obscure significant building façades and view lines from Metcalfe Park and are not supported.
- d) Any proposal for change to the site must take into consideration the cumulative effects of the proposal along with potential development of REVY E building.
- e) Consideration must be given to accommodating the additional bulk and scale of the proposed development to the REVY E site. If the REVY E site is unable to provide the required accommodation, evidence of this should be provided.
- f) Any proposal involving excavation on the site should be based on a detailed understanding of archaeological resource present on site and the likely impact of the proposal on that resource (including both land and maritime archaeology). The proposal should be designed to avoid impacts to significant archaeology present on site. The archaeological assessment should be undertaken sooner rather than later.
- g) Any proposal for change to the site should be accompanied by a detailed interpretation plan to reflect the evolution of the site and its structures, its history from Aboriginal occupation to present times and its significance.

Moved by Niall Macken and seconded by Nicholas Brunton.

## 2.2 Orange Sports Precinct, Bloomfield Hospital Site

The Heritage Council Approvals Committee received a presentation from David Walker, Kate Higgins and Scott Maunder. Following this, the Committee discussed:

- The significance of the site as a mental health facility for residents and patients of the Bloomfield Hospital and the possible impacts of noise and lighting, noting that recreation is a supportable use of the site in general.
- While the subject site is located only partially within the SHR curtilage of Bloomfield Hospital, retention of this area as a landscape buffer is important in conserving the SHR values of the site.
- Impacts of the height of the Grandstand on the main Oval facing Forest Road and associated issues around parking and access.
  - Visual impacts of the Grandstand and how this has been considered in the choice of location within a low-lying section of the landform.

- The operation of the Bloomfield Hospital as being integral to the landscape design – a hard car park and modern structure in the view line of Riverside entrance dramatically alters the character and experience of the site.
- The importance of having a Masterplan - whilst the site was not holistically managed in the past, it is important to prevent incremental impacts and protect the elements of the site that have retained its character.
- An overarching landscape strategy would be more beneficial than a compensatory planting approach. Suggest:
  - Working with the local Wiradjuri traditional owners in considering how the landscape can be organised and treated and incorporate this into the branding of the site.
  - Re-interpreting the loss of the land shape to provide memory of its formation.
- How the demand for water supply has been considered, noting that no natural water courses run through the site.
- Possible alternative layout and design solutions that may minimise impacts and allow for better outcomes.

#### Resolution 2020-54

#### Item 2.2 Orange Sports Precinct, Bloomfield Hospital Site

The Heritage Council Approvals Committee:

1. **Thanks** the applicant and their consultants for presenting to the Approvals Committee.
2. **Considers** the documents presented and the presentation from the applicant.
3. **Provides** the following comments to the applicant regarding this project:
  - Note the long-time relationship the community has with the site.
  - Support the proposal in principle, as a complimentary use of the site.
  - Acknowledge the open landscape setting and advise that any built structure needs to be sympathetic to this in terms of its material, form, scale and location.
  - Request options to consider alternative locations of the main stadium and associated hard landscaping away from the entrance to Riverside, in order to minimise impacts on the significant cultural landscape of the Bloomfield Hospital Precinct (for example, either North along Forest Road, or into the Northeast corner closer to Huntley Road, and a redistribution of the playing fields and/or the flipping of the two stadiums).
  - Suggest developing a landscape plan with traditional owners that maximises the retention of mature trees, adds new trees appropriately and considers water flows across the landscape for both drainage and capture of rainwater.
  - Recommend one overarching Master Plan including a noise and lighting strategy.

Moved by Caitlin Allen and seconded by Ian Clarke.

## **3.0 External Presentations - Part 2**

### **3.1 Chief Secretary's Building, 50-52 Phillip Street Sydney - Pre-DA SSD Stage 1**

The Heritage Council Approvals Committee received a presentation from Johnathan Redman, Richard Francis-Jones and Graham Brooks. Following this, the Committee discussed:

- The location and configuration of the proposed tower and its support structure in the courtyard of 50 Phillip St, including visual impacts from the streetscape and to the broader context of the Governor's Domain and Civic Precinct.
- Potential relocation options of the tower's support column, noting engineering advice for structural support within that zone and the intention to utilise the existing lightwell for solar access.
- Design and material use for the potential connections between the proposed development and heritage buildings, and associated impacts to significant fabric, spatial quality, aesthetics and solar access.
- The feasibility of cantilevering as an alternative solution for both structural support and commercial yield.
- Implications of a rise in cantilevering above historic buildings on the culture of CBDs within Greater Sydney, more generally.
- The extent of loss of significant fabric to accommodate the basement carpark and the light addition at the rear elevation.
- Likely damage to the former Public Works building exterior due to rainwater cascading off the tower and how this might be addressed.
- Possible implications of the proposed development being located within the Government's Domain and Civic Precinct as a draft National Heritage Item.
- The importance of ensuring the heritage building is appropriately used and maintained.
- The use of the internal spaces/rooms of the former Public Works Building and the relation with the proposed hotel. Activation for public use.
- The impact of the hotel tower upon the neighbouring Museum of Sydney – i.e. overshadowing and solar access.
- Impacts to the historic fabric on ground floor to provide for the introduction of a drop lane within Phillip Lane corridor.
- Vehicular access, manoeuvrability and impacts to traffic with the loading area and car parking entry and exit proposed along Phillip Lane.
- Relationship of proposed tower to the existing high rise at 88 Phillip Street.



- Possibility of holding a design workshop with the applicant for greater involvement in the design process ensuring a positive heritage outcome.

## Resolution 2020-55

### Item 3.1 Chief Secretary's Building, 50-52 Phillip Street, Sydney

That the Heritage Council Approvals Committee:

1. **Notes:**

- a) the supporting documentation and the applicant's presentation.
- b) the information in the report, in particular:
  - i. The proposed works to 50 Phillip Street – former Department of Public Works Building.
  - ii. The proposed podium and tower located on 52 Phillip Street, specifically the tower's projection over the Former Department of Public Works Building.

2. **Provides** the following comments to the applicant:

- a) The Committee supports a tower in principle, subject to further examination of cantilevering and alternative locations and configurations for the support column located within the former Public Works building.
- b) The proposal illustrates a substantial level of impact to the subject heritage item and its context:
  - The proposed additions to the lightwell are unsupportable in their current configuration and would require further justification based on the functional reuse of the heritage rooms.
  - Impacts to the historic buildings in terms of vehicle manoeuvring should be minimised.
  - Impacts of water shedding on to the roof of the former Public Works building needs to be considered.
  - While the removal of the existing infill is considered acceptable, the replacement extension located within the lightwell should be considered further including its impacts upon the former Public Works Building.
- c) While it is understood that only a concept volume is considered at Stage 1 of the SSD, some thought should be directed to possible materials and finishes including a skin for the tower and podium as they would provide essential characteristics that would directly impact the streetscape and the historic character of the draft national heritage item - *Governors' Domain and Civic Precinct*.
- d) Significant impacts to the subject SHR listed item and the draft National Heritage Item should be clearly addressed as part of the Statement of Heritage Impacts through a design statement, annotated detailed drawings, site protection strategy, construction

methodology and mitigation measures undertaken to protect significant fabric during construction.

- e) Amendments to the existing openings or any new elements introduced to facilitate the interface of the historic building and the new development should be avoided as much as possible.
- f) Further documentation be provided on the central structural column proposed to the courtyard of the 50 Phillip Street, including its use, construction methodology, site protection strategy and impact to the visual and physical fabric of the subject building.
- g) An archaeological assessment be provided to measure impacts of the extensive excavation proposed.
- h) Details should be submitted on the tower volume proposed to be extended above the heritage roofscape of 50 Phillip Street and the resulting visual impact to the subject place when viewed from the surrounding streetscape and precinct.
- i) A sufficient vertical gap should be retained between the proposed tower and heritage building.
- j) The removal/demolition of internal fabric at 50 Phillip Street should be limited to areas of little or intrusive significance.
- k) Further comment will be provided upon receipt of the information mentioned above.

Moved by Nicholas Brunton and seconded by Ian Clarke

## 4.0 External presentations - Part 3

### 4.1 Metro Theatre, Potts Point - Pre-DA advice

The Heritage Council Approvals Committee received a presentation from Bruce Ballard, Megan Jones and David Earp and a report from Emma Dortins, Heritage NSW. The Committee discussed:

- The applicant's proposed design plans, material use and detailing to the exterior façade and associated impacts to the remaining heritage fabric of the building.
- Proposed use of the building and titling arrangements.
- The State Heritage Register Committee (SHRC)'s determination earlier in the day that Metro Theatre, Potts Point is likely to be of State heritage significance.
- SHRC's decision on whether or not to recommend listing has postponed to December in order for the Committee to consider additional information from the Owner since the exhibition period.
- Alignment with the SHRC on advice on this proposal.

#### Note

Item 4.1 Metro Theatre, Potts Point

The Heritage Council Approvals Committee **notes** the presentation on the proposal for adaptive re-use of the Metro Theatre.

## 5.0 Legislation, Policy and Administrative Matters - Part 1

### 5.1 Hill 60 Appeal to the Minister

The Heritage Council Approvals Committee received a paper and verbal report from Tempe Beavan, Heritage NSW, and discussed:

- Significant concerns around the Master Plan's lack of cohesiveness which has led to an incoherent strategy for the site.
  - The Masterplan is functional but does not respond to the continuity of cultural use and the complex layering of this site.
  - Such a complex site requires a series of layered information and analyses to underpin the final plan;
  - This is especially critical for Stage 1 Precinct Work in order to justify elements of the proposal.
- Highly specialised expertise in spatialist design would be required to undergo this work for such a nuanced landscape.
- Translation of the good heritage work done in the CMP is encouraged.
- Best practice around communication of approvals/refusals to applicants and the importance of providing adequate reasoning in writing.

#### Resolution 2020-56

Item 5.1 Hill 60 Appeal to the Minister

That the Heritage Council Approvals Committee:

1. **Considers** the attached documents and the presentation from the officers.
2. **Reviews** and **supports** HNSW decision to reject the stage 1 works.
3. **Advises** the Minister to reject the appeal and encourage the Wollongong City Council to resubmit a new s.60 application as discussed at the site visit.
4. **Supports** the approach of HNSW to work with Wollongong City Council to develop a new Section 60 with an in-depth analysis of the cultural landscape and a more detailed Master plan.
5. **Notes** that the complexity of the site requires specialist expertise to support the development.

Moved by Nicholas Brunton and seconded by Caitlin Allen

## 5.2 Hyde Park Lighting Upgrade - Comments from CoS Design Advisory Panel

The Heritage Council Approvals Committee received a paper and verbal report from Mariyam Nizam, Heritage NSW.

### Resolution 2020-57

Item 5.2 Hyde Park Lighting Upgrade - Comments from CoS DAP.

That the Heritage Council Approvals Committee:

1. **Notes:**

- a) The recommendations made by the City of Sydney's Design Advisory Panel (DAP).
- b) That no amended documentation has been provided to the Approvals Committee to illustrate the recommendations made by DAP.

2. **Provides** the following comments to the applicant:

- a) The Committee supports the lighting upgrade works to Hyde Park.
- b) The comments provided by the Committee after its meeting on the 4 August 2020, still stand.
- c) The juxtaposition of a modern fixture on secondary paths would be incompatible with the heritage values of the park.
- d) The proposal for lighting the secondary paths with opal lamps and consistent grey poles is considered appropriate for the integrity of the early lighting forms.
- e) The existing cone shaped secondary path lighting avoided light spill upwards along the edges of the park and the collateral effect of the change to opal fittings will need to be considered but is supported.
- f) Taller mast lighting for large lawn areas and the Anzac Memorial facades should be of the same colour as the pathway poles.
- g) Fittings mounted to the mast lighting poles should also be of the same grey colour.

3. **Endorses** progression of the letter to the applicant (TAB 5.2A of the report presented) containing the abovementioned advice.

Moved by Nicholas Brunton and seconded by Bruce Pettman

## 6.0 Legislation, Policy and Administrative Matters - Part 2

### 6.1 Albion Hotel, Braidwood - Compliance report

The Heritage Council Approvals Committee received a paper and verbal report from Damian Tybussek and Mark Callanan, Heritage NSW, and discussed:

- Internal process for managing non-compliance with an emphasis on collaboration and negotiation.
- Status of investigation relating to the balustrades at Albion Hotel, Braidwood.
- The likelihood of non-compliance at Dead Wood Café, Braidwood and the management process to date, noting delays to the site visit investigation since COVID-19 restrictions in place.
- The Committee’s responsibility to enforce heritage protection under the Act and adverse impacts of delays and/or non-action.
- Importance of this particular case due to a history of non-compliance, representation at the AC from the local community heritage group and the SHR listing of Braidwood town.
- Legal advice the guide the approach for managing any possible non-compliance for this site moving forward.
- Additional subdivision applications to be lodged by the Owner around December 2020.

<b>Resolution 2020-58</b>
Item 6.1 Albion Hotel, Braidwood – Compliance report
That the Heritage Council Approvals Committee: <ol style="list-style-type: none"> <li>1. <b>Notes</b> the report.</li> <li>2. <b>Proceed</b> with compliance investigation on Deadwood Café, Braidwood immediately, obtain legal advice and report back to the Approvals Committee with a proposed pathway forward.</li> <li>3. <b>Request</b> that Heritage NSW provide the Approvals Committee with options for supporting the Division’s capacity to deal with compliance matters.</li> </ol>
Moved by Ian Clarke and seconded by Niall Macken

## 7.0 General Business

The following matters were raised for discussion:

- The importance of providing more detailed reasoning for refusals in advice to applicants.
- Benefits of including AC members on visits to complex sites / sites with complex applications.

## 7.1 Forward agenda

The Heritage Council Approvals Committee notes the forward agenda.

## 8.0 Meeting Close

There being no items of further business, the Chair, Dillon Kombumerri, closed the meeting at 4:00pm.



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Mr Dillon Kombumerri  
Chair, Heritage Council Approvals Committee  
Date: 25/2/2021