



HERITAGE COUNCIL OF NSW

MEETING MINUTES – Approvals Committee

Tuesday, 6 February 2024 | 9:40 AM – 2:50 PM

via teleconference

ATTENDANCE

Members

Mr Ian Clarke	Chair
Dr Nicholas Brunton	Deputy Chair
Dr Caitlin Allen	Member
Mr David Burdon	Member
Ms Vanessa Holtham	Member
Dr Danièle Hromek	Member
Ms Julie Marler	Member
Mr David McNamara	Member
Mr Bruce Pettman	Member

Apologies

Mr Frank Howarth AM PSM	Heritage Council Chair / Alternate Member
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External Presenters

Mr Darren Kong	Director, Darren Kong Architects (item 2.2)
Ms Vivian Chan	Architectural Assistant, Darren Kong Architects (item 2.2)
Mr Greg Abbott	Senior Project Officer, Greater Sydney Branch, NPWS (item 2.3)
Ms Rachel Neeson	Director, Neeson Murcutt & Neille (item 2.3)
Mr John Oultram	Director, John Oultram Heritage & Design (item 2.3)
Mr Justin Kell	Director, KMJ Surveying (item 2.4)
Ms Catherine Munro	Consultant, GML Heritage (item 2.4)
Ms Samantha Higgs	Consultant, Aretfact (item 2.4)
Mr David Walker	General Manager, Premise Australia (item 2.5)
Ms Latisha Ryall	Archaeologist, Premise Australia (item 2.5)
Mr Garry Styles	Manager Water Security, Bathurst Regional Council (item 2.5)
Mr Darren Sturgiss	Director Engineering Services, Bathurst Regional Council (item 2.5)
Ms Susan Freeman	Director Heritage Interpretation, FRD (item 2.6)
Mr Chris Callaghan	Project Manager, Essence (item 2.6)
Mr Jeff Morgan	Principal Architect, Hassell (item 2.6)

External Observers

Mr Robert Newton	Principal Project Officer, NPWS (item 2.3)
Ms Asher Seeto	Project Officer, NPWS (item 2.3)

Ms Abi Cryerhall	Heritage Principal, GML (item 2.4)
Ms Sabrina Bhuiyan	Owner representative, Lansdowne Park (item 2.4)
Ms Annika Hather	Senior Planning Officer, DPHI (item 2.6)
Mr Tom Piovesan	Principal Planning Officer, DPHI (item 2.6)
Mr David Glasgow	Team Leader, DPHI (item 2.6)
Mr Noah Innes Afitu	Student Planning Officer, DPHI (item 2.6)

Heritage NSW

Mr Tim Smith	Director Heritage Assessments
Ms Shikha Jhaldiyal	Senior Assessments Officer (item 2.3)
Ms Kym McNamara	Manager Assessments (item 2.4)
Mr Rajat Chaudry	Senior Assessments Officer (item 2.4)
Mr Michael Ellis	Manager Assessments (item 2.5)
Ms Vibha Bhattarai Upadhyay	Senior Assessments Officer (item 2.5)
Ms Rochelle Johnston	Senior Manager Major Projects (item 2.6)
Ms Andreana Kennedy	Senior Assessments Officer (item 2.6)
Ms Elizabeth Thomas	Senior Secretariat Officer

1. Welcome and formalities

The Chair, Ian Clarke, opened the meeting at 9:40 AM.

- The Chair delivered an Acknowledgement of Country and welcomed attendees.
- Apologies were noted for this meeting.
- It was confirmed that a quorum had been met.

1.1 Conflict of Interest Declarations

Item 2.3 Kamay Botany Bay Visitor Centre

- Julie Marler declared a potential COI: her office is currently working with the owner, National Parks and Wildlife Service (NPWS), in the Blue Mountains National Park.
- Nicholas Brunton declared a potential COI: he is a member of the NPWS Audit and Risk Committee.
- Danièle Hromek noted a potential COI: she is descended from Dhurga and Dharawal speakers and has ancestors who belonged to the Country to the south of Sydney and is part of the community research for the potential registration of the Kamay Botany Bay and Towra Nature Reserve. Dr Hromek is in the process of registering as an Aboriginal Owner.

Members agreed:

- to excuse Ms Marler for this item and the papers were redacted from her view, and
- that Dr Brunton and Dr Hromek may participate in this discussion and if necessary, will be excused from making any Committee decisions if any actual conflict arises.

Moved by Vanessa Holtham and seconded by David Burdon

1.2 Out of Session Decisions

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

1.3 Minutes from Previous Meeting – 5 December 2023

Resolution 2024-01
The Heritage Council Approvals Committee: 1. Confirms the minutes of the previous ordinary meeting (Tuesday, 5 December 2023), as a complete and accurate record of that meeting.
Moved by Nicholas Brunton and seconded by Bruce Pettman

1.4 Matters Arising

Tim Smith provided an update on various heritage matters.

1.5 Action Report

The Committee noted the action report. The register was updated to reflect further actions required.

2. External Presentations

2.1 Studley Park (SHR 00389) - IDA

The Committee noted that this item has been deferred.

2.2 Kwong War Chong Building

The Approvals Committee (AC) joined the State Heritage Register Committee meeting for a presentation from the project architect for alteration works proposed for the *Kong War Chong Building*, 82-84 Dixon Street, Haymarket.

Members noted that the AC are likely to receive a request to consider a development application for this project at a later stage.

Julie Marler and David McNamara left the meeting at 10:30 AM

2.3 Kamay Botany Bay Visitor Centre (SHR 01918) – s60 application

The Committee received a report from Heritage NSW and a presentation from NSW National Parks and Wildlife Service (NPWS) and their consultants for the *Kamay Botany Bay National Park, Kurnell Master Plan Stage 1*. The section 60 application involves construction of a new visitor centre and associated infrastructure.

The site has been a highly significant meeting place for over 60 thousand years and has strong associations for both the traditional custodians of the land and the Aboriginal community. Extensive community consultation has informed the design which aims to reflect and respect the shared heritage and cultural values.

The proposed works were presented, including the upgrade of parking areas and other facilities to support recreational uses and the construction of a new foreshore revetment wall.

The Committee thanked the NPWS for the presentation and discussed:

- the material selections for construction of the Visitor Centre
- opportunities for digital recognition and heritage interpretation
- the natural evolution of the foreshore and potential impacts of the proposed sandstone revetment wall, including where the sandstone may be sourced from
- the potential impacts and mitigation strategies proposed for Aboriginal objects to be included in the two AHIPs being prepared by the Applicant, and
- challenges and opportunities for the creation of a complete walking loop.

Resolution 2024-02
<p>The Heritage Council Approvals Committee resolved to:</p> <ol style="list-style-type: none">1. Thank the NSW National Parks and Wildlife Service project team for their presentation and the comprehensive design process taken to achieve positive heritage outcomes.2. Note and applaud the extensive efforts taken to carry out Aboriginal stakeholder consultation and general community consultation.3. Approve the section 60 application for Master Plan Stage 1 works subject to conditions, as noted under Section 8.1 of the section 60 Detailed Report (TAB 2.3A).4. Consider reinstating the walking loop, noting that disability access may not be achievable, and that stairs or other means may be required to achieve the necessary gradients.
<p>Moved by Ian Clarke and seconded by Vanessa Holtham</p>

2.4 Lansdowne (SHR 00132) – Amended Integrated Development Application (IDA)

The Committee received a report from Heritage NSW and a presentation from KMJ Surveying and the project consultants who outlined the revised subdivision proposal which provides additional information following the Committee's refusal of the IDA in August 2023.

The applicant noted:

- the chronology of decisions and engagement since project commencement

- the high cultural heritage values for the Aboriginal Community and the need for further consultation and investigation in the form of archaeological assessment and landscape analysis
- the potential for further project re-design once the full extent of Aboriginal cultural heritage is understood, and
- the archaeological assessment of the European cultural heritage and colonial development of the site and period of development in the mid-1800s which has identified three main zones of archaeological significance: the homestead complex, paddocks, and disturbance.

The revised plan was presented and includes a proposed curtilage increase and greater retention of plantings to provide additional buffer and screening from external views to the site.

The Committee thanked the consultants for the presentation and sought further clarification on the elements that have changed since the previous presentation.

Members noted that there has only been a gap analysis completed to date on the community consultation and further work is required to establish the ACH values, Connections to Country, and any ACH impacts that would impact the final proposed subdivision plan.

The Committee commented on the value of the recent site visit attended by some members and reflected on the views of the local Council as expressed during the visit.

The Committee were generally supportive of the proposal and discussed the approvals pathway should any proposed changes to the current listing curtilage be sought.

Resolution 2024-03

The Heritage Council Approvals Committee:

1. **Thanks** the applicant for the presentation and for hosting the site visit in January.
2. **Supports** in principle some further subdivision of the historic Lansdowne estate which is informed by the need for:
 - a) Aboriginal values which are understood and protected,
 - b) heritage buildings which are protected and maintained, and
 - c) the ongoing maintenance of historic sightlines, the rural setting and character.
3. **Provides** the following comments in relation to the current subdivision plan (*slide 7 of the applicant's presentation*):
 - a) The current proposal is too dense, not supportable in terms of encroachment on key heritage elements and setting and does not seem justifiable in terms of homestead conservation investment needs.
 - b) The proposed residential layout must be significantly reduced in the number of proposed housing lots, and the standard residential layout needs to be amended to more fluidly conform to the homestead character and topography, with less defined property boundaries and resulting impact from boundary fencing, street lighting, etc.
 - c) Housing on the Goulburn-facing portion of the site, within the SHR boundary, should be reduced or fully removed to maintain the principal historic connection to Brewery site, the river, and township.
 - d) The current SHR curtilage does not adequately encompass the cultural heritage values of the property and amendment of the curtilage based on a full understanding of the values of the place would be supported. This would require a separate process under the NSW Heritage Act, preferably preceding any development application
 - e) The layout of any subdivision needs to be informed by: Indigenous connections and values to the place; the rural character of the place; key views within the property and to and from the surrounding district; the topography; historic plantings; archaeological evidence and the historic building stock.
 - f) The need to include information about the way in which funds from development of the site would support its ongoing conservation to accompany any development application. The applicant should consider a Voluntary Planning Agreement which ensure that funds from

the sale of lots from the subdivision can be used to support long term heritage outcomes for the residual Lot 1.

4. **Will seek** further advice from the Heritage Council of NSW regarding curtilage amendment.

Moved by Nicholas Brunton and seconded by Vanessa Holtham

2.5 Denison Bridge (SHR 01665) – pre lodgement advice

The Committee received a report from Heritage NSW and a presentation from Bathurst Regional Council (BRC) and their consultants who are seeking pre lodgement advice for a section 60 application for the installation of a water pipe to the SHR listed *Denison Bridge* at Bathurst.

In response to a water crisis affecting the region, the BRC has instituted a Water Harvesting Scheme which aims to supplement water usage and contingency for periods of low water storage with water harvested from the Macquarie River. The BRC outlined the various options considered for transporting the water and presented the preferred option and methodology proposed to attach a water pipeline to the downstream side of the SHR listed Denison Bridge.

Following the presentation members noted the existing pipe mounted on the Bridge which services residential areas with treated water and discussed the proposed material, paint finishes and potential for bespoke brackets to mount the additional water pipe to the Bridge to minimise the visual impact.

The Committee noted the cumulative impact and material effect the proposal would have on the Bridge but given the need for this critical infrastructure were generally supportive of the approach, subject to any submissions being received during the public exhibition period.

Resolution 2024-04

The Heritage Council Approvals Committee:

1. **Thanks** the representatives of the Bathurst City Council for their presentation on the proposed work at the Denison Bridge.
2. **Considers** the information in the summary paper prepared by Heritage NSW and the attached documents.
3. **Supports** in principle, the proposed installation of the pipeline to the side of Denison Bridge subject to the consideration of the submissions following the public exhibition of the proposal.
4. **Agrees** that the section 60 application for the works to Denison Bridge is determined by Heritage NSW under delegation from the Heritage Council.

Moved by Caitlin Allen and seconded by Ian Clarke

Danièle Hromek left the meeting at 12:50 PM

David McNamara re-joined the meeting at 1:30 PM

2.6 Lands Department Building (SHR 00744) SSD MOD18 Condition b8A – Heritage Implementation Plan

The Committee received a report from Heritage NSW and a presentation from Freeman Ryan Design (FRD) and the project team on the modified Heritage Interpretation Plan (HIP).

The project team noted the updated HIP now includes the interpretation of the ceilings and cornices and presented their consideration for the proposed locations of new interpretation pieces and opportunities for activation.

FRD noted the importance of First Nations heritage for the site and offered to present this component of the HIP at a future meeting.

The Committee thanked the design team for their presentation and look forward to further engagement on the heritage interpretation plan.

Members discussed the focus on built form, the design intent and placement of the interpretation pieces, and reflected on the ability for heritage interpretation to create personal connections to the past.

The Committee noted the scale and significant historic functions of the building, and the people that have worked there overtime, and discussed the opportunity for heritage interpretation that tells the bigger stories of history and culture, and the potential for dynamic and digital interpretation in addition to static interpretation pieces.

Resolution 2024-05
The Heritage Council Approvals Committee resolved to: <ol style="list-style-type: none">1. Note the report prepared by Heritage NSW.2. Thank FRD for their presentation.3. Provide comments to Heritage NSW to be incorporated as part of the Heritage Council delegate's response to the Department of Planning and Environment.
Moved by Nicholas Brunton and seconded by Bruce Pettman

3.0 General Business

3.1 Forward agenda

The Approvals Committee noted the forward agenda and agreed to hold an Out of Session meeting on the 20 February 2024 to consider two section 60 applications for the Lithgow Area Resignalling project.

Housing reform

Members discussed the government's initiatives to increase housing and the concerns raised regarding potential impacts to heritage. The Committee highlighted the important benefits and wellbeing that heritage brings to communities and noted examples of where densified housing and good heritage outcomes have been achieved.

4.0 Meeting Close

There being no further items of business, Ian Clarke, Chair, declared the Approvals Committee meeting closed at 2:50 PM.



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Mr Ian Clarke
Chair, Heritage Council Approvals Committee
Date: 5 March 2024