



# HERITAGE COUNCIL OF NSW

## MEETING MINUTES – 488

7 April 2021 | 09:00 AM – 3:45 PM

The Sovereign Room, The Mint, 10 Macquarie Street, Sydney & Teleconference

<b>ATTENDANCE</b>	
<b>MEMBERS</b>	
Mr Frank Howarth AM PSM	Chair
The Hon Robyn Parker	Member
Dr Nicholas Brunton	Member
Mr Ian Clarke	Member
Mr Paul Knight	Member
Dr Brian Lindsay	Member
Ms Colleen Morris	Member
Ms Louise Thurgood	Member
Mr Brett Whitworth	Member
<b>APOLOGIES</b>	
Mr Dillon Kombumerri	Observer
<b>GUEST PRESENTERS AND EXTERNAL ATTENDEES</b>	
Ms Kate Foy	Deputy Secretary Community Engagement, DPC (Sections 3.0, 4.0 and 5.0)
Ms Clare Sowden	Project Director Redfern North Eveleigh, TfNSW (Item 2.1)
Mr Linden Quin	Senior Development Manager, TfNSW (Item 2.1)
Ms Nicola Weimann	A/Senior Project Manager, TfNSW (Item 2.1)
Ms Sally Walkom	Managing Director, Investment NSW, DPC (Item 2.1)
Ms Emma Hitchens	DPIE (Item 2.1)
The Hon. Don Harwin MP	Special Minister of State, and Minister for the Public Service and Employee Relations, Aboriginal Affairs, and the Arts (Item 5.0)
Mr David Logan	Chair, Technical Advisory Panel (Item 7.2)
<b>HERITAGE NSW</b>	
Ms Pauline McKenzie	Executive Director

Mr Matthew Clark	Director Heritage Strategy and Policy
Mr Tim Smith	Director Heritage Operations
Ms Sarah Jane Brazil	Senior Team Leader Major Projects ( <i>Item 2.1</i> )
Mr David Nix	Senior Heritage Officer Major Projects ( <i>Item 2.1</i> )
Mr Steve Meredith	A/Regional Manager Heritage North ( <i>Items 2.1 and 4.1</i> )
Ms Tracy Appel	Senior Team Leader Regional Heritage ( <i>Item 4.1</i> )
Mr David Hoffman	Senior Heritage Operations Officer Heritage North ( <i>4.1</i> )
Ms Jan Nye	Senior Team Leader Comms & Engagement ( <i>4.2 and 4.3</i> )
Ms Nicole Guyatt	Team Leader Grants ( <i>Item 4.2</i> )
Ms Rosanna Luca	Senior Project Officer Heritage Operations ( <i>Item 4.3</i> )
<b>SECRETARIAT</b>	
Ms Olgica Lenger	Senior Team Leader Secretariat
Ms Elizabeth Thomas	Advisory Panels Co-ordinator

**IN-CAMERA SESSION**

This item was not minuted.

**Item 1. Welcome and Formalities**

The Chair, Frank Howarth, opened the meeting at 9:20 am, delivered an Acknowledgment of Country and welcomed attendees. It was noted that a quorum had been met.

Apologies were received from Dillon Kombumerri.

**Item 1.1 Conflict of Interest Declarations**

There were no conflicts of interest declared for this meeting.

**Item 1.2 Out of Session Decisions**

There were no decisions made out of session since the last meeting.

**Item 1.3 Minutes from the Previous Meeting – 3 March 2021****Resolution 2021-20**

The Heritage Council of NSW:

1. **Confirmed** the minutes of the previous ordinary meeting (3 March 2021) as a complete and accurate record of these meetings.

Moved by Colleen Morris and seconded by Louise Thurgood

**Item 1.4 Matters Arising****Item 1.4.a Minutes from Previous Meeting on 3 February 2021 - Revised**

The Heritage Council of NSW considered the amendments to the minutes of the 3<sup>rd</sup> February meeting of the Heritage Council, that were requested by the Land and Housing Corporation (LAHC) regarding their presentation on *Item 3.1 Waterloo Housing Development*.

The Council was concerned about the varied advice provided by LAHC around the Aboriginal engagement and emphasised the importance of early engagement with the Aboriginal community. The Council sought further details from LAHC on how they will develop relationships with the Aboriginal community for this project.

**Resolution 2021-21**

The Heritage Council of NSW resolved to:

1. **Publish** the minutes for the item 3.1 *Waterloo Housing Development* as adopted with amendments to:
  - a. **Remove** data about residents, on request from the Land and Housing Corporation (LAHC).
  - b. **Note** the clarification provided by LAHC as follows:
    - i. LAHC engaged a consultant to prepare the Aboriginal Cultural Heritage Study and work is proposed to continue as part of the planning proposal process with the Indigenous consultant team who will undertake further engagement activities.
    - ii. Previously, an Aboriginal liaison officer was engaged to investigate and capture the cultural benefits as part of the planning process. LAHC is

<p>continuing to develop relationships with established Aboriginal organisations who provide leadership in the Redfern/Waterloo area, in order to continue this work and inform the planning process.</p>
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<p>Moved by Louise Thurgood and seconded by Dr Brian Lindsay</p>
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### Item 1.5 Action Report

The Heritage Council of NSW reviewed the action report and discussed items recommended for closure.

<p><b>Resolution 2021-22</b></p>
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<p>The Heritage Council of NSW resolved to close items recommended for closure, as amended.</p>
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<p>Moved by Robyn Parker and seconded by Paul Knight</p>
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### Item 1.6 Heritage Council of NSW – Committees Update

Robyn Parker, Chair of the State Heritage Register Committee provided an update on the matters discussed at the 6<sup>th</sup> April meeting.

Ian Clarke, Deputy Chair of the Approvals Committee provided an update on items discussed at the 6<sup>th</sup> April meeting and sought the Council's view on the following:

- The Royal Edward Victualling Yard (REVY) re-use proposal to be considered by the Heritage Council;
- The Council's participation in the Land and Environment Court action regarding the Drummoyne Reservoir; and
- Noted that the Chair or a member of the Heritage Council will attend and officially open the first Millers Point Community Consultation Workshop.

<p><b>Resolution 2021-23</b></p>
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<p>The Heritage Council of NSW resolved to:</p>
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| <ol style="list-style-type: none"> <li>1. <b>Consider</b> the REVY re-use proposal at a future meeting of the Heritage Council of NSW.</li> <li>2. <b>Agreed</b> for the Heritage Council of NSW to participate in the Land and Environment Court action over the Drummoyne Reservoir Rawson Avenue, Drummoyne.</li> </ol> |
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<p>Moved by Ian Clarke and seconded by Dr Nicholas Brunton</p>
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## Item 2. External Presentations

### Item 2.1 Redfern North Eveleigh Strategic Vision

The Heritage Council of NSW received a paper from David Nix and a presentation from Transport for NSW (TfNSW) and noted the following:

- TfNSW outlined their strategic vision and key principles and priorities for the redevelopment of the Redfern North Eveleigh precinct;
- The current set of planning controls and scale and form of development were approved in 2008 for residential and commercial use on the site;
- TfNSW is seeking new planning controls to enable the renewal of the Redfern North Eveleigh precinct to become a connected centre for innovation, living and creativity;

- The TfNSW renewal plans will draw on the past, including adaptive re-use of heritage buildings in the precinct and recognition of Redfern’s existing character and its particular significance to Aboriginal peoples, culture and communities.

*Kate Foy joined the meeting at 10:20 am.*

The Council noted they are keen to work with TfNSW to develop a set of guiding principles that can inform the vision and planning for the site and expressed their strong desire for North and South Eveleigh to be seen as one precinct, as per the SHR listing, with a precinct wide masterplan.

- TfNSW confirmed that the early phases of the masterplan are focused on North Eveleigh and the Paint Shop sub-precinct, however, the heritage aspects will be considered more broadly; a workshop with HNSW is being held to consider and explore heritage opportunities in the urban form and public domain.

The Council questioned how TfNSW will develop a holistic vision that reflects the Aboriginal heritage, migrant history and industrial heritage of the precinct.

- TfNSW noted that a Heritage Interpretation Strategy will be developed, and work is being done to increase the North South connectivity and to better understand the site’s waterways and song lines. TfNSW offered to share this work with the Council once further investigations are completed.

The Council are keen to work with TfNSW to provide input into the development of the Heritage Interpretation as part of the detailed studies in 2021.

The Council requested urgent work to commence on drafting a set of key principles that underpin and guide heritage outcomes to planning considerations in a consistent manner.

#### Resolution 2021-24

The Heritage Council of NSW resolved to:

1. **Prepare** a document setting out key heritage principles (the Principles) that sit between the Burra Charter and the current planning frameworks to guide proponents of major projects. Among other matters, the Principles will deal with:
  - a) the consideration of heritage in a broad spatial and temporal setting;
  - b) applying Designing with Country concepts;
  - c) impacts of tall buildings and views;
  - d) how the Heritage Council prefers to collaborate and partner with proponents.
2. When finalised, to **adopt** the Principles and require agencies and proponents to apply the Principles when developing their proposals.
3. **Work** with TfNSW on developing a heritage framework, consistent with the Principles, for the entire Eveleigh Precinct.
4. **Identify** a series of best practice studies that demonstrate successful adaptive re-use in significant heritage precincts.
5. **Request** TfNSW and DPIE/Property NSW to apply the Principles as a case study for the North and South Eveleigh and Parramatta North precincts.

Moved by Colleen Morris and seconded by Dr Nicholas Brunton

### Item 3. Legislation, Policy and Administrative Matters

#### Item 3.1 Business Planning

The Heritage Council of NSW received a draft report and verbal update from Matthew Clark regarding the joint business planning and prioritisation work undertaken by the Council and HNSW for 2021/22.

The Council noted further work will be undertaken to refine the plan and incorporate the key heritage guiding principles (discussed under agenda Item 2. *Redfern North Eveleigh Strategic Vision*).

### Item 4. Recommendation to List on SHR

#### Item 4.1 Newcastle Recreation Reserve - RTL

The Heritage Council of NSW received a report and verbal update from David Hoffman.

The Council noted that the City of Newcastle supported the proposed listing at their meeting on the 23<sup>rd</sup> March, following a Public Voice meeting held on the 16<sup>th</sup> March. The Council also noted that the City of Newcastle would refer any DAs for the Headland Reserve to the Heritage Council for comment, as per the current practice for DAs adjoining/impacting SHR listed items.

#### Resolution 2021-25

The Heritage Council of NSW:

1. **Notes** that, In accordance with section 33(1)(d) of the *Heritage Act* 1977, it has considered the submissions received in response to its Notice of Intention to Consider Listing and **considers** the item known as *Newcastle Recreation Reserve* at 3 & 5A Ordnance Street, The Hill, 41 The Terrace, Newcastle, and Shortland Esplanade (part), Newcastle, **satisfies** more than one of the approved criteria for determining whether an item is of State heritage significance, as shown in the plan at Tab 4.1B of the report
2. **Recommends** to the Minister, in accordance with section 32(2) of the *Heritage Act* 1977, that the item, *Newcastle Recreation Reserve* at 3 & 5A Ordnance Street, The Hill, 41 The Terrace, Newcastle, and Shortland Esplanade (part), Newcastle, **be listed** on the State Heritage Register
3. In accordance with section 33(1)(e) of the *Heritage Act* 1977, resolved to **give notice** of its decision to persons notified under section 33(1)(a), to the council of the area in which the item is situated and to each of the persons who made submissions that were considered; and
4. In accordance with section 57(2) of the *Heritage Act* 1977, **notes** that the Heritage Council Standard Exemptions will apply, and in accordance with section 57(2) of the *Heritage Act* 1977, **recommends** that the Minister **grant the site specific exemptions** at Tab 4.1D of the report from section 57(1) of the Act in addition to the Heritage Council Standard Exemptions.
5. **Thanks** David Hoffman for his exceptional work on this nomination.

Moved by Dr Nicholas Brunton and seconded by Louise Thurgood

## Item 4.2 2021-23 NSW Heritage Grants

The Heritage Council of NSW received a draft report and verbal update from Louise Thurgood and Jan Nye.

The Council noted:

- The excellent work undertaken by the Grants and Sponsorships Advisory Committee (GSAC) and HNSW staff to conduct the merit assessment against the eligibility criteria and guidelines, and the detailed review and ranking of the 433 applications received;
- The GSAC met with the HNSW Grants team during March and April to resolve any queries and outstanding issues, and provided its draft recommendations to the Council for consideration;
- The Council asked members to provide any feedback within the next week before finalising the recommendations under delegation for referral to the Minister.

### Resolution 2021-26

The Heritage Council of NSW:

1. **Notes** the process undertaken for the assessment and ranking of the 2021-23 NSW Heritage Grants applications and **seeks** any feedback from members within 7 days.
2. **Delegates** to the Chair of the Heritage Council of NSW and the Chair of the Grants and Sponsorship Advisory Committee to sign off the recommendation to the Minister on the proposed 2021-23 NSW Heritage Grants allocations.
3. **Thanks** the Grants and Sponsorships Advisory Committee and Heritage NSW on the work done on the 2021-23 HNSW Heritage Grants.
4. **Refers** the recommended 2021-23 HNSW Heritage Grants allocations to the Minister for approval.

Moved by Colleen Morris and seconded by Robyn Parker

## Item 4.3 2021 Regional Visit

All members were asked to provide their attendance advice to HNSW so that accommodation can be finalised. Stakeholder meetings, site visits and dinner arrangements were discussed and HNSW will finalise the itinerary with the Chairs of the Heritage Council and ACHAC.

## Item 5. Visit by Minister Harwin

The Minister provided an update to the Heritage Council of NSW on the *Heritage Act* review.

## Item 6. Executive Reports

### Item 6.1 Executive Director, Heritage NSW – Monthly Report

The Heritage Council of NSW noted the report and verbal update from Pauline McKenzie.

The Council noted the following items to be brought for further discussion with the Council at the appropriate time:

- a review to streamline the archaeological exceptions under s.139;
- the Draft Kosciuszko National Park Wild Horse Heritage Management Plan 2021 and comments related to the *Kosciuszko Wild Horse Heritage Act 2018*; for joint discussion with the Aboriginal Cultural Heritage Advisory Committee (ACHAC);

- a presentation from DPIE and the Greater Sydney Commission on the Draft Westmead Place Strategy.

It was also noted that:

- Robyn Parker will participate in the SHR listings project reference group; and
- a site visit to Parramatta North to be held after the Council meeting in June.

### **Item 6.2 Chair, Heritage Council of NSW – Monthly Report**

The Chair, Frank Howarth provided an update regarding the Ryde Civic Centre Stop Work Order being revoked, following consultations with the City of Ryde and an internal assessment by Heritage NSW.

### **Item 6.3 Chief Planner's Report**

The Heritage Council of NSW noted the report and a verbal update regarding the *Draft Westmead Place Strategy*.

### **Item 6.4 Strategic Project Status Report**

The Heritage Council of NSW noted the reconfigured report and a template that is currently being developed for future reporting that will incorporate the principles.

## **Item 7. Advisory Panels Reporting**

### **Item 7.1 Heritage Advisory Panel**

Colleen Morris, Heritage Advisory Panel (HAP) Chair, provided an update on matters discussed at the meeting held 17 March 2021 including:

- cultural and indigenous heritage issues and policy reform and implementation; and
- feedback provided on the draft CMP documentation and draft Moveable Heritage publication.

It was also noted that peer review guidelines are being developed for further discussion at the next HAP meeting to be held in June.

### **Item 7.2 Technical Advisory Panel**

David Logan, Technical Advisory Panel (TAP) Chair, outlined the formation and purpose of the Panel. At its meeting held 24 March the Panel assisted with finalising six publications for the fire and maintenance and limewash series and noted they were keen to:

- offer webinars or other ways to promote good heritage outcomes;
- have a Council member as an observer on the panel; and
- have an appointed staff member, ideally a heritage architect, who can act as a single liaison point with TAP for referral and response to items.

Council asked HNSW to promote the use of the TAP to HNSW staff and heritage networks more broadly.

## **Item 8. Heritage NSW Reporting**

### **Item 8.1 Heritage Operations – Monthly Reports**

#### **Item 8.1.a Conservation Major Projects – Monthly Report**

The Heritage Council of NSW noted the report and verbal update by Tim Smith, including an update regarding the opportunities for the World Heritage listing of the Parramatta Female Factory.

#### **Item 8.1.b Delegated Decisions – Monthly Report**

The Heritage Council of NSW noted the Delegated Decisions Report for 1 – 31 January 2021.

#### **Item 8.1.c Listing Matters**

The Heritage Council of NSW noted the Listings Matters monthly report for 1 – 31 January 2021.

## **Item 9. General Matters**

### **Item 9.1 Forward Agenda**

The Heritage Council of NSW noted the forward agenda and asked that beach cultural heritage and heritage waterside assets be placed on the forward agenda, including further discussions about the long term maintenance and upgrade of ocean pools more generally.

### **Item 9.2 Any other business**

HNSW will explore options to forward the daily media alerts to members of the Heritage Council, for information.

## **Item 10. Meeting Close**

There being no further items of business, the Chair, Frank Howarth closed the meeting at 3:45 pm.



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Mr Frank Howarth AM PSM

**Chair, Heritage Council of NSW**

Date: 5 May 2021