



HERITAGE COUNCIL OF NSW

State Heritage Register Committee Minutes

9:00 am – 1:10 pm
Tuesday, 1 September 2020
Video conference

ATTENDANCE	
MEMBERS	
Ms Sheridan Burke	Chair
Ms Colleen Morris	Deputy Chair
Mr Steven Barry	Member
Dr Wayne Johnson	Member
Mr Paul Knight	Member
Dr Brian Lindsay	Member
Dr Lisa Murray	Member
Ms Lisa Newell	Member
Mr Frank Howarth AM PSM	Alternate Member
HERITAGE NSW	
Ms Pauline McKenzie	Executive Director
Mr Matthew Clarke	Director Heritage Strategy
Ms Cheryl Brown	Regional Manager, Northern Region (Item 4.1)
Mr Steven Meredith	Regional Manager, Southern Region (Item 4.2)
Ms Sonia Limeburner	Principal Heritage Programs Officer, Statewide Programs (Items 2.1, 2.2, 2.3, and 2.4)
Ms Rochelle Johnston	Manager, Statewide Programs (Items 2.2 and 2.3)
Ms Lucy Hampton	Senior Heritage Operations Officer, North East (Item 3.1)
Dr Damian Tybussek	Senior Heritage Operations Officer, South East (Item 3.2)
Ms Mary Ann Hamilton	Senior Heritage Operations Officer, North Metro (Item 4.1)
Ms Emma Dortins	Senior Team Leader, South Metro (Item 4.2)
Ms Natalie Blake	Heritage Operations Officer, South Metro (Item 4.2)
SECRETARIAT	
Ms Olgica Lenger	Senior Team Leader, Secretariat
Ms Linda Bugarin	Secretariat Officer

In-Camera Session

This item is not minuted.

Item 1. Welcome and formalities

The Chair, Ms Sheridan Burke, opened the meeting at 9:20 am, delivered an Acknowledgement of Country and welcomed attendees.

It was noted that quorum had been met.

Item 1.1 Conflict of Interest Declarations

The State Heritage Register Committee noted:

- Item 3.2 Lambing Flat Riot Site (14 July 1861) – Ms Sheridan Burke is a shareholder of GML Heritage but was not involved with its Lambing Flat archaeological report. The Committee noted that no action was required;
- Item 4.2 Metro Theatre – The Committee noted the potential perceived COI declared by Dr Lisa Murray. Dr Murray's employer, the City of Sydney Council, is in negotiations with the developer, however Dr Murray has not no personal or professional involvement with the matter.

Item 1.2 Out of Session Decisions

Nil reported.

Item 1.3 Minutes from Previous Meeting – 4 August 2020

The State Heritage Register Committee noted the unconfirmed minutes from the previous ordinary meeting of Tuesday, 4 August 2020 and discussed:

- Mr Frank Howarth's comments around the wording of the Binishell recommendations and conceded that it is an accurate record of the meeting's decision.
- Requested that minutes reflect that Mr Frank Howarth left the meeting before the Binishells item was discussed.

Resolution 2020-69
The State Heritage Register Committee confirmed the minutes of the previous ordinary meeting (Tuesday, 4 August 2020) as a complete and accurate record of that meeting, with a minor amendment.
Moved by Dr Wayne Johnson and seconded by Dr Lisa Murray.

Item 1.4 Action Report

The State Heritage Register Committee noted the report and requested further updates in respect of the following items:

- Action 2020-91 – Binishells: Engaging with Schools Infrastructure NSW about maintenance of heritage assets and securing maintenance provisions.
- Action 2020-80 – DPIE: Initiating contact with DPIE for strategic discussions about heritage management for urban precincts and cultural landscapes in the planning system.

- Balls Head Coal Loader: It was noted that this work is in progress; Transport NSW is to present on Working Harbour Assets to SHRC in November.
- It has been confirmed that a number of action items are reported on the Watch List, hence no longer included in the Action Report (Mural at Annandale).

Item 2. Listings Matters

Item 2.1 Listings Matters Monthly Report & Watchlist

The State Heritage Register Committee noted the Listings Matters Monthly Report and discussed the following:

- Upon the request of the owners, a site visit to Wingello Park will be arranged. Ms Colleen Morris and/or the Chair will attend the site visit.
- Concerns about the time taken for listings to be processed and future discussions planned to improve the process.
- Kwong War Chong Building is a standing item that needs to be brought to triage in November.
- Mural at Annandale is likely to reach SHR criteria, and the Committee supports listing on the environmental planning instrument to enable its recognition and protection. It was noted that the historical themes of community art and activism are not well represented on SHR.

Resolution 2020-70

The State Heritage Register Committee expressed its concern about the number of outstanding listings and the delays in the process.

Moved by Ms Sheridan Burke and seconded by Ms Colleen Morris.

Item 2.2 Triage of New SHR Nominations

The State Heritage Register Committee noted the report from Ms Sonia Limeburner.

Resolution 2020-71

The State Heritage Register Committee:

1. **Agreed** that the Ramornie Meatworks Site is unlikely to meet the threshold for State heritage significance and the nomination is closed;
2. **Agreed** that while the Ulmarra Police Station / Courthouse and Official Residence is likely to meet the threshold for State heritage significance, it is not a priority for SHR listing at this time and the nomination is not prioritised;
3. **Agreed** that Koonenberry Mountain is likely to meet the threshold for State heritage significance and that the nomination should be referred to ACHAC for advice, with any comments to be considered by the SHRC at Biannual Prioritisation in November 2020.

Moved by Ms Colleen Morris and seconded by Dr Lisa Murray.

Item 2.3 SHR Listings Work Plan 2020/21 – Update

The State Heritage Register Committee noted the report from Ms Sonia Limeburner.

Resolution 2020-72

The State Heritage Register Committee:

1. **Agreed** to further develop the Biannual Prioritisation methodology out of session in advance of the November 2020 Biannual Prioritisation to finalise suggested changes to the process.

Moved by Ms Sheridan Burke and seconded by Dr Brian Lindsay.

Item 2.4 Rural Heritage Working Group – Update

The State Heritage Register Committee noted a verbal update from Ms Colleen Morris and discussed the following:

- The allocation of remaining funds to go to nominations to be discussed by Heritage Council and Heritage NSW offline.
- Approval of recommended items to go to Biannual Prioritisation, with the remaining recommendations to be provided at the November SHRC meeting.

Resolution 2020-73

The State Heritage Register Committee:

1. **Agreed** that these two items are to progress to Biannual Prioritisation in November 2020:
 - Warrakoo Station Complex, Rufus
 - Pera Bore Experimental Farm, Bourke
2. **Agreed** that the remaining items identified in the previous rural heritage thematic study (*Living and Working on the Land in the Western Division of NSW 1869-1960* by Hope, Rice and Gottschutzke 2012) may meet the threshold for State heritage significance but are not a priority for SHR listing at this time and will not be prioritised;
3. **Agreed** that the SHR nomination for Hillview, Bindogundra is to be closed as the item is unlikely to meet the threshold for State heritage significance;
4. **Agreed** that the following two SHR nominations are likely to meet the threshold for State heritage significance, however they are not a priority for SHR listing at this time and will not be prioritised:
 - Mulwala Canal
 - Silverton Tramway Group
5. **Agreed** that the following properties of the Hunter Homesteads Project be considered for SHR listing with further discussion required about the use of the project funds to support the listings and database use:
 - Invermain
 - Caergwrlle
 - Cawarra
6. **Requested** Heritage HSW to explore the potential for the database created as part of the Hunter Homesteads Study (*A Comparative Heritage Study of pre-1850s Homestead*

Complexes in the Hunter Region by Clive Lucas, Stapleton and Partners 2013) to be available on line, opened to community input through a collaborative partnership with local and/or State government or other agencies or groups.

Moved by Ms Colleen Morris and seconded by Dr Brian Lindsay.

Item 3. Recommendation to List

Item 3.1 Former Armidale Courthouse and Sheriff's Cottage

The State Heritage Register Committee noted a paper from Ms Lucy Hampton and update from Ms Lisa Newell, and discussed the following:

- Divestment of asset from Community and Justice to Armidale Council, with a CMP update to be completed before the divestment.
- Future negotiations with the prospective owner about adaptive re-use and exemptions.

Resolution 2020-74

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 "Former Armidale Courthouse and Sheriff's Cottage (including furniture and fixtures of Main Courtroom)" at Beardy Street (corner Faulkner Street), Armidale, is of state heritage significance, as shown in the plan at Annexure B of the report;
2. **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, "Former Armidale Courthouse and Sheriff's Cottage (including furniture and fixtures of Main Courtroom)" at Beardy Street (corner Faulkner Street), Armidale, on the State Heritage Register;
3. 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
4. In accordance with section 57(2) of the *Heritage Act* 1977, **recommend** that the Minister grant the site specific exemptions at Annexure C of the report from section 57(1) of the Act in addition to the Heritage Council Standard Exemptions.

Moved by Ms Lisa Newell and seconded by Mr Steven Barry.

Item 3.2 Lambing Flat Riot Site (14 July 1861) and Associated Banner

The State Heritage Register Committee noted a paper from Dr Damian Tybussek and update from Dr Lisa Murray and discussed the following:

- Excluding road from curtilage – if properties share the boundary this could create need for Heritage Impact Statement from surrounding properties. The 'in vicinity' clause in the legislation would be sufficient to protect property from any future development of State roads.

Resolution 2020-75

The State Heritage Register Committee resolved to:

1. **Advise** Heritage NSW that the preferred curtilage option for this listing is to excise the roadways, site to be as presented 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 Ripon 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 Ripon 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 from section 57(1) of the Act in addition to the Heritage Council Standard Exemptions.

Moved by Dr Lisa Murray and seconded by Dr Brian Lindsay.

Item 4. Notice of Intention to List

Item 4.1 MLC Building, North Sydney

The State Heritage Register Committee noted a paper from Ms Mary Ann Hamilton and discussed the following:

- SHRC confirmed its previous recommendation for the IHO and offers its support and available linkages to HNSW
- Noted the public response to media reports of IHO happening has been positive
- The opportunity to pursue the Glenn Murcutt buildings and discussions with the architect
- Thanked Ms Cheryl Brown, Ms Mary Ann Hamilton and team for their work.

Resolution 2020-76

The State Heritage Register Committee:

1. **Agreed** that the item known as “MLC Building North Sydney (former)” at 105-153 Miller Street, North Sydney, defined in accordance with the curtilage shown at Annexure B of the report, may be of state heritage significance;
2. In accordance with section 33(1)(a) of the *Heritage Act 1977*, will give each person that it considers to be an affected owner or occupier **written notice** that it is going to consider whether or not to recommend the listing of the item concerned (a Notice of Intention to Consider Listing); and
3. In accordance with section 33(1)(b) and section 33(1)(c) of the *Heritage Act 1977*, within 14 days after notice of intention to consider listing is given, will cause a notice of intention to consider listing to be published in an appropriate manner, inviting submissions on the listing, specifying a date as the closing date for the receipt of submissions of 28 days after the publication of the notice and the manner in which submissions may be made.

4. The SHRC has previously recommended an IHO for the MLC Building for 105 Miller Street. The recommendation for IHO remains notwithstanding the SHRC recommendation to proceed with the NOI.

Moved by Ms Sheridan Burke and seconded by Mr Steven Barry.

Item 4.2 Metro Theatre

The State Heritage Register Committee noted a paper and update from Ms Emma Dortins. The Committee noted the high profile of the listing and sought a 21-day submission period.

Resolution 2020-77

The State Heritage Register Committee resolved to:

1. **Delegate** the NOI decision to Executive Director, Heritage NSW aiming for exhibition period to run 23 September to 14 October. This would allow the Recommendation to List decision to return to the November SHRC meeting;
2. **Advise** the owners and the City of Sydney of the NOI decision.

Moved by Ms Colleen Morris and seconded by Mr Paul Knight.

Item 5. General Matters

The Committee noted:

- The launch of the City of Sydney Delegations for Section 60 and IDA approvals below the material threshold on the 1 September 2020.
- Alignment of Heritage NSW staff structure, mostly relating to policy, communications, grants and engagement work.

Item 5.1 Forward Agenda

The State Heritage Register Committee noted the forward agenda.

Item 5.2 Matters Arising

Nil.

Meeting Close

There being no further items of business, the Chair, Ms Sheridan Burke, closed the meeting at 1:10 pm.



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Ms Sheridan Burke

Chair, State Heritage Register Committee

Date: 29 September 2020