



HERITAGE COUNCIL OF NSW

MEETING MINUTES – 504

3 August 2022 | 9:00 AM – 2:30 PM

McKell Room, Parliament of NSW, 6 Macquarie Street, Sydney & via teleconference

ATTENDANCE	
MEMBERS	
Mr Frank Howarth AM PSM	Chair
The Hon Robyn Parker	Deputy Chair
Dr Nicholas Brunton	Member
Mr Ian Clarke	Member
Ms Vanessa Holtham	Member
Mr Paul Knight	Member
Dr Brian Lindsay	Member
Ms Colleen Morris	Member
Mr Brett Whitworth	Member
Mr Dillon Kombumerri	Observer
APOLOGIES	
Nil	
APPROVALS COMMITTEE MEMBERS	
Mr David Burdon	AC member (<i>item 5.1</i>)
Mr David McNamara	AC member (<i>item 5.1</i>)
Mr Bruce Pettman	AC member (<i>item 5.1</i>)
GUEST PRESENTERS AND EXTERNAL ATTENDEES	
The Hon James Griffin MP	Minister for Environment and Heritage
Ms Jessica Kite	Director Planning & Design, Barangaroo, Infrastructure NSW (<i>item 5.1</i>)
Ms Jen Hutchings	Director Planning & Design, Infrastructure NSW (<i>item 5.1</i>)
Mr Rod McCoy	Executive Development Director (Central Barangaroo), Aqualand (<i>item 5.1</i>)
Mr Grahame Edwards	Planning Manager, Aqualand (<i>item 5.1</i>)
Mr Tim Robertson	Aqualand (<i>item 5.1</i>)

Ms Sharon Veale	CEO, GML Heritage
Ms Cath Snelgrove	Senior Heritage Advisor, Sydney Metro, TfNSW (<i>item 7.0</i>)
HERITAGE NSW	
Mr Sam Kidman	Executive Director
Mr Harvey Johnston	A/Director Heritage Programs
Mr Tim Smith	Director Heritage Assessments
Mr Rajeev Maini	Manager Assessments (<i>items 5.1 and 5.2</i>)
Mr Rajat Chaudhary	Senior Assessments Officer (<i>item 5.1</i>)
Ms Rochelle Johnston	Senior Manager Major Projects (<i>items 6.1 and 7.0</i>)
Ms Chrisia Ang	Senior Assessments Officer (<i>item 6.1</i>)
Ms Andreana Kennedy	Senior Assessments Officer (<i>item 6.1</i>)
SECRETARIAT	
Ms Olgica Lenger	Manager Secretariat
Ms Elizabeth Thomas	Senior Secretariat Officer

IN-CAMERA SESSION

This item was not minuted.

Item 1. Welcome and Formalities

The Chair, Frank Howarth, opened the meeting at 9:33 AM and delivered an Acknowledgment of Country.

Session with Minister Griffin

The Heritage Council of NSW welcomed The Hon. James Griffin, Minister for Environment and Heritage, and discussed some of the Council's current priorities, including the Heritage Act Reform and the Aboriginal Cultural Heritage Reforms.

Dillon Kombumerri joined the meeting at 10:20 AM.

Item 1.1 Conflict of Interest Declarations

The Council noted that Nicholas Brunton did not receive any materials related to the MLC Building, North Sydney due to his standing conflict of interest; Mr Brunton will be excused from any discussion on this matter during the course of the meeting.

Brett Whitworth noted his standing conflicts of interest with regard to Barangaroo Central and Redfern North Eveleigh development proposals, given his role with the Department of Planning and Environment. The Council agreed that, as Mr Whitworth is not involved in the assessment process for these projects, he was able to fully participate in any discussion of these items.

There were no new conflicts of interest declared for this meeting.

Item 1.2 Out of Session Decisions

The Heritage Council of NSW held an out of session meeting on the 20th July to consider the implications of the recent Land and Environment Court decision to set aside the State Heritage Register (SHR) listing of the MLC Building, North Sydney.

Resolution 2022-24
The Heritage Council of NSW:
1. Confirmed the minutes of the out of session meeting (20 July 2022) as a complete and accurate record of that meeting.
Moved by Paul Knight and seconded by Colleen Morris

Item 1.3 Minutes from the Previous Meeting – 6 July 2022

Resolution 2022-25
The Heritage Council of NSW:
1. Confirmed the minutes of the previous ordinary meeting (6 July 2022) as a complete and accurate record of that meeting.
Moved by Robyn Parker and seconded by Ian Clarke

Item 1.4 Matters Arising

There were no matters arising.

Item 1.5 Action Report

The Heritage Council of NSW agreed to close items recommended for closure.

Item 2. Executive Director, Heritage NSW - update

The Heritage Council of NSW noted the report and verbal update from Executive Director, Sam Kidman, including an update on the Heritage Act Reform, the Heritage NSW Streamlining Project and the Regional Visit 2022 planned for mid-November.

Richmond Post Office

The Council were advised of actions underway with the compliance team to assess whether works undertaken for the Richmond Post Office were carried out in accordance with the standard exemptions.

The Council had a broader conversation around the resourcing and compliance enforcement mechanisms in place for addressing compliance matters and discussed the potential to work with other government agencies to assist with some compliance duties in the future.

The Council suggested that a regular bulletin could be issued to heritage owners to help raise awareness of potential issues and include success stories in the heritage space, as well as compliance matters.

ICOMOS General Assembly 2023

Sponsorship arrangements are currently being finalised for the upcoming ICOMOS forum. The Council discussed whether it may be possible for the Council and ACHAC to jointly sponsor a side event during the Assembly with a focus on how various jurisdictions manage their first nations cultural heritage. The Chair and Deputy Chair will raise this suggestion with the convenors.

Item 3. Committees Update

Item 3.1 State Heritage Register Committee (SHRC)

Robyn Parker, Chair of the State Heritage Register Committee, provided an update on key outcomes for items considered at the 2nd August SHRC meeting, including:

- o the Notice of Intent (NOI) to list the *Sydney Mardi Gras Parade Route*
- o an update on the *Warringah Civic Centre*
- o an update on the *Kwong War Chong* nomination and owner engagement, and
- o further engagement underway with TfNSW regarding *Badangi* nomination.

Assessing Cultural Heritage Significance

Members of the Heritage Council and the Heritage Advisory Panel joined the Committee meeting to receive a presentation from Curio Projects on *Assessing Cultural Heritage Significance*.

Appin Massacre Cultural Landscape

SHRC members were joined at the meeting by members of the Heritage Council and Aboriginal Cultural Heritage Advisory Committee (ACHAC) to consider the NOI to list the *Appin Massacre Cultural Landscape*.

The Council reflected on the various connections and pathways that may be included in the proposed Appin listing and noted that site specific exemptions, covenants and conditions will be

required to ensure that any surrounding built form such as fences, rooflines and buildings, are sympathetic, with appropriate development that respects the cultural landscape.

Item 3.2 Approvals Committee (AC)

Dillon Kombumerri, Chair of the Approvals Committee and Ian Clarke, Deputy Chair, provided updates on key outcomes for items presented at the 2nd August AC meeting, including:

- o an Integrated Development Application (IDA) for *14 Rosemont Avenue, Woollahra*
- o an IDA for a proposed subdivision of the *Grafton Correctional Centre*
- o an update on the State Significant Development (SSD) proposal for the *Powerhouse Museum site, Ultimo*.

The Council noted that the AC undertook a site visit to St Mary's Cathedral, Sydney on the 21st July to gain a greater understanding of the development proposed for construction adjacent to the Cathedral.

Item 4. Legal, Policy and Administration

There were nil items to report.

Item 5. External Presentations

Item 5.1 Barangaroo (Central) Concept Plan – Masterplan Application overview

The Heritage Council of NSW received a report from Heritage NSW and a presentation from Infrastructure NSW and Aqualand on the proposal to modify the Barangaroo Concept Plan.

The Council noted that whilst it does not have an approval role as the land is not subject to SHR listing, the Council will be able to provide comments to the Department of Planning and Environment (DPE) as part of the public submissions process.

Key points raised

- o Infrastructure NSW is the applicant for the modification proposal for the Concept Plan which has been prepared by Aqualand.
- o The project's vision is to create a vibrant place for Sydney with complementary land uses comprising a mix of residential and retail which is integrated with open spaces, with a focus on placemaking, health and wellbeing, the visitor experience, and activation that includes dedicated areas for community and cultural activities.
- o The sustainability strategy includes updated green star ambitions for the development to be carbon neutral, water positive and have zero waste emissions. Over 50% of the site is dedicated to the public domain with additional open space and landscaping designed to promote biodiversity.
- o Aqualand presented the draft masterplan including the proposed building envelopes and outcomes of view impact studies.

The Council noted that work on the concept design will commence upon completion of the public consultation process.

The Council appreciated the approach to the design which seeks to achieve a balance of residential, commercial spaces and public domain, but highlighted their concerns about the overall impact of the proposed development on the broader amenity of Millers Point.

The Council thanked Infrastructure NSW and Aqualand for the comprehensive presentation and noted that Council will be making a submission as part of the public process.

The Council discussed the heritage significance of Observatory Hill to Aboriginal people as well as the history of colonisation in Sydney and emphasised the importance that Observatory Hill be seen in the round.

The Council asked for an out of session meeting to be arranged so that the views of various stakeholders may be better understood. Heritage NSW will seek an extension from DPE to allow time for this additional consultation prior to finalising the Council and Heritage NSW's joint submission to DPE.

Resolution 2022-26
The Heritage Council of NSW: 1. Thanks Infrastructure NSW for the presentation and notes the information provided. 2. Notes the significance of Observatory Hill to Aboriginal people and an understanding of colonial Sydney and the importance of its setting and vista. 3. Resolved to await further presentation from other stakeholders before making a final position and making a public submission.
Moved by Brian Lindsay and seconded by Ian Clarke

Item 6. Matters for consideration

Item 6.1 Redfern North Eveleigh Paint Shop Sub-precinct – draft submission to DPE

The Heritage Council of NSW received a report from Heritage NSW regarding the Redfern North Eveleigh Paint Shop Sub-precinct masterplan which is currently on public exhibition.

The Council noted that concerns around certain elements of the proposal which the Council has raised with Transport for NSW in ongoing consultation since 2021, do not appear to have been adequately addressed.

The Council discussed the key elements to be included in the Council and Heritage NSW's joint submission to the Department of Planning and Environment and will provide further comments to Heritage NSW prior to the joint submission being finalised.

In addition, the Council welcomed the opportunity to be part of the future Design Competition Panel for the Paint Shop, Paint Shop extension and K1 buildings as part of its ongoing engagement with TfNSW for Redfern North Eveleigh.

The Council thanked Heritage NSW for the high quality presentation and comprehensive report.

Item 7. Barangaroo Boat Conservation Facility, Yenora

The Heritage Council of NSW welcomed attendees from the Sydney Metro team to the meeting and viewed a short documentary on the conservation of the Barangaroo Boat.

Cath Snelgrove introduced the team working on site at the facility, including archaeologists from the Silent World Foundation and the Australian Maritime Museum, who provided further details on the conservation process.

The Australian Maritime Museum advised that they are working with the Silent World Foundation to explore opportunities for the boat to be displayed upon completion of the project, including the potential for 3D computer modelling as well as displaying some of the original artefacts and materials.

The Council thanked Sydney Metro and the team for the informative presentation.

Item 8. Executive Reports

Item 8.1 Chair, Heritage Council of NSW – Monthly Report

The Heritage Council of NSW noted the verbal update provided by the Chair, including an update on discussions held on 29th July with representatives from the Heritage Council, Government Architect NSW and Heritage NSW about developing guidelines for heritage sight lines and view corridors.

Item 8.2 Planning Report (DPE)

The Heritage Council of NSW noted the planning report.

Item 8.3 Advisory Panels Report

The Heritage Council of NSW noted the Advisory Committee and Panels report.

Item 9. Heritage NSW Reporting

Item 9.1 Heritage Operations – Annual Reports

The Heritage Council of NSW noted the Annual Compliance Report 2021.

Item 9.2 Heritage Operations – Monthly Reports

The Heritage Council of NSW noted the monthly reports and verbal update from Tim Smith.

Item 10. General Matters

The Heritage Council of NSW discussed the forward agenda. The register will be updated to reflect the changes requested.

Large Erecting Shed, South Eveleigh

The Council noted that the proposal for the Large Erecting Shed (LES) at South Eveleigh is due to go on public exhibition in mid-August and a joint submission from the Council and Heritage NSW will be finalised in consultation with the Chair.

Endangered heritage

The Council noted an awareness-raising list of *endangered/threatened/at-risk* heritage is published annually in the United States and discussed whether a similar approach could be adopted for NSW heritage.

Item 11. Meeting Close

There being no further items of business, the Chair, Frank Howarth, closed the meeting at 2:30 PM.



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Frank Howarth AM PSM

Chair, Heritage Council of NSW

Date: 7 September 2022