



## HERITAGE COUNCIL OF NSW

### MEETING MINUTES – Approvals Committee

Tuesday, 2 April 2024 | 9:00 AM – 12:35 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 Greg Mannes	Project Director, GPT Group (item 2.1)
Ms Alyssa Satzgeber	Architect, Henning Larsen (item 2.1)
Mr Mark Turner	Project Manager, TSA Management (item 2.1)
Mr David Kingston	Owner, K Capital Group (item 2.2)
Mr Joseph Alliker	Director RAA Architects (item 2.2)
Ms Krystal Pua	Associate, NBRS Heritage (item 2.2)
Mr Russell Richardson	Owner, Argyle House (item 2.3)
Mr Tom Elliot	Director, Core Project Group (item 2.3)
Mr Mark Stanford	Director, Hangar Con Developments (item 2.3)
Mr Philip North	Director, Weir Phillips Heritage and Planning (item 2.3)

##### External Observers

Ms Ella Coleman	Senior Urbanist, Ethos Urban (item 2.1)
Mr David Glasgow	Team Leader, DPPI (item 2.1)
Mr Tom Piovesan	Principal Planning Officer, DPPI (item 2.1)
Ms Anna McLaurin	Associate Director, Weir Phillips Heritage and Planning (item 2.1)
Mr Elliot Nolan	Associate, Weir Phillips Heritage and Planning (item 2.3)

**Heritage NSW**

Mr Tim Smith

Ms Louise Doherty

Ms Tempe Beaven

Mr James Quoyle

Ms Elizabeth Thomas

Director Heritage Assessments

Senior Assessments Officer (item 2.1)

A/Manager Assessments (items 2.2 & 2.3)

Senior Assessments Officer (item 2.2)

Senior Secretariat Officer

## 1. Welcome and formalities

The Chair, Ian Clarke, opened the meeting at 9:00 AM.

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

### 1.1 Conflict of Interest Declarations

No conflicts of interest were declared for this meeting.

### 1.2 Minutes from Previous Meeting – 5 March 2024

Resolution 2024-12
The Heritage Council Approvals Committee: 1. <b>Confirms</b> the minutes of the previous ordinary meeting (Tuesday, 5 March 2024), as a complete and accurate record of that meeting.
Moved by Vanessa Holtham and seconded by Bruce Pettman

### 1.3 Out of Session decisions

Nil.

### 1.4 Matters Arising

Nil.

### 1.5 Action Report

The Committee noted the action report.

## 2. External Presentations

### 2.1 Cockle Bay Wharf mixed use development (SSD 9978934) – Response to Submissions

The Approvals Committee received a report from Heritage NSW and a presentation from the consultant team on the response to submissions for the State Significant Development (SSD 9978934) at *Cockle Bay Wharf* that involves a proposed pedestrian connection between the landbridge and the Pyrmont Bridge (SHR 1618).

#### *Key points of the presentation*

- The Stage 1 DA provided the bulk and massing for the project and the opportunity to restore the orientation to Pyrmont Bridge and reconnect Pyrmont to Sydney's CBD and Darling Harbour.
- The Stage 2 DA considers various options for the pedestrian movement across the site with the proposed location of escalators, lifts and stairs and the revised design (Feb 2024) proposes an eastern abutment that enables a broad urban stair and an additional lift with minimal impact to the SHR curtilage.
- Stakeholder engagement has been undertaken with Placemaking NSW for the SSD and the proposed design has been reviewed by the Design Integrity Panel

Members acknowledged the design constraints of the site and discussed:

- various urban landscape design solutions and ways to improve the urban design and amenity including the potential to embed the stair and obscure the views of the Western Distributor
- the articulation and relationship between the bridge and the urban space, and
- the alignments and archaeological impacts for the site and the need for detailed methodology to be prepared to enable understanding of how these impacts will be managed.

Members emphasised the need for the proposal to be culturally responsive, including responding to Aboriginal living culture and the *Connecting with Country* framework and noted that the detailed design phase will explore the heritage interpretation and consider the Community's knowledge and shared history to find ways for storytelling across the site.

The Committee thanked the design team for the presentation and agreed to provide additional written comments.

### Resolution 2024-13

The Heritage Council Approvals Committee:

1. **Notes** the information provided in the report prepared by Heritage NSW.
2. **Thanks**, the project group for their presentation.
3. **Notes** the recommendations made by Heritage NSW within their draft response letter to the Department of Planning, Housing and Infrastructure (DPHI) and **approves** issuing of the letter (**Tab 2.1H**) with the Chair's further input and signature.

Moved by Caitlin Allen and seconded by Nicholas Brunton

## 2.2 Roxy Theatre, Parramatta – pre lodgement consultation

The Approvals Committee received a report from Heritage NSW and a presentation from the consultant team who sought the Committee's pre lodgement comments on the proposed alterations and additions to the *Roxy Theatre (SHR No 00711)* for adaptive reuse as an entertainment, retail and commercial place.

### *Key points of the presentation*

- Built in the Spanish Mission style the *Roxy Theatre* opened in 1930 and has undergone several iterations in the decades since.
- The site has been closed since 2014 and the usage of the building further considered given the changing urban nature of Parramatta and the adjacent metro overstation development which adjoins the western and southern boundaries.
- The proposal aims to activate the ground floor plane and create a colonnade and a mesh curtain to enable the western and southern sides to interface with the new public spaces and Roxy Square.
- Consultation with Create NSW is underway to understand how the proposed renovation will correlate with their plans for Parramatta.

Following the presentation, members discussed:

- the heritage impacts of the proposal noting that updating of services (air conditioning and fire services) will impact some heritage elements of the Theatre and require detailed consideration of the roof plan to ensure the visibility of services are kept to a minimum, and
- the treatment for the interior spaces of the building and opportunities to preserve, restore and re-establish key heritage elements of the original built form, and
- the need for Community consultation to understand the ACH values for the site.

The Committee noted the heritage significance of the site in Parramatta and thanked the owner for the work being done to preserve the *Roxy Theatre*.

### Resolution 2024-14

The Heritage Council Approvals Committee:

1. **Thanks** the applicant and their consultant for presenting to the Approvals Committee.
2. **Notes** the report and supporting documentation provided by Heritage NSW.
3. **Provides** the following comments to the applicant regarding this project:
  - a. Strongly supports the reactivation of *Roxy Theatre* which protects and complements its State heritage significance.

- b. Strongly supports the conservation for all spaces and fabric graded exceptional, including the retention of remnant ceiling details at the rear of the stage, and the retention of a large portion of the auditorium and its architectural details and decorative elements.
- c. Notes the use of the narrow area to the east for additional services, including modification to suit DDA compliance and access will reduce the impact to significant fabric and spaces.
- d. Supports in principle, the proposed openings to the side walls on the ground floor, that ensure the visual prominence of the existing building is retained.
- e. Supports in principle, the lowering of the existing floor of the Lounge Lower Auditorium (not original/intrusive) to provide level access to the adjoining land of the Civic Link.
- f. Supports in principle, the introduction of an access gallery walkway to the first floor of the eastern side of the building to allow equitable access to the mezzanine, the front of house and the back of house.
- g. Support in principle, the introduction solar arrays on eastern and western roof slope

4. **Recommends** that the applicant:

- a. Provides a schedule of works that allows for the reinstatement of the original details of the built form where possible, including the original courtyard, shop fronts and internal elements.
- b. Provides an archaeological assessment and, if necessary, an Archaeological Research Design with the Integrated Development Application (IDA).
- c. Provides a schedule of materials and finishes to support the significant aesthetic values for the IDA. The *Roxy Theatre* is described as an 'Atmospheric Theatre' – colours and finishes are not specified.
- d. Considers amending the head of the openings in the screen wall to the east and west to be flat and square. The proposed arches with a flattened head are not in character with significant aesthetic values of the northern portion of the (exceptional) or the plain character of the large side walls in front of which they stand.
- e. Provides a landscape proposal with the IDA. The reintroduction of an appropriate palm species is recommended. No vegetation, other than in planters, is to be introduced onto the upper podium outside the main entry.
- f. Provides a strategy for future signage and lighting with the IDA
- g. Provides appropriate architectural treatment to minimise the views of services from above for the roof form.

Moved by Vanessa Holtham and seconded by David McNamara

### 2.3 Argyle House and Apartments (Fanny's Tavern SHR 00315) - pre lodgement consultation

The Approvals Committee received a report from Heritage NSW and a presentation from the consultant team who sought the Committee's pre lodgement comments in relation to the proposed restoration of Argyle House and the construction of a 13-storey residential flat building at No. 311 Wharf Road, Newcastle which is located within the SHR curtilage of *Fanny's Tavern (SHR 00315)*.

#### *Key points of the presentation*

- Since 1965 the building was used for a restaurant and night time hospitality and significant alterations have resulted in most of the original heritage fabric being lost; all internal walls were removed from the original Argyle House, apart from the vault in the centre of the building and significant modifications have occurred to the building overtime.
- The applicant is proposing to demolish the balance of the remaining additions to Argyle House, construct a new apartment complex on this footprint and undertake conservation works to the original Argyle House with heritage elements reinstated to the built form to restore and celebrate the prominent frontage of the House and preserve view corridors from Hunter Street to Newcastle Harbour and the foreshore promenade.

- Alternate uses for the building are being explored noting the changing environment for hospitality in this area of Newcastle.

The Committee discussed:

- the potential future uses and need for ongoing maintenance of Argyle House
- the architectural values and significance of heritage elements and their ability to tell the story
- the change in heritage significance values cited in the 2012 and 2018 conservation strategies
- the methodology for potential restoration of elements such as the slate roof and brick walls, and
- the heritage impacts of the proposed carport and ways to minimise the visual impact to Argyle House.

The Committee thanked the owner and the consultants for the presentation and look forward to engaging further as the proposal progresses.

Following the presentation, members discussed:

- the risks associated with any decoupling of the title for Argyle House
- the need for further consideration of the new development to integrate Argyle House
- the significant impacts of the proposed demolition and the widening of Wharf Road which has resulted in the loss of the verandahs to the buildings at the back of the block and cannot be reinstated
- the challenges in determining the heritage values of elements proposed for retention or demolition and the need for further information to be provided on the significance of the walls, and to what extent the existing walls have been removed, and
- the need to understand the broader storytelling of the site and greater consideration of the *Connecting with Country* framework to inform the proposal.

#### Resolution 2024-15

The Heritage Council Approvals Committee:

1. **Thanks** the applicant and their consultant for presenting to the Approvals Committee.
2. **Notes** the report and supporting documentation provided by Heritage NSW for *Fanny's Tavern - SHR 00315* (Argyle House).
3. **Provides** the following comments to the applicant regarding this project:
  - a. Argyle House is a place of State heritage significance that is protected on the State Heritage Register. Formerly the head office of the Australian Agricultural Company (AA Co), it is the only known surviving structure, apart from the pier remnant from the c1865 iron bridge, of their early operations in the CBD of Newcastle.
  - b. Argyle House is significant as a 'large complex of buildings, linked in pavilion fashion' that include 'important associations with prominent architects Menkens and Castleden'.
  - c. Strongly supports a sustainable reactivation of Argyle House which protects and complements its State heritage significance, and supports, in principle, a focus on the restoration and adaptive reuse of the c1860s building.
  - d. The proposed 13-storey residential tower would necessitate the demolition of a large portion of the former AA Co offices. This would result in a permanent detrimental impact on the form and fabric of the '*buildings in a pavilion style of growth*' and materially affect the State heritage values of the place, and hence requires further information and justification.
  - e. The proposed tower would dominate the remaining low scaled c1860 building, creating an incongruous visual setting for the place and building.
  - f. In principle, support the greater integration of the 1860s building with any new development including possibly retaining the building as a separate lot in the proposed strata plan with a commercial use. The proposed double garage is considered intrusive in its current form and is not supported.
  - g. The AC noted the importance of the AA Co in the development of the Hunter Region and suggests further interpretation of this role in any reconstruction of the building.

**4. Recommends that:**

- a. A detailed assessment of the significance of the place and its elements be provided in order to support decision making for any proposed demolition and other changes.
- b. A site inspection be arranged.
- c. The conservation management strategy for Argyle House be rewritten to adequately examine alternate forms of development that would have less heritage impact on the State heritage item and its setting, such as commercial adaptive reuse.
- d. Any future application must include an archaeological assessment, and if necessary, an Archaeological Research Design supporting document.

Moved by Caitlin Allen and seconded by Nicholas Brunton

### **3.0 General Business**

#### **3.1 Forward agenda**

The Approvals Committee noted the forward agenda.

#### **4.0 Meeting Close**

There being no further items of business, Ian Clarke, Chair, declared the Approvals Committee meeting closed at 12:35 PM.



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Mr Ian Clarke  
Chair, Heritage Council Approvals Committee  
Date: 7 May 2024