



HERITAGE COUNCIL OF NSW

State Heritage Register Committee Minutes

9:00 am – 12 noon
 Tuesday, 3 November 2020
 Teleconference

ATTENDANCE	
MEMBERS	
Sheridan Burke	Chair
Colleen Morris	Deputy Chair
Steven Barry	Member
Dr Wayne Johnson	Member
Paul Knight	Member
Dr Brian Lindsay	Member
Dr Lisa Murray	Member
Lisa Newell	Member
Apology	
Frank Howarth AM PSM	Alternate Member
HERITAGE NSW	
Pauline McKenzie	Executive Director
Tim Smith	Director Heritage Operations
Matthew Clarke	Director Heritage Strategy
Steven Meredith	Regional Manager, Heritage Southern Region
Cheryl Brown	Regional Manager, Heritage Northern Region
Sarah Jane Brazil	Senior Team Leader, Major Projects (Item 2.1)
Verena Mauldon	Senior Heritage Officer, Major Projects (Item 2.1)
Sonia Limeburner	Senior Team Leader, Strategy Team 1 (Items 3.1 & 3.2)
Rochelle Johnston	Manager, Heritage Programs (Items 3.1 & 3.2)
Dr Emma Dortins	Senior Team Leader, South Metro (Item 4.1)
Dr Natalie Blake	Heritage Operations Officer, South Metro (Item 4.1)
Dr Damian Tybussek	A/Snr Team Leader, South East (Item 4.2)

EXTERNAL PRESENTERS	
Julie Morgan	Executive Director, Environment & Sustainability, Transport for NSW (Item 2.1)
Denis Gojak	Senior Heritage Specialist Environment & Sustainability, Transport for NSW (Item 2.1)
Angelique Easton	Director, Environmental Planning, Policy & Assessments, Transport for NSW (Item 2.1)
SECRETARIAT	
Olgica Lenger	Senior Team Leader, Secretariat
Linda Bugarin	Assistant Secretariat Officer

In-Camera Session

This item is not minuted.

Item 1. Welcome and formalities

The Chair, Sheridan Burke, opened the meeting at 9:25 am, delivered an Acknowledgement of Country and welcomed attendees.

It was noted that Frank Howarth was an apology and quorum had been met.

Item 1.1 Conflict of Interest Declarations

The State Heritage Register Committee noted:

- Standing declaration by Sheridan Burke in that she is a shareholder with GML Heritage and member of Docomomo Australia.
- Standing declaration by Colleen Morris in that she is a member of the National Trust of Australia Landscape Conservation Committee.
- Standing declaration by Dr Lisa Murray of perceived conflict of interest regarding City of Sydney LGA (Item 4.1 Metro Theatre and Item 3.2.b Former Kwong War Chong and Co. Building)
- Standing declaration by Steven Barry regarding his employment with Transport for NSW; Steven will leave the meeting for Item 3.2. Tabulam bridge; he will be present for but not participate in the RMS presentation for Item 2.1 Working Harbour Heritage Assets Strategy
- Declaration of conflict of interest by Dr Wayne Johnson regarding Ballast Pont Park, if it were to be discussed, in that his employer, Place Management NSW, is the owner.

Item 1.2 Out of Session Decisions

Nil reported.

Item 1.3 Minutes from Previous Meeting – 29 September 2020

The State Heritage Register Committee noted the unconfirmed minutes from the previous ordinary meeting of Tuesday, 29 September 2020.

The following was discussed:

- Committee confirmed the decision for Item 3.2 *SHR Listings Coordinator – Extension of Role* from the 29 September meeting
- Noted Dr Lisa Murray has COI with Metro Theatre, Potts Point (within City of Sydney LGA)

Resolution 2020-85
The State Heritage Register Committee confirmed the minutes of the previous ordinary meeting (Tuesday, 29 September 2020) as a complete and accurate record of that meeting, including the Resolution 2020-84 Item 3.2 <i>SHR Listings Coordinator – Extension of Role</i> .
Moved by Sheridan Burke and seconded by Dr Brian Lindsay

Item 1.4 Action Report

The State Heritage Register Committee noted the report.

The following was discussed:

- Action # 99: Further discussions are required with DPIE about developing planning instruments for precincts; the Committee noted that DPIE is in process of creating a new division which will incorporate a number of bodies looking at heritage in terms of a broader picture and sought presentation from the appropriate DPIE section as soon as possible. .
- Action # 108: Koonenberry Mountain, has been closed. The item was supported by ACHAC and will be considered at the SHR Biannual Prioritisation on 9 November
- Action # 131: The Heritage Council Strategic Projects Status report will be circulated to the Committee.
 - HNSW has been working with the DPC Finance Strategy and Performance team to review expenditure from the Heritage Conservation Fund. Further advice has been sought from DPC Finance, Governance and Legal on related matters.
 - Project work currently undertaken by staff will continue, while clarifications are sought on future project funding
 - SHRC projects affected include: Local Government Project, Climate Change Project, Process Improvement, Review of Aboriginal Cultural Heritage management, Heritage of the Last Quarter of the 20th Century Study, and the SHR Listings Coordinator role.

Item 1.5 HC ED Report

It was noted that the Heritage Council Executive Director's Report will also be provided to the State Heritage Register Committee and the Approvals Committee.

The State Heritage Register Committee noted the report.

Item 2. External Presentation

Item 2.1 Working Harbour Heritage Assets Strategy – RMS Presentation

The State Heritage Register Committee noted the presentation from RMS representatives Julie Morgan, Denis Gojak and Angelique Easton.

Key points raised:

- Transport for NSW prefer to use the term Sydney Harbour Maritime Heritage Strategy rather than 'working harbour'
- The Strategy applies to parts of Sydney Harbour that are under the control or management of Transport for NSW; there are complex jurisdictional restrictions that prevent a wholistic approach across the entire Harbour
- TfNSW has a leadership role in the Harbour landscape
- Australian Institute of Landscape Architects (AILA) already has a Green Necklace strategy that is looking at conserving natural heritage within Sydney Harbour, and RMS has some interactions with them regarding urban points – Balls Head, Berry Island as areas to be listed and have associated maritime heritage

- The Strategy is looking at not only conserving big industrial sites, prompted by consultations TfNSW had in relation to Balls Head and Glebe Island Bridge as two problematic landmark industrial heritage sites, but also about natural and cultural landscapes and looking at picking up all other attributes that contribute to the heritage of the Sydney Harbour
- TfNSW are also working on future Aboriginal heritage strategy looking at Indigenous landscapes around Sydney Harbour, both pre- and post-contact
- Noted HNSW has met with Caroline Butler-Bowden's team to articulate the importance of heritage being part of the conversation, and suggested developing a fact sheet on heritage
- Committee were satisfied with the presented strategy, reinstated the need to work collaboratively with TfNSW as a way forward and sought more engagement in community consultations to increase community awareness
- TfNSW confirmed it was keen on collaboration and would return to the Committee for an update
- Noted the challenges of getting the owners of properties with long term leases engaged in maintenance and conservation planning, and suggested that TfNSW speak with Sydney Opera House Sustainability sector to assist with the lease situation.
- Noted opportunities for a new holding entity the remit of which is yet to be finalised and sought to participate in any conversations on policy and divestment approach at the time and not after the fact, with support from HNSW
- Committee thanked TfNSW for their presentation, commended its initiative and sought further update from TfNSW in November 2021

Item 3. Listings Matters

Item 3.1 Listings Matters Monthly Report & Watchlist

The State Heritage Register Committee noted the report from Sonia Limeburner and Rochelle Johnston.

It was noted:

- Eight listings gazetted this financial year
- Five listings are with Minister's Office
- Four listings have been approved by HNSW and progressing to Minister's Office
- Four listings are in preparation.

Item 3.2 Triage of New SHR Nominations

The State Heritage Register Committee noted the report from Sonia Limeburner and Rochelle Johnston.

Key points raised:

- Kwong War Chong is included in biannual prioritisation papers for 9 November 2020
- Mulgoa Valley – the item will go to the Cultural Landscape Working Group following the site visit by the Heritage Council and SHRC members on the 5 November 2020
- Tabulam Bridge – This item has been presented for information only and not for a decision. Committee noted an update from HNSW that the nomination could not be accepted on administrative grounds, as the bridge had been delisted from the SHR

register in line with the Timber Truss Bridges Strategy endorsed by the Heritage Council. The nomination is part of a strong campaign by the local residents to revisit that decision and prevent demolishing of the bridge. The Minister has written to the proponents advising it would not be considered as a nomination.

On request by the Chair, this item (Tabulam Bridge) was chaired by Colleen Morris.

Resolution 2020-86

The State Heritage Register Committee:

1. **Agreed** that the Former Kwong War Chong & Company building, including interiors and contents of No. 84 Dixson Street in Haymarket is likely to meet the threshold for State heritage significance and that the nomination will be progressed to Biannual Prioritisation on 9 November 2020.
1. **Agreed** that the Mulgoa Valley is likely to meet the threshold for State heritage significance and that the nomination will be progressed to the Cultural Landscape and Precincts SHR Working Group for consideration given its size and complexity.

Moved by Sheridan Burke and seconded by Colleen Morris

Item 4. Recommendation to List

Item 4.1 Metro Theatre, Potts Point

The State Heritage Register Committee noted the report from Dr Emma Dortins and Dr Natalie Blake.

Key points raised:

- TKD Architects acting on behalf of the Abacus Group, the current owners of the Metro Theatre, requested an extension of the submission period and provided a late submission and a CMP on 28 November 2020, indicating their support the SHR listing, subject to a number of caveats to be considered.
- City of Sydney have also provided a late submission, supporting the listing.
- Create NSW had committed a feasibility study for a return of the building to theatre use, due to be completed on 9 November 2020 and sought the Committee to consider the outcomes of this study at the December meeting, prior to making a decision on RTL.
- Committee noted that they had no opportunity to consider the late submissions and agreed that those must be considered before a decision on Recommendations 2, 3 and 4 could be made. Members were in favour of Recommendation 1.
- A sub-committee comprising of Colleen Morris, Dr Brian Lindsay, Dr Natalie Blake and Dr Emma Dortins is to review the additional documentation, with a follow-up report to be presented at the December meeting
- Committee noted that if the CMP were to be embedded in gazettal notice, the City of Sydney would have to be engaged in the CMP process, as well as the Heritage Council, contrary to the current position of the Heritage Council not to engage in the CMP endorsement process.

Resolution 2020-87

The State Heritage Register Committee resolved to:

1. In accordance with section 33(1)(d) of the *Heritage Act* 1977 **advise** the Minister that the item known as “The Metro Theatre (formerly Minerva Theatre)” at 28-30 Orwell Street, Potts Point, is of State heritage significance, as shown in the plan at Tab 4.1C of the report.
2. Appoint a sub-committee comprising of Colleen Morris and Dr Brian Lindsay to work with Heritage NSW reviewing additional information and provide a report to SHRC in December for final decision.

Moved by Sheridan Burke and seconded by Paul Knight

Item 4.2 MLC Building, North Sydney

This item will be presented at the 4 November 2020 Heritage Council meeting.

Item 4.3 Lambing Flat Riot Site – Address Confirmation

The State Heritage Register Committee noted a report from Dr Damian Tybussek.

Key issues raised:

- This paper is to include addresses to ensure all details are consistent when sent to the Minister’s Office
- The banner is currently located at the Lambing Flat Folk Museum
- Noted the banner is a moveable heritage item and does not require an address. The address cannot be sited because then the address would be part of the listing
- The banner’s address is currently noted in the HOD report and gazettal
- The Committee noted that the DDP numbers are correct.

Resolution 2020-88

The State Heritage Register Committee:

1. **Agreed** to amend the resolutions from the State Heritage Register Committee’s 1 September 2020 Meeting in order to rectify the previous omission of all the relevant addresses in the RtL paper presented to the Committee to read as follows:
 1. **Advise** Heritage NSW that the preferred curtilage option for this listing is to excise the roadways, site to be as presented as shown in the Option B plan at TAB 3.2B of the report;
 2. In accordance with section 33(1)(d) of the *Heritage Act* 1977 **advise** the Minister that the item known as the “Lambing Flat Riot Site (14 July 1861) and Associated Banner” at 6 Ripon Street, 20 Caple Street, and 9 and 11 Campbell Street, Young, is of state heritage significance, as shown in the Option B plan at TAB 3.2B of the report;
 3. **Recommend** to the Minister, in accordance with sections 32(1) and (2) of the *Heritage Act* 1977, that the Minister direct the listing of the item, “Lambing Flat Riot Site (14 July 1861) and Associated Banner” at 6 Ripon Street, 20 Caple Street, and 9 and 11 Campbell Street, Young, on the State Heritage Register;

4. In accordance with section 33(1)(e) of the *Heritage Act 1977*, **give notice** of its decision to persons notified under section 33(1)(a); and
5. In accordance with section 57(2) of the *Heritage Act 1977*, **recommend** that the Minister grant the site-specific exemptions at TAB 3.2C of the report from section 57(1) of the Act in addition to the Heritage Council Standard Exemptions.
6. SHRC **notes** that the associated banner, owned by the Young Historical Society Inc, is currently housed at the Lambing Flat Folk Museum, at 2 Campbell Street, Young.

Moved by Paul Knight and seconded by Dr Wayne Johnson

Item 5. General Matters

Item 5.1 Forward Agenda

The Committee noted the forward agenda and the 2021 meetings calendar.

Item 5.2 Matters Arising

The following items were discussed:

- Heritage NSW is working closely with the Minister's Office in progressing the SHR listings and announcements.
- SHRC and AC reappointments – Members will be updated after the Heritage Council's decision tomorrow. The Expression of Interest process will not proceed until next year due to workload issues and the challenges faced with an end-of-year timeframe. It has been proposed to extend the current appointments until end of June 2021, with the EOI process to take place in early 2021.
- Corrimal Coke Works:
 - Developers submitted a DA with Wollongong City Council last week but were advised to reconsider due to the size of the proposed development
 - The site now has a local heritage listing which it did not have previously when it came to SHRC
 - Wollongong City Council is putting together a planning document for the site and will be seeking guidance from the Heritage Council.
 - Noted that if Corrimal proceeds as a listing, SHRC and HNSW would normally make a comment on the DA.
 - The item will be triaged next week; it is on the workplan and has been allocated to the South Metro team who can provide guidance to the Wollongong City Council as required.

Meeting Close

There being no further items of business, the Chair, Sheridan Burke, closed the meeting at 12:00 pm.



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Sheridan Burke
Chair, State Heritage Register Committee
Date: 1 December 2020