



HERITAGE COUNCIL OF NSW

MEETING MINUTES - Approvals Committee

Tuesday, 6 April 2021 | 09:00 AM – 2:45 PM

Zoom Teleconference

ATTENDANCE	
MEMBERS	
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
Ms Ingrid Mather	Observer
APOLOGIES	
Mr David McNamara	Alternate Member
EXTERNAL PRESENTERS	
Mr Zac Abrams	Project Manager, Google Australia (item 2.1)
Mr Blair Johnston	Architect, Warren & Mahoney (item 2.1)
Mr Graham Brooks	Heritage Consultant, GBA Heritage (item 2.1)
Mr Danyal Kola	Google Australia (item 2.1)
Mr Sven Ollman	Warren & Mahoney (item 2.1)
Mr James Morgan	Warren & Mahoney (item 2.1)
Mr Michael Rowe	Ethos Urban (item 2.1)
Mr Dov Miladia	GBA Heritage (item 2.1)

Mr David Walker	Town and Planning Discipline Lead, Premise (item 2.2)
Mr Scott Maunder	Director Community Recreation and Cultural Services, Orange City Council (item 2.2)
Mr Nigel Hobden	Manager City Presentation, Orange City Council (item 2.2)
HERITAGE NSW STAFF	
Ms Pauline McKenzie (part meeting)	Executive Director
Mr Tim Smith OAM	Director Heritage Operations (item 4.1)
Mr Rajeev Maini	Senior Team Leader, Regional Heritage Assessments, South (item 2.1 and 4.2)
Ms Shikha Jhaldiyal	Senior Heritage Assessment Officer, Regional Heritage Assessments, South (item 2.1 and 4.2)
Ms Katrina Stankowski	Senior Team Leader, Regional Heritage Assessments, North (item 2.2 and 3.1)
Ms Tempe Beaven	Senior Heritage Assessment Officer, Regional Heritage Assessments, North (item 2.2 and 3.1)
Ms Natasha Agaki	Senior Secretariat Officer

1.0 Welcome and formalities

The Chair, Dillon Kombumerri, opened the meeting at 9:00am, delivered an Acknowledgement of Country and welcome attendees. It was noted that quorum had been met.

1.1 Conflict of Interest Declarations

Members were asked to raise any conflicts of interest with items on the agenda.

Resolution 2021-14 - Item 1.1 Conflict of Interest Declarations

The Heritage Council Approvals Committee noted the following conflict of interest declarations:

1. Bruce Pettman – Mr Pettman is involved, through Property NSW and NSW Health, in both the Bloomfield Sports Precinct IDA and the subdivision proposal for Bloomfield Hospital which abuts the Sports Precinct. Mr Pettman excused himself from all discussions and decision-making on this matter (item 2.2).

1.2 Out of Session Activity

1. 5 March 2021 – Nicholas Brunton, David Burdon and Bruce Pettman attended a Heritage Walk through Millers Point and Dawes point with the MP Vision and Principles project team

from City of Sydney, Heritage NSW and Cred Consulting. Members discussed possible outcomes and issues relating to approvals processes and owner expectations with the team.

2. 22 March 2021 – Caitlin Allen attended a second Pre-DA meeting with NSW Health on the Bloomfield Hospital subdivision proposal. Discussed at item 2.2.

1.3 Minutes from Previous Meeting - 2 March 2021

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

Resolution 2021-15 – Item 1.3 Minutes from Previous Meeting - 2 March 2021
The Heritage Council Approvals Committee confirmed the minutes of the previous ordinary meeting (Tuesday, 2 March 2021) as a complete and accurate record of that meeting.
Moved by Ian Clarke and seconded by Caitlin Allen.

1.4 Matters Arising

The following matters were raised for brief discussion:

1. Prospect Hill site visit – Members agreed Dillon Kombumerri’s attendance was important to ensure Indigenous representation from the Approvals Committee and in case visits to men only sites were required; offer Cumberland City Council to reschedule to accommodate this.

1.5 Action Report

The Heritage Council Approvals Committee noted the action report and briefly discussed:

- Amendments to meeting protocol guidelines to improve the focus and efficiency of external presentations and the Committee’s productivity overall.
- Relocation of Heritage Council’s annual Regional Visit from Braidwood to Newcastle; the need to secure agreement from the proponents of Christchurch Cathedral prior to arranging a visit and to seek new dates to meet with Queanbeyan-Palerang Council separately.
- Chief Secretary’s Building – Heritage NSW hosted a meeting with Commonwealth and all agencies impacted by the National Heritage Listing of Macquarie Street and the Governor’s Domain. Property NSW particularly represented at the meeting around their aspirations for the Chief Secretary’s Building. Separate conversations on this to continue.

2.0 External Presentations

2.1 Pre DA – Google at Pyrmont: Royal Edward Victualling Yards

The Heritage Council Approvals Committee received a Pre-DA presentation from representatives of the Google, REVY Project at Pyrmont.

Key points discussed:

1. Support for adaptive reuse and efforts to retain the heritage fabric.

2. The site, including all its elements, must speak to its historic function. The bulk of ground level structure in the current scheme renders the Working Yard illegible in the design interpretation.
3. The opportunity to reclaim public access to the SHR Precinct has been broadly neglected. Appropriation of the former Yard pushes the public out to the walkway which is considered to be a major intrusion.
4. Scale, design, use and impacts of the proposed new addition in the REVY work yard.
 - Design solutions that could better respect view lines to and from the building, create more openness and allow greater visual prominence of the REVY buildings.
 - Design options for reducing the form and scale of the building whilst allowing for additional workspace, e.g. multi-use spaces.
 - Interaction of the transparent double-skin façade material with the sun.
 - The view that the proposed addition is still considered to be a major intrusive element that has an adverse impact on the heritage features of this building and broadly disadvantages the public and that compromising the existing building for a single-use space as a private café is not acceptable.
5. How the proposed new boardwalk element and its location has been reconsidered in terms of public access, maritime archaeology and management and maintenance.
6. Location, size and form of the plant room and possible solutions for a more sympathetic design, noting engineering considerations, e.g. relocation, dividing in to two structures, use of masonry brickwork.

Resolution 2021-16 – Item 2.1 Pre-DA REVY Google Campus

The Heritage Council Approvals Committee provided the following comments:

1. Notes the applicant's presentation.
2. Thanks the applicant and their consultants for their presentation and notes the design has been further developed to address the sub committee's comments.
3. The form, massing and material of any new work should give due consideration to retaining an understanding of the former use of the site. This is an ex-Royal Navy facility which was by nature austere and uncluttered.
4. Provides in principle support for development in the REVY work yard. However, is concerned about the form and scale of the proposed addition as it would be a major intrusion which would adversely impact on significant view lines, spatial relationship and setting of the REVY buildings within the SHR curtilage and the harbour.
5. The form and scale of the proposed new addition to the REVY work yard should be reduced further to address the concerns noted above.
 - a) Further examine the opportunity to relocate it elsewhere in the Precinct.
 - b) The current proposal for three levels should be reduced to no more than two levels, with the upper level setback.
 - c) Reduce the floor area by minimising the pedestrian circulation.

- d) Look for opportunities for more flexible multi-use spaces in order to assist reducing the bulk of the footprint and building scale. For example, integrate the café with the Tech Talk facility.
 - e) Explore greater public access and appreciation of the REVY B Building and the site.
6. The Committee accepts the requirement for a plant room. However, as proposed the two-storey pavilion in the Southeast corner of the eastern façade would obscure this significant building elevation as well as view lines from Metcalfe Park and is not supported. The scale & visual impact of the addition should be further reduced, for example, by:
 - a) Performing further excavation to reallocate services below ground to minimise the amount of accommodation required above ground. This would be subject to archaeological investigation.
 - b) Aligning with existing bays to maximise visibility.
 - c) Using brickwork to match the existing building.
 7. The location of the board walk over the water is not supported, and in any case requires the approval of RMS. Options of accommodating the foreshore walk within the SHR site should be explored. This is an opportunity to reclaim public access to the Precinct and avoid disturbing potential maritime archaeology.
 8. Interpretation at the ground level of the former courtyard should be further explored.

Moved by Nicholas Brunton and seconded by Caitlin Allen.

2.2 IDA - Bloomfield Sports Precinct - removal of 500 trees/shrubs

The Heritage Council Approvals Committee received a presentation from Orange City Council.

Key points discussed:

1. Key concerns for the overarching sense of heritage of the site and for the proper integration of significant buildings within the Precinct with the landscape.
2. Rationale behind the applicant's staged approach to the DA, noting the desire for expediency, and the challenges this presents in conducting a thorough and holistic assessment.
3. How community concerns have been considered in the plans.
4. Separation of projects, ownership and management across the Precinct without a comparative and holistic view across the whole site.
5. The loss of the individual mature trees excluded from the retention plan will not necessarily impact the significance of the broader site, however, concern lies around possible consequences of tree removal on the character of the Precinct.
6. Alternative locations for the stadium and possible impacts of a North-South orientation, noting the existing infrastructure along Forest Road that would need to be removed.
7. Consultations with NSW Health relating to the subdivision proposal for the neighbouring Bloomfield Hospital site, including the Approvals Committee's recommendation for an overarching heritage management document that provides a clear approach to coordinated management across the Precinct.

8. Preference for the heritage management document to be backed up in a legally enforceable framework.
9. Further work needed on the location of the stadiums to address the landscape setting of the SHR site. The design must be resolved before any approvals can be considered.

Resolution 2021-17 – Item 2.2 IDA – Bloomfield Sports Precinct

The Heritage Council Approvals Committee provided the following comments:

1. The Bloomfield Hospital is a place of State heritage significance that is protected on the State Heritage Register for its historical, aesthetic and social values. It is a rare example of a mental health institutional site in NSW in a landscape setting that requires a coordinated management approach across the whole site, regardless of land ownership, informed by a Masterplan based on the current CMP and ideally support by a site-specific DCP.
2. Notes the high number of community objections to the current proposal, particularly around landscaping.
3. Reiterates the Committee's advice provided on 3 November 2020 and its support for the redevelopment of this Precinct as a community sporting facility. It is suggested that a Concept Plan Development Application together with a Stage 1 DA for removal of the trees is lodged. Such an application would allow proper consideration of the key issues of concern, which are the bulk of the main stadium, the intensity of proposed use and associated landscaping and its impact on the more sensitive Western side. The Eastern side has a greater tolerance for change and is the location that should be considered for the higher intensity use.
4. Members of the Approvals Committee would like to organise a (virtual) meeting with the applicants and the relevant stakeholders to workshop the potential for alternative layouts for the sporting precinct which preserves the state significant values of Bloomfield Hospital Complex.
5. In addition, a view and character analysis which considers the relationship of the proposal to the existing Precinct should be supplied as supporting information to any application.

Moved by Caitlin Allen and seconded by Nicholas Brunton.

3.0 Internal Presentations

3.1 IDA - Mine Managers Cottage, 25 Hale Street, Catherine Hill Bay

The Heritage Council Approvals Committee considered a paper and verbal report from Ms Tempe Beaven, Heritage NSW.

Key points discussed:

1. The importance of the hierarchical relationship between the Mine Managers Cottage (MMC) and the Town being expressed in the form, fabric and material of the proposal.
2. The material and finish of the MMC should more strongly relate to the painted brick of the original building and/or the fabric of the town houses in the surrounds.

3. Impact of the solar panels on the principle view of the main façade; the feasibility of relocating them to minimise visual interruption, noting the inclusion of solar panels in the Court approved dwelling and the lack of specific controls on solar panels within the DCP for Catherine Hill Bay.

Resolution 2021-18 – Item 3.1 IDA – Mine Managers Cottage, 25 Hale Street, Catherine Hill Bay

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

Development must be in accordance with:

- a) Architectural drawings, prepared by Giles Tribe as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Wallarah House			
DA000	Cover Sheet	10/11/2020	D
DA001	Site Analysis	10/11/2020	D
DA002	Site Plan	10/11/2020	D
DA199	Cellar Plan	10/11/2020	D
DA200	Ground Floor Plan	10/11/2020	D
DA201	Roof Plan	10/11/2020	D
DA300	Elevations	10/11/2020	D
DA310	Sections	10/11/2020	D
DA311	Sections	10/11/2020	D
DA312	Sections	10/11/2020	D
DA510	Building Height Plane	10/11/2020	D
DA520	Plan Comparison	10/11/2020	D
DA530	View from beach	10/11/2020	D
DA531	View from above beach car park	10/11/2020	D
DA532	View from Catho Pub	10/11/2020	D
DA533	View along Flowers Drive	10/11/2020	D
DA800	Excavation Plan	10/11/2020	D
DA802	Pool Details	10/11/2020	D
DA803	Site Details	10/11/2020	D

DA804	Site Details	10/11/2020	D
DA900	Materials and Finishes	10/11/2020	D

b) Landscape drawings, prepared by David Whitworth as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Wallarah House			
DA001	Cover Sheet	9/11/2020	G
DA100	Landscape Plan	9/11/2020	G
DA300	Planting Palette	9/11/2020	G

c) Stormwater drawings, prepared by James E Allen and Partners as listed below:

Dwg No	Dwg Title	Date	Rev
Project Name: Wallarah House			
H-00	Cover Sheet	8/11/2020	P5
H-02	Site Plan	8/11/2020	P5
H-03	Ground Floor Plan	8/11/2020	P5
H-04	Roof Plan	8/11/2020	P5
H-05	Detail Sheet 1	8/11/2020	P5
H-06	Detail Sheet 1	8/11/2020	P5

- d) *Statement of Heritage Impact (SOHI)* prepared by GBA Heritage, dated November 2020 Issue D
e) *Statement of Environmental Effects (SOEE)* prepared by Planning Ingenuity, dated 11 November 2020 V1
f) *Response to HNSW IDA Request (GBA 1)* – prepared by GBA Heritage, dated 5 February 2021
g) *Response to HNSW IDA Request (GBA 2)* – prepared by GBA Heritage, dated 12 March 2021

EXCEPT AS AMENDED by the following conditions of this approval:

1. ADDITIONAL INFORMATION

To enable a thorough heritage impact assessment of some aspects of the proposal, the following information must be provided with the s60 application for assessment and approval by the Heritage Council of NSW (or their delegate):

- a) To ensure that the significant landscape element of Wallarah House is maintained, a methodology and drawings by a structural engineer to detail the reconstruction of the steps and retaining wall based on physical recording and photographic evidence, is to be provided. The structures are to be dismantled only where necessary and rebuilt in the exact location, except where shown on plans. Any replacement fabric will be matching in appearance and only the fabric that is beyond repair or missing will be replaced.

Reason: To ensure the remnants of the former Wallarah House are retained and interpreted.

2. HERITAGE CONSULTANT

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.

3. SITE PROTECTION

Significant building fabric and vegetation are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed. All tradesmen and workers on site shall be made aware of the significant fabric on site.

Reason: To ensure that significant fabric is not damaged during the works.

PHOTOGRAPHIC ARCHIVAL RECORDING

- 2.** A photographic archival recording of the retaining walls and steps must be prepared prior to the commencement of works. The recording is to capture the setting of the site but focus on these elements that will be modified by the proposal. This recording must be in accordance with the NSW Heritage Division publications 'How to prepare archival records of heritage items' and 'Photographic Recording of Heritage Items using Film or Digital Capture'. The original copy of the archival record must be deposited with the Heritage Division, Office of Environment and Heritage, and an additional copy provided to Lake Macquarie City Council.

Reason: To capture the condition and appearance of the place prior to, and during, modification.

4. UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS

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: To ensure the appropriate course of action is taken in the event of archaeological deposits or relics being found.

5. ABORIGINAL OBJECTS

Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974*. Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the *National Parks and Wildlife Act 1974*.

Reason: To appropriately manage Aboriginal cultural heritage.

6. COMPLIANCE

If requested, the Applicant may be required to participate in audits of Heritage Council approvals to confirm compliance with conditions of consent.

Reason: To ensure the implementation of conditions of approval.

7. SECTION 60 APPLICATION

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

Reason: To comply with legislation.

Moved by Ian Clarke and seconded by Bruce Pettman.

4.0 Heritage NSW Updates

4.1 7 and 9 Dalgety Road Millers Point – Brief

The Heritage Council Approvals Committee considered a paper and verbal report from Mr Tim Smith OAM, Heritage NSW.

Key points discussed:

1. The Committee maintains its position on previous determinations and notes that matters will now be delegated to the City of Sydney moving forward.
2. The property was purchased as an SHR-listed item and sits within the wider SHR-listed Millers Point Precinct and thus has a public interest.
3. The Heritage Council's development of a Vision Statement and key Heritage Principles for the Millers Point Precinct through community consultation workshops as a response to community complaints and the complexities around development approvals that are unique to this Precinct.

Resolution 2021-19 – Item 4.1 7 & 9 Dalgety Road, Millers Point - Brief

The Heritage Council Approvals Committee:

1. Notes the report presented.
2. Directs the Heritage Council Secretariat to address complainant in writing, as agreed following consideration of the matters raised.

Moved by Ian Clarke and seconded by Bruce Pettman.

4.2 Millers Point Vision Statement and Principles - Project Update

The Heritage Council Approvals Committee considered an update paper from Ms Shikha Jhaldiyal, Heritage NSW on the Millers Point project.

Key points discussed:

1. Project scope outlined in the consultant's report is commended.
2. Planning and community engagement milestones on schedule; ready to launch the first phase of the project inviting the community to participate in consultation workshops in May and June 2021.
3. Methods of engagement with the community.
4. Data security and analysis to be discussed further out of session with HNSW team.

5. Project Control Group meetings to continue on a fortnightly basis.
6. HNSW request that the Heritage Council nominate a member to officially open and introduce the project to workshop participants.

Note – Item 4.2 Millers Point Vision Statement and Principles – Project Update

The Heritage Council Approvals Committee noted the project update provided in the paper.

5.0 General Business

5.1 Forward agenda

The Heritage Council Approvals Committee noted the forward agenda. Members briefly discussed the benefits of attending Jenolan Caves prior to considering the S60 in May, if possible.

5.2 Drummoyne Reservoir

The Heritage Council Approvals Committee received a verbal report from Mr Rajeev Maini, Heritage NSW.

1. Court case lodged for a proposal for a Childcare Centre within Drummoyne Reservoir including the construction of a building adjacent to it.
2. Matter to be raised at the Heritage Council meeting tomorrow for a decision on whether or not to participate in the legal proceedings.

Note – Item 5.2 Drummoyne Reservoir - Update

The Heritage Council Approvals Committee noted the verbal update on a court case lodged against a deemed refusal of an IDA for a childcare centre at Drummoyne Reservoir.

6.0 Meeting Close

There being no items of further business, Dillon Kombumerri, Chair, closed the meeting at 2:45pm.



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Mr Dillon Kombumerri

Chair, Heritage Council Approvals Committee

Date: 7/5/2021