



HERITAGE COUNCIL OF NSW

MEETING RESOLUTIONS – 521

1 November 2023 | 9:00 AM – 17:00 PM

Meeting Room 14, Heritage NSW, Level 11, 4PSQ, 12 Darcy Street Parramatta & via teleconference

Item 1.1 Conflict of Interest Declarations
The Heritage Council of NSW noted the standing COI declaration for SHRC member, Natalie Vinton for <i>Item 4.2 MLC Building, North Sydney (former) - site specific exemptions</i> .
Item 1.2 Out of Session Decisions
There was no business conducted out of session since the previous ordinary meeting.
Item 1.3 Minutes from previous meeting – 4 October 2023
Resolution 2023-34
The Heritage Council of NSW: <ol style="list-style-type: none">Confirmed the minutes of the previous ordinary meeting (4 October 2023) as a complete and accurate record of that meeting.
Moved by Robyn Parker and seconded by Colleen Morris
Item 1.4 Matters Arising
Nil
Item 1.5 Action Report
The Heritage Council of NSW noted the report and closed the items recommended for closure.
Item 2.1 Executive Director Heritage NSW – monthly update
The Heritage Council of NSW noted the report.
Item 2.2 State Heritage Register Committee – monthly update
Priority Themes for SHR Listings
Resolution 2023-35
The Heritage Council of NSW resolved to: <ol style="list-style-type: none">Note that further research is to be undertaken into categorisation of thematic listings and the State Heritage Register (SHR) nomination process.Endorse the continuation of the LGTBIQA+ and the First Nations Heritage, including Frontier Conflict, as the thematic priorities for the SHR in the interim.

3. **Endorse** the inclusion of Migration Heritage as an additional interim priority for the SHR.

Moved by Ian Clarke and seconded by Vanessa Holtham

The Art Gallery of NSW

Resolution 2023-36

The Heritage Council of NSW resolved to:

1. **Nominate** the Art Gallery of NSW, Sydney for listing on the State Heritage Register (SHR).

Item 2.3 Approvals Committee – monthly update

The Heritage Council of NSW noted the update.

Item 3.1 Macquarie Street East Precinct update – Property Development NSW presentation

The Heritage Council of NSW noted the update from Property Development NSW on the Registrar General Building project and the State Library domain.

Item 3.2 Six Timber Truss Bridges – pre lodgement consultation – Lismore Railway Underbridges section 60 application

Resolution 2023-37

The Heritage Council of NSW resolves to:

1. **Note** Transport for NSW's presentation and the safety concerns raised in relation to the Lismore Railway Underbridges.
2. **Express** an ongoing concern about the underfunding of the maintenance of their s.170 and SHR listed rail heritage assets.
3. **Seek assurance** from Transport for NSW that the cost required to adequately maintain all of its SHR listed heritage assets will be included in their Rail Heritage Strategy.
4. **Establish** a Working Group with representatives from the Heritage Council of NSW, Approvals Committee, Technical Advisory Panel and Heritage NSW, to consult with Transport for NSW during project scope development for Lismore and other identified bridges.
5. **Advise** Transport for NSW to prepare a scope of works for the total listed asset to enable a holistic understanding of impacts. The work scope should be prepared with the advice of a heritage engineer and in consultation with a project-specific Working Group.
6. **Advise** Transport for NSW that section 60 application for works should be accompanied by:
 - a. Independent heritage engineering advice
 - b. An options assessment and with clear, evidence-based justification for the preferred option. The analysis should include consideration of options for retention
 - c. Complete works documentation
 - d. Revised SHR curtilage recommendations relating to the proposal
 - e. Statement of Heritage Impact.

7. **Note** that the Heritage Council of NSW will be the determining authority of any section 60 applications for this work program, given the potential for substantial heritage impacts resulting in material affect and cumulative impacts across timber truss railway bridges in NSW.
8. **Provide** further comment by letter to Transport for NSW on the proposed long-term management strategy of bridge span removal for all four Lismore bridges.

Moved by Colleen Morris and seconded by Vanessa Holtham

Item 3.3 Circular Quay Precinct Renewal - Transport for NSW presentation

Resolution 2023-38

The Heritage Council of NSW resolves to:

1. **Note** the revised project scope for the Circular Quay Renewal Project which has resulted in a reduction to the overall works program.
2. **Advise** Transport for NSW that the project methodology for non-Aboriginal archaeological management should include test excavation to inform significance and impact assessment prior to project approval, so that archaeological impacts can be properly assessed, managed and mitigated and to ensure that project design can be developed to minimise impacts to State-significant archaeology.
3. **Advise** Transport for NSW to prepare a detailed written methodology for proposed management of Aboriginal archaeology, that identifies and explains likely impacts, for review by the Heritage NSW to determine the appropriate Aboriginal archaeological management process.
4. **Provide further comment** by letter to Transport for NSW on the proposed alterations and interpretation for the Circular Quay Renewal Project.
5. **Thank** Transport for NSW for their offer to continue engagement with Heritage NSW and the Heritage Council of NSW and confirm key milestones for Heritage Council's collaboration and input.

Moved by Vanessa Holtham and seconded by Ian Clarke

Item 4.1 Central SSP Rezoning proposal (Over Station Development) response to Submissions

Resolution 2023-39

The Heritage Council of NSW resolves to:

1. **Object** to the revised proposal.
2. **Confirm** that the following items remain as main concerns of the Heritage Council:
 - a) Adverse heritage impacts to the Central Precinct remain unchanged.
 - b) The revised GFA is a reduction of 10,600 square metres or approximately 2% of the exhibited master plan's GFA. The revised GFA does not holistically consider other Tech Central sites but remains to be designed to achieve maximise yield.
 - c) The Urban Design Framework does not include any clarifications or additional detail on the selected benchmarking precincts or benchmarking study placed on exhibition.

- d) The Over Station Development (OSD) towers have not been eliminated from the scheme. The submitted documentation does not provide any indication that low-rise options were explored.
 - e) The overdue need to provide an updated study to establish the ongoing demand for commercial or residential built form.
3. **Provide** a detailed response to the Department of Planning and Environment once the formal referral is made, to be finalised by the Chair out of session.
 4. **Note** that input from the Heritage NSW Aboriginal Cultural Heritage Assessments team will be integrated into the final draft response for approval by the Chair.

Moved by Ian Clarke and seconded by Vanessa Holtham

Item 4.2 MLC Building, North Sydney (former) – site specific exemptions

Resolution 2023-40

The Heritage Council of NSW resolved to, in the event that the Minister directs the listing of the MLC Building, North Sydney (former):

1. In accordance with section 57(2) of the *Heritage Act 1977*, **recommend** that the Minister grant the site specific exemptions at Tab 4.3 D of the report from section 57(1) of the Act in addition to the Heritage Council Standard Exemptions, conditional upon:
 - a) Investa or its consultant changing the title of the *Conservation Management Strategy, 105 – 153 Miller Street, North Sydney September 2023* to *Conservation Management Plan 105 – 153 Miller Street, North Sydney November 2023*, including all references throughout the document.
 - b) Heritage NSW changing all references in the site specific exemptions from *Conservation Management Strategy 105 – 153 Miller Street, North Sydney September 2023* to *Conservation Management Plan 105 – 153 Miller Street, North Sydney November 2023*.

Moved by Brian Lindsay and seconded by Ian Clarke

Item 4.3 Ravensworth Homestead Complex and its Setting - update

Resolution 2023-41

The Heritage Council of NSW resolves to:

1. **Note** that *Resolution 2023-15* was not a valid exercise of power under section 33(1)(d) of the *Heritage Act 1977* because, due to clerical error, the Heritage Council had not, prior to making that resolution, considered all submissions received on the notice of intention to consider listing.
2. **Consider** all the submissions received on the notice of intention to consider the listing and **make a decision** whether to recommend the listing in accordance with section 33(1)(d) at an out of session meeting on 21 November 2023.
3. **Notify** the affected owners and occupiers and other interested parties who have previously made submissions (Tab 4.3A of the report) and to publish this notice as per section 33(1)(b).

Moved by Vanessa Holtham and seconded by Anthea Sargeant

Item 5.1 NSW Heritage Strategy - update

The Heritage Council of NSW noted the update from Heritage NSW.
Item 5.2 Heritage Council Strategic Priorities – traffic light reporting
The Heritage Council of NSW noted the report.
Item 6. Executive Reports
The Heritage Council of NSW noted the reports.
Item 7. Heritage NSW Reports
The Heritage Council of NSW noted the reports.
Item 8.1 Forward Agenda
The Heritage Council of NSW noted the forward agenda.
Meeting Close
There being no items of further business, the Chair, Frank Howarth, closed the meeting at 5:00 PM.

Secretariat
Heritage Council of NSW