



HERITAGE COUNCIL OF NSW

MEETING MINUTES – Approvals Committee

Tuesday, 2 July 2024 | 9:00 – 11:50 AM

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
Mr Bruce Pettman	Member

Apologies

Dr Danièle Hromek	Member
Ms Julie Marler	Member
Mr David McNamara	Member
Mr Frank Howarth AM PSM	Heritage Council Chair / Alternate Member

External Presenters

Ms Sarah McKay	Program Lead, Infrastructure & Place, TfNSW (item 2.1)
Ms Emma McGirr	Heritage Specialist, TfNSW (item 2.1)
Mr Ben Nacard	Senior Manager Urban Design, TfNSW (item 2.1)

External Observers

Mr Beata Madej-Fuks	Deputy Project Manager, TfNSW (item 2.1)
Ms Bec Krieger	Manager CSE, TfNSW (item 2.1)
Mr Louis Dardare	Senior Environment & Sustainability Officer, TfNSW (item 2.1)

Heritage NSW

Mr Tim Smith	Director Heritage Assessments
Ms Rochelle Johnston	Senior Manager Major Projects (items 2.1 & 3.1)
Ms Katrina Stankowski	Manager Assessments (item 2.1)
Ms Andreeana Kennedy	Senior Assessments Officer (item 3.1)
Mr Rajeev Maini	Manager Assessments (items 3.2 & 3.3)
Ms Shikha Jhaldiyal	Senior Assessments Officer (item 3.3)
Ms Elizabeth Thomas	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

Nil.

1.2 Minutes from Previous Meeting – 4 June 2024

Resolution 2024-25
The Heritage Council Approvals Committee: 1. Confirms the minutes of the previous ordinary meeting (Tuesday, 4 June 2024), as a complete and accurate record of that meeting.
Moved by Caitlin Allen and seconded by David Burdon

1.3 Out of Session decisions

The Approvals Committee noted the out of session resolution (Res 2024-24) made via circular on 6 June 2024 for the *Lands Building State Significant Development modifications*.

1.4 Matters Arising

Lands Building - State Significant Development (SSD)

The Committee noted that the SSD application for the Lands Building has recently been lodged.

Additional information has been provided to Heritage NSW in response to the AC's previous comments to the Department of Planning, Housing and Infrastructure and members reiterated their concerns about the documentation provided by the applicant.

1.5 Action Report

The Committee noted the action report and verbal update from Tim Smith.

2. External Presentations

2.1 Balls Head Coal Loader and Waverton Wharf – future plans

The Approvals Committee received a report from Heritage NSW and a presentation from Transport for NSW (TfNSW) on the works proposed for the SHR listed Balls Head Coal Loader Wharf which is a unique example of the one of the first shore-based coal loading facilities in Sydney Harbour.

Key points of the presentation

- The wharf is currently in a ruinous state and at risk of significant collapse and presents an ongoing safety risk and a navigational hazard to vessels due to falling debris.
- A section 60 application was recently approved under delegation by Heritage NSW to provide TfNSW some assurance for the broader program of works proposed for delivery in two stages: *Stage 1 make safe works* include structural and heritage analysis which will be used to inform *Stage 2 - heritage stabilisation and interpretation*.
- The heritage interpretation aims to reflect the industrial history and express *Connections to Country* with site specific Aboriginal stories and totems and place-based design outcomes that integrate heritage, public art and urban design, and improved connectivity and sightlines from the waterfront to the land with seamless integration with the existing landscape.

- Further engagement with the Indigenous community and the local council will be carried out to develop the place specific public art strategy as well as preparation of a Heritage Interpretation Strategy, a Connecting with Country report, detailed design and a Heritage Impact Statement.
- A section 60 application for Stage 2 works is targeted for submission to the Approvals Committee for determination in 2025.

Members emphasised the need for:

- a heritage expert to be involved in the tendering and procurement process and an informed heritage engineer to be involved in the *make safe* process to ensure that structural assessment is considered and progressed thoughtfully
- Country to be embedded in the design process with the Indigenous consultant retained throughout the design process, and
- archival recording of the site, including photography and drone footage, to ensure the current state is well documented and can be used to inform the heritage interpretation that provides an embodied experience for visitors.

The Committee discussed:

- the potential for some fabric retention and materials that may be salvaged and stored off site
- work done previously on industrial heritage and similar issues experienced globally, and
- other information that may be drawn upon, such as the *Commonwealth Ruins Policy*.

The Committee thanked TfNSW for the presentation and looks forward to further engagement as the work progresses.

Resolution 2024-26
<p>The Heritage Council Approvals Committee resolved to:</p> <ol style="list-style-type: none"> 1. Note the information provided in the presentation at Tab 2.1A of this report from Transport for NSW (TfNSW) about the Balls Head Coal Loader Wharf Stage 1 and 2 works. 2. Support: <ol style="list-style-type: none"> (a) a staged engineering investigation and works approach for the Wharf Stage 1 (b) broader ongoing stakeholder and community consultation for the Wharf Stage 2, and (c) Country to be embedded throughout the design process with a retained Indigenous consultant. 3. Encourage TfNSW to be innovative with their proposed interpretation of the Wharf with a strong use of both physical and digital interpretation methods that maximises the visitor experience.
<p>Moved by Bruce Pettman and seconded by Caitlin Allen</p>

3.0 Matters for consideration

3.1 Demondrille – section 60

The Approvals Committee received a report from Heritage NSW and sought the AC's determination for a section 60 application for the proposed demolition of the *Demondrille Signal Box* situated within the SHR curtilage of *Demondrille Junction railway ruins and signal box* (SHR 01128).

The Australian Rail Track Corporation (ARTC) is seeking approval to demolish the signal box due to its dilapidated state and the presence of asbestos containing material.

Members noted that some remediation works have been undertaken to keep the signal box standing and the overall state of dilapidation appears to be due to a long-term lack of maintenance and repair.

The Committee considered whether the heritage fabric could be sensitively repaired or provide any opportunity for heritage interpretation, given the remote location of the Demondrille signal box.

Members noted that other examples that are more accessible to the public and suggested a priority list of maintenance and repair be sought for the remaining nine signal boxes.

Resolution 2024-27

The Heritage Council Approvals Committee resolved to:

1. **Acknowledge** that the demolition was previously approved in 2012.
2. **Note** the proposed demolition described in the section 60 report provided at Tab 3.1A of this report and that demolition will impact the significance of the listing.
3. **Approve** the demolition of the Demondrille Signal Box within the State Heritage Register curtilage of Demondrille Junction Railway Ruins and Signal Box (SHR 01128) under s.63 of the *Heritage Act 1977* due to the risk to public safety, subject to the conditions in the approval letter and the reiteration of the ATRC's responsibilities under s.118 of the *Heritage Act 1977* in relation to minimum standard of maintenance and repair provided at Tab 3.1B of this report, subject to:
 - (a) any recoverable heritage fabric being set aside for potential use at other sites
 - (b) a priority list of maintenance and repair for the remaining nine signal boxes being provided by the Australian Rail Track Corporation to the Approvals Committee within the next six months
 - (c) removal of the need for heritage interpretation for the Demondrille Signal Box as part of the approval conditions, and
 - (d) reassessment of the significance of the listing as a whole and provide this to Heritage NSW.

Moved by Nicholas Brunton and seconded by Vanessa Holtham

3.2 Queen Victoria Building - correspondence

The Approvals Committee received a report from Heritage NSW following correspondence received from the Crown Solicitor's Office (CSO) regarding an Inquest into the death of 'AX'.

Members noted that:

- while the Heritage Council is not a safety regulator, in carrying out its functions it is always cognisant of the safety and well-being of those who use and have access to items listed on the SHR, and
- Heritage NSW has carried out due diligence to ensure that there are no issues with regard to any approval conditions related to the QVB and that the existing balustrades are compliant.

The Committee asked that a response to the CSO be prepared in consultation with the Heritage Council.

Resolution 2024-28

The Heritage Council Approvals Committee resolved to:

1. **Note** the information prepared by Heritage NSW.
2. **Note** the information provided in the letter on *Inquest into the death of "AX" (Court ref: 2020/00228990)* prepared by Crown Solicitor's Office dated 31 May 2024 at Tab 3.2B of this report.
3. **Recommend** the response letter be further considered by the Heritage Council prior to being issued under the Heritage Council Chair's signature.

Moved by Nicholas Brunton and seconded by Vanessa Holtham

3.3 Draft Millers Point Heritage Guideline document – update

The Approvals Committee received a verbal update from Heritage NSW on the response to the AC's comments on the *Millers Point & Dawes Point Village Precinct Heritage Guidelines*.

Members discussed the Guidelines and how this will intersect with any requirements included in a Conservation Management Plan for individual properties and whether this approach may be considered for other listings.

Members thanked Heritage NSW for the update and noted that the final document will be presented to the Approvals Committee for endorsement.

4.0 General Business

4.1 Forward agenda

The Approvals Committee noted the forward agenda and suggested that interested members seek the Chair of the Heritage Council's approval to attend as an observer for specific items being considered by the Heritage Council as and when appropriate.

20th century buildings

Members broadly reflected on the repurposing of significant 20th century buildings and the need for thoughtful and careful refurbishment that acknowledges the need to retain and minimise the impacts to heritage fabric.

Broadmeadows Railway Site

Heritage NSW attended a site visit with the Transport Asset Holdings Entity on 28 June and will circulate some images from the visit to members for information ahead of a paper being submitted to the AC for determination.

5.0 Meeting Close

There being no further items of business, Ian Clarke, Chair, declared the Approvals Committee meeting closed at 11:50 AM.



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Dr Nicholas Brunton
A/Chair, Heritage Council Approvals Committee
Date: 6 August 2024