



HERITAGE COUNCIL OF NSW

State Heritage Register Committee Minutes

9:00 am – 1:15 pm
Tuesday, 2 March 2021
Teleconference

ATTENDANCE	
MEMBERS	
Ms Colleen Morris	Acting Chair
Mr Steven Barry	Member
Ms Sheridan Burke	Member
Dr Wayne Johnson	Member
Mr Paul Knight	Member
Dr Brian Lindsay	Member
Ms Lisa Newell	Member
The Hon Robyn Parker	Heritage Council Member as observer
Mr Frank Howarth AM PSM	Alternate Member
HERITAGE NSW	
Ms Pauline McKenzie	Executive Director
Mr Matthew Clarke	Director Heritage Strategy
Mr Steven Meredith	Regional Manager
Ms Rochelle Johnston	Manager, Heritage Programs (Item 2)
Ms Sonia Limeburner	STL Strategy Team 1 (Item 2, 3.3)
Mr Stuart Read	Senior Heritage Operations Officer (Item 2.4)
Ms Natalie Blake	A/STL Heritage Operations Officer (Item 3.1)
Dr Damian Tybussek	Senior Heritage Operations Officer (Item 3.1)
Ms Cristina Garduno Freeman	Senior Policy Officer (Item 3.1)
Ms Andreeana Kennedy	Senior Policy Officer (Item 3.1)
Ms Tracy Appel	A/STL Senior Heritage Programs Officer (Item 4.2)
Ms Chrisia Ang	Senior Heritage Assessment Officer (Item 4.2)
SECRETARIAT	
Ms Olgica Lenger	Senior Team Leader, Secretariat
Ms Linda Bugarin	Assistant Secretariat Officer

In-Camera Session

This item is not minuted.

Item 1. Welcome and formalities

Acting Chair, Colleen Morris, opened the meeting at 9:00 am, delivered an Acknowledgement of Country and welcomed attendees. She welcomed new member, Robyn Parker, recently appointed as Deputy Chair of the Heritage Council.

It was noted that all Members were present, and quorum had been met.

Colleen Morris, Acting Chair expressed her thanks on behalf of all members of the Committee to Sheridan Burke for her excellent leadership during her term as the Chair of the State Heritage Register Committee.

Item 1.1 Conflict of Interest Declarations

No new COI were declared.

The Committee noted the following standing declarations:

- Sheridan Burke: GML and Docomomo
- Steven Barry: Transport for NSW
- Dr Wayne Johnson: Ballast Point Park
- Colleen Morris: National Trust of Australia

Item 1.2 Out of Session Decisions

Nil reported.

Item 1.3 Minutes from Previous Meeting – 2 February 2021

The State Heritage Register Committee received the unconfirmed minutes of the 2 February 2021.

The Committee agreed on a clarification of the wording under item 3.1 *Hunter Homestead SHR Listings Project – Options Paper* by adding the wording “and land valuation and insurance impacts” in the second last discussion point and in Resolution 2021-08, with Dr Brian Lindsay moving and Paul Knight seconding the amended Resolution.

Resolution 2021-10
The State Heritage Register Committee:
1. Confirmed the minutes of the previous ordinary meeting (2 February 2021) as a complete and accurate record of that meeting, with minor amendments.
Moved by Paul Knight and seconded by Colleen Morris.

Item 1.4 Matters Arising

Ryde Civic Centre – IHO Update

The Committee received an update from Frank Howarth, Chair of the Heritage Council of NSW, regarding a Stop Work Order that was placed over the Ryde Civic Centre.

The Committee noted that:

- Ryde Civic Centre was considered for SHR listing in 2013 and not recommended at that time. Since then a number of comparable buildings have been either demolished or significantly modified which may raise the significance of the Civic Centre building. Associated social values also need to be carefully investigated.
- The Stop Work Order on any demolition of the Civic Centre has been placed over the building on a precautionary principle so that the Heritage Council, on the advice of the SHRC, could make a decision about its level of significance.
- Urgent heritage significance assessment will be undertaken by the Heritage NSW team, with input to be provided by the Modern Heritage Reference Group and a potential engagement of an external consultant, if required.
- The Chair of the Heritage Council and the Executive Director, Heritage NSW will meet with Ryde City Council to discuss the current situation.
- Subject to investigation findings on the level of heritage significance of the building, the final decision will be considered at a joint out of session meeting of the Heritage Council and the SHRC.

Resolution 2021-11
The State Heritage Register Committee resolved to:
1. Urgently consider and advise the Heritage Council of NSW on the significance of the Ryde Civic Centre.
Moved by Dr Brian Lindsay and seconded by Dr Wayne Johnson

Item 1.5 Action Report

The State Heritage Register Committee noted the report and discussed the following:

- Balls Head Coal Loader – update on progress on site specific exemptions will be provided to the Committee, following a consultation with Sheridan Burke and Dr Wayne Johnson;
- Ulong Sawmill – the Committee requested HNSW to progress the nomination and to consider the significance of the machinery later.

Item 2. Listings Matters

Item 2.1 Three-Step Process for New SHR Nominations: Proposed Refinements

The State Heritage Register Committee noted the report by Sonia Limeburner.

Key points discussed:

- Members' indicated their support for the revised triage and prioritisation process, including the consolidation of the Monthly Triage and Bi-annual Prioritisation into a single Monthly Triage step, and a separate prioritisation of owners' nominations.
- The consolidated triage and prioritisation process will provide a greater certainty to nominators with a decision being made within a 4-6 weeks of the nomination being received and will assist Heritage NSW with work planning.
- Separate prioritisation of owners' nominations will assist in achieving a better balance between complex and achievable nominations and the delivery of nominations in the annual SHR work plan. The enhanced process will facilitate greater encouragement and

support for the owners' aspirations for recognition and promotion of heritage listings while balancing reasonable representativeness in different categories.

- Committee noted possible implications of the revised triage and prioritisation process on the number of active nominations and accessibility to the grants program and sought a review of the process in 12 months.
- It was acknowledged that closed items are determined based on the information available at the time of assessment. It is unlikely that a closed nomination will be revisited unless new information becomes available or there is a change in priority areas.

Resolution 2021-12

The State Heritage Register Committee:

1. **Approved** combining the Monthly Triage and Biannual Prioritisation steps into a single step.
2. **Agreed** to amend the Monthly Triage step to prioritise nominations with owner support.
3. **Agreed** to review the triage and prioritisation process in one year's time.

Moved by Colleen Morris and seconded by Sheridan Burke.

Item 2.2 Listings Matters Monthly Report and Watchlist

The State Heritage Register Committee noted the report and presentation by Sonia Limeburner.

Key points noted:

- There are likely changes to be made to the work plan which is currently being reviewed internally, with further information to be provided at the April SHRC meeting.
- Committee raised concerns about the lack of progression of the Warringah Civic Centre, Dee Why nomination and the Council's unwillingness to engage. The item was considered very important with the Modern Movement Study. The associated Bruce McKenzie Garden, a representative of the 1960s urban landscapes, further emphasises its significance, as the entire urban morphology is being lost due to rapid demolition of these civic places. It was noted that the Bruce McKenzie garden and the Civic Centre building are to be considered as an integrated design landscape.

Resolution 2021-13

The State Heritage Register Committee:

1. **Expressed** concerns that the Warringah Civic Centre and integrated landscape SHR nomination has not been progressed further and **requests** Heritage NSW to expedite the progress of the nomination.

Moved by Sheridan Burke and seconded by Colleen Morris.

Item 2.3 SHR Nominations Triage

Nil items to triage.

Item 2.4 Mural at Annandale – Update

The State Heritage Register Committee noted a verbal update from Stuart Read and requested the item be placed on the May agenda, including an update on the following:

- Whether the item should remain on the work plan;
- Whether the item meets the threshold for state significance, noting there is an excellent report available online;
- The impact of Rozelle Interchange;
- The position of TfNSW /RailCorp and if the item would be placed on the TNSW or Railcorp Heritage Conservation Register
- Whether the Inner West Council are placing the item on the LEP.

Item 3. Cultural Landscapes and Urban Areas Working Group Update

Item 3.1 Braidwood SHR Listing

The State Heritage Register Committee noted the report from Dr Damian Tybussek and Natalie Blake.

Key points noted:

- The Braidwood listing is a complex one creating difficulties for effective management;
- Lack of awareness among residents about controls under the Act, about heritage items and benefits the listing brings;
- The Braidwood DCP is lacking specific controls and is open to interpretation, resulting in many compliance matters;
- Difficulties in engaging with a large population over a long period of time;
- The importance to develop effective communications and proactive partnership with the Queanbeyan-Palerang Council to better understand heritage management issues and promote the heritage of Braidwood;
- Committee is looking for active engagement with the Queanbeyan-Palerang Council, including a site visit to Braidwood;
- The *Cultural Landscapes and Urban Heritage Areas Working Group* will work with Heritage NSW on the Braidwood listings review to develop a strategic framework for management of large area/precinct listings;
- Noted that the Approvals Committee is already involved and informed of compliance matters.

Resolution 2021-14

The State Heritage Register Committee:

1. **Recommends** to the Heritage Council of NSW to engage with the Queanbeyan-Palerang Council in a proactive partnership to develop a better understanding of heritage issues in Braidwood and promote Braidwood heritage.
2. **Agreed** that the *Cultural Landscapes and Urban Heritage Areas Working Group* will work with Heritage NSW on the review of the Braidwood listing and develop a plan with Queanbeyan-Palerang Council for effective management of the Braidwood SHR area in the future.

Moved by Paul Knight and seconded by Dr Wayne Johnson.

Item 3.2 Mulgoa Valley and Wallacia Significant Rural Landscape – Update and Next Steps

The State Heritage Register Committee noted the verbal update from Colleen Morris and a presentation from Sonia Limeburner.

Key points noted:

- An introductory meeting with members of the Heritage Council, Penrith City Council and Heritage NSW was held on 9 February 2021; communication channels were opened seeking opportunities to work together to strengthen the protection of the natural and cultural significance of this important rural landscape.
- Committee noted the number of listed places in the valley; the overlay of scenic area protections under the planning controls; the proximity to the Western Sydney Aerotropolis and the anticipated pressure for more concentrated development in the area.
- New development in the Mulgoa Valley and the wider region has the potential to detrimentally impact the natural and cultural significance of this unique landscape.
- Recognition, protection and appropriate management of the cultural landscape values of the Mulgoa Valley are likely to bring many potential benefits, including opportunities for increased cultural tourism.
- There is a good DCP in place, however compliance and illegal development is an issue; there is a split in the community about new developments in the area and the proposed listing nomination; controls in the district plan are sufficient, but there will be increased pressure for concentrated development on the edges.
- Several cases have been referred to the LEC and to the Sydney West Planning Panel; the outcome of these cases will provide clarity about planning controls. The Committee sought clarification whether those cases were located within the Mulgoa Valley or on the edges.
- Committee is keen to explore areas of partnership with the Penrith City Council and assist them with local planning issues.

Item 3.3 Cultural Landscapes – Planning Issues

The State Heritage Register Committee noted a paper and verbal update from Sonia Limeburner.

Key points noted:

- The *Cultural Landscapes and Urban Heritage Areas Working Group* met on Thursday, 25 February, a later paper summarising the discussion was presented to the meeting;
- The Working Group concluded that the solution for recognition and protection of state significant heritage values in complex cultural landscapes and urban heritage areas lies within the planning system and that high-level conversations with Planning need to commence;
- Committee discussed making a recommendation to the Heritage Council to engage in conversations with DPIE seeking a solution at the state level;
- Regular reporting from the working group will be placed as a standing SHRC agenda item.
- The Committee thanked Cristina Garduno Freeman and Andreana Kennedy for their concise and informative report.

Resolution 2021-15

The State Heritage Register Committee:

1. **Recommends** to the Heritage Council of NSW that a written request be sent to DPIE to open discussions and consider options for the recognition and protection of state significant cultural landscapes and urban heritage areas within the NSW planning system.

Moved by Lisa Newell and seconded by Sheridan Burke.

Item 4. Listings Matters**Item 4.1 Waterloo Massacre Site – Update on NOI**

The State Heritage Register Committee noted the update provided by Steven Meredith.

Key points raised:

- The HNSW team is meeting with the community today.
- Suggested to replace reference to ‘terra nullius’ in the Statement of Significance with ‘under the guise of terra nullius’;
- While the NOI is underway, the Committee sought Heritage NSW to explore other values of the site, as massacre places were usually occupied and used by Aboriginal people as a place of congregation or a ceremonial ground and were of importance to the community.

Resolution 2021-16

That the State Heritage Register Committee:

1. **Considers** the item known as “Waterloo Creek Massacre Site” at 3837 Millie Road, Jews Lagoon, defined in accordance with the curtilage shown at Tab 4.1C of the report, is likely to be of state heritage significance;
2. **Delegates** to the Executive Director of Heritage NSW to give, in accordance with section 33(1)(a) of the *Heritage Act 1977*, 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. **Delegates** to the Executive Director of Heritage NSW, 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 a newspaper circulating in the area in which the item is situated, 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 newspaper notice and the manner in which submissions may be made.

Moved by Paul Knight and seconded by Sheridan Burke.

Item 4.2 Simpson-Lee House II (Murcutt Collection) – NOI Update

The State Heritage Register Committee noted the presentation and paper by Chrisia Ang and Tracy Appel.

Key points raised:

- Committee discussed the need for Heritage NSW to discuss the draft listing with Glenn Murcutt and the Heritage Committee of the Institute of Architects and report back to the SHRC, with an out of session meeting to take place, if necessary.
- The visual curtilage of the building and its setting and approach will be discussed during the development of site-specific exemptions.

Resolution 2021-17
<p>The State Heritage Register Committee:</p> <ol style="list-style-type: none"> 1. Considers the item known as “Simpson-Lee House II” at 23 – 25 Wynnes Lookout Road, Mount Wilson, defined in accordance with the curtilage shown at Tab 4.2C of the report, is likely to be of state heritage significance. 2. Requests Heritage NSW to liaise with the Heritage Committee of the Institute of Architects and Mr Glen Murcutt to finalise the wording of the architectural description and heritage analysis assessment. 3. Agrees to make a decision on NOI at an out of session meeting of the SHRC, if necessary.
Moved by Colleen Morris and seconded by Sheridan Burke

Item 5. General Matters

The State Heritage Register Committee noted the Executive Director’s Report has been provided as a reference material and can be discussed under General Matters, if required.

Item 5.1 Forward Agenda

The State Heritage Register Committee noted the forward agenda.

Meeting Close

There being no further items of business, the A/Chair, Colleen Morris, closed the meeting at 1:15 pm.

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 Colleen Morris
Deputy Chair, State Heritage Register Committee
 Date: 6 April 2021