



Minutes for Approvals Committee Meeting

03/03/2020 | 09:00 AM - 12:25 PM - AEST

Room 1, Level 13, 10 Valentine Avenue, Parramatta NSW.

ATTENDEES	
MEMBERS	
Mr Dillon Kombumerri	Chair
Mr Ian Clarke	Deputy Chair
Mr Bruce Pettman	Member
Dr David Burdon	Member
Ms Caitlin Allen	Member
Mr Niall Macken	Member
Ms Ingrid Mather	Observer
APOLOGIES	
Mr Brett Whitworth	Member
EXTERNAL PRESENTERS	
Ms Karen Armstrong	Lendlease National Planning Manager - item 2.1
Mr Mark Fenwick	Heritage Architect - item 2.1
Mr Jean Luqyda	Site Architect - item 2.1
Mr Roger James	Braidwood Resident - item 3.1
Mr John Stahel	Braidwood Resident - item 3.1
Ms Julie McKenzie	Director Heritage and Adaptive Reuse, TZG Architects - item 3.2
Mr Warren Marsh	Senior Consultant, PMDL Architects - item 3.2
Ms Stephanie Hope	Project Leader, PMDL Architects - item 3.2
HERITAGE NSW STAFF	
Ms Cheryl Brown	Regional Manager, Heritage North
Mr Matthew Clark	Director Policy Strategy

Ms Natasha Agaki	Secretariat Officer
Ms Katrina Stankowski	Senior Team Leader, North Regional Heritage Assessments - items 2.1 and 6.2
Dr Damian Tybussek	Senior Heritage Operations Officer - item 3.1
Ms Shikha Jhaldiyal	A/Senior Team Leader, South Regional Heritage Assessments - item 3.2 and 6.2
Ms Caitlin Stevens	Senior Heritage Assessments Officer - items 3.2 and 6.2
Ms Sarah Jane Brazil	Senior Team Leader, Major Projects - item 4.1
Mr Alexander Timms	Senior Heritage Officer, Major Projects - item 4.1

1.0 Welcome and formalities

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

- Late apologies were accepted from the Chair, Mr Dillon Kombumerri, who arrived at 9:30am. Apologies were accepted from Mr Brett Whitworth.
- It was noted that quorum had been met.
- Members were asked to raise any conflicts of interest with items on the agenda. The below potential conflicts were declared.
- Feedback on Committee meeting practice was raised for discussion at Item 6 General Business:

Resolution 2020-07

The Heritage Council Approvals Committee noted following potential conflict of interest declarations and agreed that no further action needed to be taken:

1. Mr Dillon Kombumerri, item 3.2 Wesley College Pre-DA – Former resident of Wesley College from 1983-1985.
2. Mr Ian Clarke, item 3.2 Wesley College Pre-DA – Children currently studying at the University of Sydney.
3. Ms Caitlin Allen, item 3.2 Wesley College Pre-DA – University of Sydney scholarship recipient, including occasional lecturing contracts.
4. Mr David Burdon, item 3.2 Wesley College Pre-DA – occasional lecturing contracts.
5. Mr Niall Macken, item 2.1 Closebourne House – previously worked with Ms Karen Armstrong, Lendlease National Planning Manager, at the Sydney Foreshore Authority.

Moved by Mr Ian Clarke and seconded by Mr Bruce Pettman.

1.1 Minutes from previous meeting - 05 February 2020

The Approvals Committee received the Minutes UNCONFIRMED from the previous ordinary meeting.

Resolution 2020-08

The Heritage Council Approvals Committee:

1. Confirmed the minutes of the previous ordinary meeting (Wednesday, 5 February 2020) as a complete and accurate record of that meeting, subject to minor amendments.

Moved by Mr Bruce Pettman and seconded by Mr Ian Clarke.

1.2 Action report

The Approvals Committee received and noted the Action report.

2.0 External Presentations – Part 1

2.1 Closebourne House 108 bed Residential Aged Care Facility

The Approvals Committee received a presentation on Closebourne House from Ms Karen Armstrong, Mr Mark Fenwick and Mr Jean Luqyda, Lendlease; a paper and verbal report from Ms Katrina Stankowski, STL Heritage North Assessments, Heritage NSW.

The Committee discussed the following with the presenters:

1. Intended use of the buildings.
2. Extent of public access throughout the precinct and opportunities for heritage interpretation.
3. The connection between Morpeth House and Closebourne House.
4. Parking capacity, traffic flow and possible impacts of an overflow.

The presenters left the room and the Committee further discussed:

1. How previous determinations made by the Heritage Council and negotiations with Heritage NSW to date have impacted the Committee's ability to seek an optimal outcome with regard to the placement of buildings within the envelope.
2. Whether the intensity of the proposed development respects the general principles of the Heritage Agreement and Master Plan in place.
3. Ways in which the extent and configuration of the current proposed development impact the significance of Closebourne House and the ability to read the wider rural setting and cultural landscape.
 - a) Treatment of the Courtyard, its connection to Closebourne House and view lines from Morpeth House.
 - b) The proposed lift that penetrates original fabric from Ground to First Floor, noting the need for equitable access and that an external lift would be significantly more intrusive.

- c) Impacts of the landscaping treatment.
 - d) Alignment of the proposed development with the existing boundary and the impacts on configuration and view lines.
4. Outcomes of archaeological testing may require a re-design and thus further consideration of flow on heritage impacts. Approving designs prior to archaeological conditions being met would be highly problematic.

Resolution 2020-09

The Heritage Council Approvals Committee:

1. Thanked the presenters from Lendlease for their time and presentation.
2. Supported the use of the site for Residential Aged Care in principle and believe the adaptive reuse of Closebourne House is a good outcome.
3. Noted significant concerns regarding the proposal and its impacts on the site, specifically the southwest corner.
4. Noted that the proposal does not adequately consider its cultural landscape setting.
5. Provided the following comments:
 - Connections of the new building to Closebourne House need to be reconsidered. The connection to the courtyard of Closebourne House is problematic and compromises its heritage significance. This needs to be redesigned.
 - The proposed use needs to fit the Closebourne House building. Consider whether the room upstairs could be repurposed/redesigned to be more sympathetic to the building without the requirement for a lift.
 - The scale, form and location of the Port Coche entrance needs to be reconsidered. Consider whether the entrance to the RAC can be in another location.
 - The separation of plant and utility room from the rear of the former gymnasium needs to be considered, as does the location of the substation near Household A.
 - Need to re-consider the size, scale and location of the café. Consider the possibility of locating it inside the house.
 - Applicant must undertake archaeological testing as soon as possible to inform any redesign (if required).
 - Consider whether the overall start-of-development footprint can align with the eastern wall of the house.
 - Consider whether parking can be moved southwest, or whether the southeast building can be constructed over an at grade car park.
 - Door widening within Closebourne House must be minimised to essential requirements only.
 - Skylights in the rear wings of Closebourne House as proposed in the plans provided to the Approval Committee on 3 March 2020 are acceptable.

- The fence adjacent to Arkell House must be redesigned to be more in sympathy with the landscape curtilage and rural setting.
 - The cultural landscape setting of the house in its wider landscape has not been adequately considered, i.e. the placement and configuration of Household A obscures southern views of the house and limits its functional relationship and views back to its landscape setting.
 - The Approvals Committee has only considered the overall context of the proposal and will need to consider materials, finishes and detailed design and landscaping at a future meeting.
6. Requested that Lendlease bring redesign options for this proposal to a future meeting of the Approvals Committee for consideration.

Moved by Ms Caitlin Allen and seconded by Mr Bruce Pettman.

3.0 External Presentations - Part 2

3.1 Albion Hotel, Braidwood – Balustrades and Compliance

The Approvals Committee received a presentation on Albion Hotel from Braidwood Residents, Mr Roger James and Mr John Stahel; a paper and verbal report from Dr Damian Tybussek, Senior Heritage Operations Officer, Heritage NSW.

Following the presentation, the Committee discussed:

1. Background of the IDA process, positions of the owner, local council and community, and previous determinations made by the Heritage Council.
2. Impacts of the metal balustrades on the significance of Albion Hotel, noting a precedent issue with broader heritage implications on the wider Braidwood precinct and on future Heritage Grant recipients.
3. Process of compliance with Grants and s.60 conditions of approval, and grant acquittals.
4. Scope for the Committee and HNSW to address the impacts to SHR values in this case, and to ensure heritage protection in future grant and s.60 approvals.
5. The need for further assessment, including an audit on the action taken by the Heritage Council, Local Council and the Owner to date and the resources required to do this.

Resolution 2020-10

The Heritage Council Approvals Committee:

1. Thanked the presenters for their time and presentation and noted the information provided.
2. Noted that there are issues with compliance processes related to Albion Hotel, Braidwood that require follow up.
3. Resolved to delegate to Heritage NSW to take necessary actions to restore the timber

balustrades in accordance with the relevant Heritage and other legislation.

4. Requested an update on progress at the May 2020 meeting.
5. Noted that Braidwood is on the State Heritage Register, including Albion Hotel, and resolves to take the necessary action to protect the heritage values of these items, aligned with statutory responsibilities.

Moved by Mr Niall Macken and seconded by Mr David Burdon

MORNING TEA

2A Gregory Place, Harris Park

This item was rescheduled to April 2020.

3.2 Wesley College, University of Sydney - Pre DA

The Approvals Committee received a presentation on the Wesley College, University of Sydney pre-DA from Ms Julie McKenzie, Mr Warren Marsh and Ms Stephanie Hope; a paper and verbal report from Ms Caitlin Stevens, Heritage NSW.

Following the presentation, the Approvals Committee discussed:

1. The significance of Wesley College and its relationship to other sites within the SHR listed Sydney University precinct.
2. Proposed addition to the main roof space:
 - a) Material and expression of the truss throughout the roof space, and how the exposed truss in the bedrooms will be dealt with.
 - b) Intent to leave the public domain view unchanged and how this will be achieved.
 - c) Floor structure, fire considerations and BCA requirements.
3. The design, material and architectural language of the proposed two-story vertical addition to the Wylie Wing.
 - a) Whether it is preferable to maintain consistency with the existing rhythm and materiality, or to adopt a new architectural expression that distinguishes it from the old building.
 - b) Articulation of the new dormers and how they may be better expressed in the detailing.
4. The design, material and intended use of the proposed lift.
5. Impact of the lift over run, particularly on the key view of the sky line from the front facade.
6. Impacts of the proposed development on the wider landscape and whether the landscape treatment has been adequately considered in the overall composition of the site.

Resolution 2020-11

The Heritage Council Approvals Committee:

1. Noted the information in the paper and the presentation.

2. Provided the following comments:

- The proposed addition to the Main Wing is supported in principle. The future detailed design should ensure original and early internal elements are retained.
- The proposed two storey vertical addition over Wylie Wing is supported in principle.
- The proposed Wylie Wing Fire Stair design is supported in principle.
- Proposed design including materials and treatment of the Wylie Wing two storey addition should be in keeping with the character of the Main Wing. Due consideration should be given to key views, including towards the Main Wing from Western Avenue, and between the nearby significant items - The Women's College and St Pauls College.
- Supporting documentation for any future application should include photomontages of key views to identify any impact from the proposed additions, to ensure the character of the precinct will not be adversely affected.

Moved by Mr Ian Clarke and seconded by Mr Bruce Pettman

4.0 Legislation, Policy, Administration

4.1 Sydney Trains (Transport for NSW) Exemptions package

The Approvals Committee received a paper on the Sydney Trains Exemptions Package from Mr Alexander Timms and a verbal report from Ms Sarah Jane Brazil, Heritage NSW.

The Approvals Committee discussed:

1. The purpose of proposed exemptions and monitoring procedure to mitigate risks around the interpretation and application of exemptions and to ensure best practice is being followed.
2. Importance of having an external peer review of Sydney Trains' guidelines; possibility of a review by the Technical Advisory Panel followed by Heritage Council endorsement.
3. Management of heritage assets within TfNSW, the current process around exemptions assigned to TfNSW's internal heritage team.
4. Impacts of possible structural changes within TfNSW on the application of exemptions and the importance of having a mechanism that ensures that heritage is not bypassed.
5. The need to ensure clarity on the delegation process and for a standard review to determine whether the delegate has both appropriate heritage skills and decision-making authority.
6. How the Delegations training conducted by Heritage NSW will assist.
7. The need for clear and appropriate criteria for what constitutes a 'suitably qualified' Architect with Heritage experience.

Decision

The Heritage Council Approvals Committee:

1. Noted the papers and requested minor amendments to the agency specific exemptions to

include further information on the use of exemptions and the definition of 'suitably qualified', for the Committee to consider out of session.

5.0 Matters for Consideration and/or Decision

5.1 AMP Building - Report on suitability of proposed facade

The Approvals Committee received and noted a verbal update from Mr Bruce Pettman on his viewing of the AMP Building Prototype on 21 February 2020.

The Approvals Committee briefly discussed the test panels and noted that another viewing would be required at an appropriate time of day to assess the impact of the sun on the building facade before a recommendation is presented to the Committee.

5.2 Yobarnie Land & Environment Court - 273 lot subdivision

The Approvals Committee received a paper and verbal report on the Yobarnie Land and Environment Court (LEC) case from Ms Katrina Stankowski, Heritage NSW.

The Approvals Committee discussed:

1. Heritage Council's previous determination to approve subdivision within a concept plan that required key line features remain in-tact.
2. Reasoning for the delegate's decision to issue General Terms of Refusal, and possible implications of Heritage Council involvement in the Court proceedings.
3. Role of the Heritage Council's delegate within the broader legal process, and suggestions for an appropriate representative.

Resolution 2020-12

The Heritage Council Approvals Committee:

1. Support the General Terms of Refusal, excluding GTR 2 (a) and (b), provided by the Delegate of the Heritage Council of NSW to Hawkesbury City Council regarding the proposed subdivision for DA 0498/18.
2. Recommend that the Heritage Council agree to be joined in the current Land Environment Court Case No. 2019/200819 to defend the above GTR's.
3. Delegated the writing and approval of any subsequent correspondence arising out of this decision to Heritage NSW.

Moved by Mr Ian Clarke and seconded by Mr Bruce Pettman

6.0 General Business

The Approvals Committee discussed the schedule and format of its meetings, including:

1. A general preference for meetings being held one day prior to Heritage Council meetings.

2. Concerns around a possible increase in time commitment with this change.
3. Ways of increasing productivity with regards to decision-making, time management and external presentation delivery.

7.0 Meeting Close

There being no items of further business, the Chair, Mr Dillon Kombumerri, closed the meeting at 2:30pm.



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Mr Dillon Kombumerri
Chair, Heritage Council Approvals Committee
Date: 7/4/2020