



STATE HERITAGE REGISTER COMMITTEE

MEETING MINUTES

7 May 2024 | 9:00 AM – 12:30 PM

Meeting held via Teams videoconference.

ATTENDANCE

State Heritage Register Committee

The Hon. Robyn Parker	Chair
Ms Colleen Morris	Deputy Chair
Dr Wayne Johnson	Member
Dr Brian Lindsay	Member
Ms Natalie Vinton	Member

Apologies

Dr Stephen Gapps	Member
Ms Lisa Trueman	Member
Mr Frank Howarth AM PSM	Alternate Member

Heritage NSW

Mr Sam Kidman	Executive Director
Ms Anna London	A/Director Heritage Programs
Ms Alexandra Boukouvalas	Manager Heritage Programs North
Ms Lauren Thomson	Senior Heritage Officer (<i>item 2.1</i>)
Ms Meggan Walker	Senior Heritage Officer (<i>items 2.2, 3.1, 4.1</i>)
Dr Damian Tybussek	Senior Heritage Officer (<i>items 3.2</i>)
Ms Ava McConnell	Assistant Policy Officer – Observer

Secretariat

Ms Olgica Lenger	Manager Secretariat
Miss Linda Bugarin	Secretariat Officer

IN-CAMERA SESSION

There was no in-camera session.

Item 1. Welcome and Formalities

Chair Robyn Parker opened the meeting at 9:00 AM and delivered an Acknowledgment of Country.

The Committee noted Lisa Trueman and Stephen Gapps were apologies and a quorum had been met.

It was noted Lisa Trueman had provided the Chair with her comments on the Synagogue and former Talmudical College Bondi – IHO Request (*Item 4.1*).

Item 1.1 Conflict of Interest Declarations

The State Heritage Register Committee noted the following standing declarations:

- Robyn Parker: 2011-2015 Decisions
- Colleen Morris: National Trust of Australia
- Dr Wayne Johnson: Place Management NSW
- Natalie Vinton: Powerhouse Museum, Ultimo and MLC Building, North Sydney

The following declarations were also noted:

- *Item 2.1 Warringah Civic Centre Precinct – NOI* – Colleen Morris has worked on the Modern Movement Study (2013). The Chair and Committee agreed this is not a conflict of interest.
- *Item 4.1 Synagogue and former Talmudical College Bondi – IHO Request* – Natalie Vinton's company is involved on several projects concerning Harry Seidler's work, however they are not related to this item and there is no engagement with Meriton on this matter. The Chair and Committee agreed this is not a conflict of interest.

Item 1.2 Out of Session Decisions

The Committee held an out of session meeting for *Synagogue and former Talmudical College Bondi – IHO Request* but deferred the decision.

Item 1.3 Minutes from the Previous Meeting – 2 April 2024

Resolution 2024-23
The State Heritage Register Committee: 1. Confirmed the minutes of the previous ordinary meeting (2 April 2024) as a complete and accurate record of that meeting.
Moved by Brian Lindsay and seconded by Colleen Morris

Item 1.4 Matters Arising

Nil.

Item 1.5 Action Report

The State Heritage Register Committee noted the report.

Item 2 SHR Nominations – Notice of Intention

Item 2.1 Warringah Civic Centre Precinct – NOI

The State Heritage Register Committee noted the report on Warringah Civic Centre Precinct – NOI by Lauren Thomson.

Key points noted:

- The revised curtilage is supported by Northern Beaches Council. The curtilage now encompasses the two likely State significant buildings and the Bruce Mackenzie landscaping which forms a large component of the site. Mr Mackenzie was a leading figure in landscape design and promoted using native flora.
- The revised curtilage allows for any future council development in the car park space.
- Heritage NSW is recommending a 14-day submission period on the basis that exhaustive consultations took place during the previous exhibition period and the only change was the revised curtilage.
- Heritage NSW is considering piloting Warringah Civic Centre Precinct on the Have Your Say webpage whereby public submissions will be electronically submitted.

The Chair thanked Lauren Thomson for her work on this item.

Resolution 2024-24

The State Heritage Register Committee:

1. **Considers** the item known as Warringah Civic Centre Precinct, Pittwater Road, Dee Why, defined in accordance with the curtilage shown in the report at Tab 2.1C, is likely to be of State heritage significance.
2. In accordance with section 33(1)(a) of the *Heritage Act 1977*, will **give** 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*).
3. 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 14 days after the publication of the newspaper notice and the manner in which submissions may be made.

Moved by Brian Lindsay and seconded by Natalie Vinton

Item 2.2 Art Gallery of New South Wales – NOI

The State Heritage Register Committee noted the report on Art Gallery of New South Wales – NOI by Meggan Walker.

Key points noted:

- Following consultation with the Art Gallery of NSW Trust and key stakeholders, Heritage NSW has negotiated a revised curtilage which comprises the entire campus, subject to the negotiation of robust site specific exemptions (SSE) to mitigate the risk of impact to operations.
- Heritage NSW is meeting with stakeholders in early June following the submission period and the proposed exemptions will be refined as the process continues.

The Chair and Executive Director Heritage NSW acknowledged the hard work of Meggan Walker, Alexandra Boukouvalas and Anna London on this item.

Resolution 2024-25

The State Heritage Register Committee:

1. **Considers** the item known as the Art Gallery of New South Wales at 2B Art Gallery Road, Sydney, defined in accordance with the curtilage shown at Tab 2.2C of the report, is likely to be of State heritage significance.
2. In accordance with section 33(1)(a) of the *Heritage Act 1977*, will **give** 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*).
3. 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 Colleen Morris and seconded by Wayne Johnson

Item 3. SHR Nominations – Recommendation to List**Item 3.1 Cooma Gaol – RTL**

The State Heritage Register Committee noted the report on Cooma Gaol – RTL by Meggan Walker.

Key points noted:

- Six supporting submissions were received in response to the notice of intention to list, demonstrating community support for the listing and the recognition of LGBTIQ+ history in NSW.
- Heritage NSW has recently conducted a site visit of Cooma Gaol.
- The Department of Communities and Justice (DCJ) and Crown Lands have reiterated their position of conditional support of the listing, subject to the agreement of SSE.
- After extensive consultation with both stakeholders, Heritage NSW has provided DCJ with draft exemptions in April 2024.
- The Committee noted that additional time is required to finalise discussions with the agencies on the proposed SSE.
- To meet statutory timeframes, it was proposed the Committee recommend the listing but defer consideration of the SSE until the June meeting.

The Chair thanked Meggan Walker for her work on this item.

Resolution 2024-26

The State Heritage Register Committee:

1. In accordance with section 33(1)(d) of the *Heritage Act 1977*, has **considered** the submissions received in response to its notice of intention to consider listing and considers the item known as Cooma Gaol at 1-5 Vale Street, Cooma, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria (a), (b), (c), (d) and (f) as detailed in the report at Tab 3.1A.
2. **Recommends** to the Minister, in accordance with sections 32(1) and (2) of the *Heritage Act 1977*, that the Minister **direct** the listing of the item, Cooma Gaol at 1-5 Vale Street, Cooma, on the State Heritage Register, as shown in the plan at Tab 3.1C of the report.
3. In accordance with section 33(1)(e) of the *Heritage Act 1977*, **give notice** of its decision to persons notified under section 33(1)(a).
4. **Defers** consideration of whether to recommend that the Minister grant the site specific exemptions proposed at Tab 3.1D of the report from section 57(1) of the *Heritage Act 1977* in addition to the Standard Exemptions, until the 4 June 2024 meeting.

Moved by Brian Lindsay and seconded by Colleen Morris

Item 3.2 Captain Moonlite and James Nesbitt's Graves – RTL

The State Heritage Register Committee noted the report on Captain Moonlite and James Nesbitt's Graves – RTL by Damian Tybussek.

The Committee acknowledges the layered history and meaning of this site for different parts of the community. While the listing focuses on the LGBTIQ+ story, the Committee acknowledges the role of fallen Senior Constable Edward-Bowen in the arrest of Andrew Scott and his gang. This history has been appropriately recognised elsewhere.

The Committee also notes that bushrangers' actions impacted victims beyond the police, and this is still felt by part of the community today.

Other key points noted:

- Six submissions were received during the exhibition period, of which four were in support.
- The objecting submission queried the nature of Andrew Scott and James Nesbitt's relationship. The Committee discussed how the nature of the relationship is an ongoing issue for any historical examination of a same sex relationship, which would have been clandestine at its time. The Committee also noted that the relationship has resonated strongly with the queer community, which is the reason of its significance.
- Minimal changes have been made to the Statement of Significance and significance assessment following the exhibition period.
- Media interest in this item and other recent SHR listings has enabled very good engagement and promoted discussion about SHR processes.

The Chair thanked Damian Tybussek for his work on this item.

Resolution 2024-27

The State Heritage Register Committee:

1. In accordance with section 33(1)(d) of the *Heritage Act 1977*, has **considered** the submissions received in response to its notice of intention to consider listing and considers the item known as Captain Moonlite and James Nesbitt's Graves at 58 William Street, Gundagai, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria ((a), (b), and (f)), as detailed in the report at Tab 3.2A.
2. **Recommends** to the Minister, in accordance with sections 32(1) and (2) of the *Heritage Act 1977*, that the Minister **direct** the listing of the item, Captain Moonlite and James Nesbitt's Graves at 58 William Street, Gundagai, on the State Heritage Register, as shown in the plan at Tab 3.2C of the report.
3. In accordance with section 33(1)(e) of the *Heritage Act 1977*, **give notice** of its decision to persons notified under section 33(1)(a).
4. In accordance with section 57(2) of the *Heritage Act 1977*, **note** that the Heritage Council Standard Exemptions will apply.

Moved by Brian Lindsay and seconded by Natalie Vinton

Item 4. Matters for Consideration

Item 4.1 Synagogue and former Talmudical College, Bondi – IHO Request

The State Heritage Register Committee noted the report on Synagogue and former Talmudical College, Bondi – IHO Request by Meggan Walker.

Key points discussed:

- Waverley Council has requested an interim heritage order (IHO) for the Synagogue and Former Talmudical College.
- Heritage NSW has received correspondence from Ms Penelope Seidler requesting an IHO, and correspondence from local residents in support of an IHO.
- Heritage NSW's preliminary assessment has indicated that the item is unlikely to meet the threshold for SHR listing despite the potential associational significance with Harry Seidler.
- The roof form and material used by Seidler may be significant as the first of this type of construction in NSW.
- Colleen Morris requested that her opinion that the Synagogue has both technical and associational significance, and that significance is independent of condition, be recorded.
- The item has received high profile media and community attention.

The Chair thanked Meggan Walker for her presentation.

Resolution 2024-28

The State Heritage Register Committee:

1. **Advises** the Minister for Heritage that an interim heritage order is not appropriate because it would be unlikely to result in heritage listing.

2. **Decides** that, while the Synagogue and Former Talmudical College may, upon further investigation, be found to meet the threshold for State heritage significance, it is not a current priority for listing on the State Heritage Register and will not be progressed.
3. **Seeks** to engage with the owner to ensure any future development recognises, conserves where possible, and interprets the significant elements of the property.

Moved by Brian Lindsay and seconded by Wayne Johnson

Item 5. Preliminary Assessment of New SHR Nominations

The State Heritage Register Committee noted the report on Tobacco Factory, Maitland and Kings Plains by Alexandra Boukouvalas.

Resolution 2024-29

The State Heritage Register Committee:

1. **Considers** that the Tobacco Factory, Maitland may be of State heritage significance, but the nomination is not a current priority to progress for listing on the State Heritage Register (Tab 5B of the report).

Moved by Colleen Morris and seconded by Brian Lindsay

Resolution 2024-30

The State Heritage Register Committee:

1. **Considers** that while Kings Plains may be of State heritage significance, the nomination should not progress to full assessment for potential listing on the State Heritage Register as the site is the location of a State Significant Development

Moved by Colleen Morris and seconded by Natalie Vinton

Item 6. SHR Listings Monthly Report

The State Heritage Register Committee noted the report by Alexandra Boukouvalas.

The Committee noted the monthly listing report for the current financial year and the prioritisation of 27 nominations for delivery in the 2024-2025 financial year. The Committee also discussed nominations which are not a current priority for listing and will not be progressed.

The Committee thanked Alexandra Boukouvalas for her update and acknowledged the hard work of the team.

Resolution 2024-31

The State Heritage Register Committee:

1. **Notes** the monthly listing report for the current financial year.
2. **Notes** the prioritisation of 27 nominations for delivery in the 2024-25 financial year as detailed at Tab 6B of the report.
3. **Decides** that while six nominations may be of State heritage significance, they are not a current priority for listing on the State Heritage Register and will not be progressed:
 - i. Koonenberry Mountain, Packsaddle

- ii. Watermark Aboriginal Cultural Landscape, Breeza
 - iii. Weilmoringle Station Complex, Brewarrina
 - iv. Meadowvale, Gilead
 - v. NPF Diesel Power Car and NTC 729 Diesel Trailer Car
 - vi. Steam Locomotive No. 1 and tender and passenger carriages.
4. **Affirms** that moveable heritage items held by State cultural institutions are adequately protected by their own statutory controls.

Moved by Brian Lindsay and seconded by Wayne Johnson

Item 7. General Matters

Item 7.1 Forward Agenda

The State Heritage Register Committee noted the report.

Other business

Colleen Morris assisted with the chairing of Item 6 during which the Chair experienced poor internet connection.

Wayne Johnson stated that he will be an apology for the June Committee meeting.

Meeting Close

There being no further items of business, the Chair, The Hon. Robyn Parker, closed the meeting at 12:30 PM.



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Colleen Morris

Deputy Chair, State Heritage Register Committee

Date: 4 June 2024