



# HERITAGE COUNCIL OF NSW

## MEETING MINUTES – 501

1 June 2022 | 9:00 AM – 5:00 PM

Via teleconference

<b>ATTENDANCE</b>	
<b>MEMBERS</b>	
The Hon Robyn Parker	Acting Chair
Dr Nicholas Brunton	Member
Mr Ian Clarke	Member
Mr Paul Knight	Member
Dr Brian Lindsay	Member
Ms Colleen Morris	Member
Mr Brett Whitworth	Member
Ms Vanessa Holtham	Member
Mr Dillon Kombumerri	Observer
<b>APOLOGIES</b>	
Mr Frank Howarth AM PSM	Chair
<b>SHRC and AC MEMBERS</b>	
Ms Lisa Trueman	SHRC member ( <i>item 4.1</i> )
Dr Wayne Johnson	SHRC member ( <i>items 4.1, 6.1 and 6.2</i> )
Ms Natalie Vinton	SHRC member ( <i>items 4.1, 6.1 and 6.2</i> )
Ms Caitlin Allen	AC member ( <i>items 4.1, 6.1 and 6.2</i> )
Ms Julie Marler	AC member ( <i>item 4.1</i> )
Mr Bruce Pettman	AC member ( <i>item 4.1</i> )
<b>GUEST PRESENTERS AND EXTERNAL ATTENDEES</b>	
Mr Paul Shaw	Executive General Manger Development, TOGA ( <i>item 5.1</i> )
Mr Steve Robson	Development Director, TOGA ( <i>item 5.1</i> )
Mr David Springford	Senior Project Manager, TOGA ( <i>item 5.1</i> )
Mr Phillip Vivian	Director, Bates Smart Architect ( <i>item 5.1</i> )
Mr Peter Oneirc	Architect, Bates Smart ( <i>item 5.2</i> )
Mr Caleb Chu	Architect, Bates Smart ( <i>item 5.2</i> )

Mr Chris Potter	Chief Operating Officer, Robert Bird Group ( <i>item 5.1</i> )
Mr Mitchell Starkey	Structural Engineer, Robert Bird Group ( <i>item 5.1</i> )
Mr Lachlan Attiwill	Senior Development Manager, Mirvac ( <i>item 5.2</i> )
Mr Sean McPeake	Principal, FJMT Studio ( <i>item 5.2</i> )
Mr Jonathan Bryant	Urbis Heritage ( <i>item 5.2</i> )
Ms Allie Barnie	Planner, Urbis ( <i>item 5.2</i> )
Ms Ashleigh Ryan	Planner, Urbis ( <i>item 5.2</i> )
Ms Emma Hitchens	Manager, Place & Infrastructure, DPE ( <i>item 5.2</i> )
Ms Patrice Rando	Planning Officer, DPE ( <i>item 5.2</i> )
Mr Joseph Burraston	Senior Planning Officer Metro East South, DPE ( <i>item 5.2</i> )
Mr Con Kargas	Instructure & Place, Transport for NSW ( <i>item 5.2</i> )
<b>HERITAGE NSW</b>	
Mr Sam Kidman	Executive Director
Ms Lucy Albani	Director Heritage Policy and Strategy
Mr Steven Meredith	Director Heritage Programs
Mr Tim Smith	Director Heritage Assessments
Dr Caroline Ford	Manager Policy and Reform ( <i>item 4.1</i> )
Ms Emma Dortins	Manager Policy and Reform ( <i>item 4.1</i> )
Ms Alexandra Boukouvalas	Senior Policy Officer ( <i>item 4.1</i> )
Mr Damian Lucas	Senior Policy Officer ( <i>item 4.1</i> )
Ms Samantha Bailey	Assistant Policy Officer ( <i>item 4.1</i> )
Ms Rochelle Johnston	Senior Manager Major Projects ( <i>items 5.1, 5.2 and 6.0</i> )
Ms Chrisia Ang	Senior Assessments Officer ( <i>items 5.1 and 5.2</i> )
Ms Andreana Kennedy	Senior Assessments Officer ( <i>item 5.1</i> )
Dr Hana Lewis	Senior Assessments Officer ( <i>item 6.1</i> )
Mr Sean Purcell	Senior Policy Officer ( <i>item 6.2</i> )
Ms Laura Dafter	Manager ACH Strategy & Implementation ( <i>item 6.2</i> )
Ms Sonia Limeburner	Manager Strategy & Implementation ( <i>item 6.2</i> )
Mr Nick Lackner	Senior Policy Officer ( <i>item 6.2</i> )
Ms Elizabeth Owers	Director Customer Services ( <i>items 6.3 and 8.1.b</i> )
<b>SECRETARIAT</b>	
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 Acting Chair, Robyn Parker, opened the meeting at 9:35 AM, delivered an Acknowledgment of Country and welcomed attendees.

The Acting Chair noted the apologies received for this meeting and confirmed that a quorum had been met.

The Acting Chair welcomed newly appointed member, Vanessa Holtham, to the Heritage Council of NSW.

#### Item 1.1 Conflict of Interest Declarations

Vanessa Holtham declared a conflict of interest for Items 5.1 *TOGA Central – Western Gateway* and 5.2 *Redfern South Eveleigh – Large Erecting Shed*, noting that she is a Director of a heritage architectural practice currently engaged by the City of Sydney.

The Council noted that reports for these items were redacted from Ms Holtham's copy of the papers and agreed to excuse Ms Holtham from any discussion of these items.

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

#### Item 1.2 Out of Session Decisions

There were no out of session decisions since the last meeting.

#### Item 1.3 Minutes from the Previous Meeting – 4 May 2022

<b>Resolution 2022-14</b>
The Heritage Council of NSW: 1. <b>Confirmed</b> the minutes of the previous ordinary meeting (4 May 2022) as a complete and accurate record of that meeting.
Moved by Nicholas Brunton and seconded by Colleen Morris

#### Item 1.4 Matters Arising

NIL

#### Item 1.5 Action Report

The Heritage Council of NSW agreed to close items recommended for closure. The register was updated to reflect the additional discussion and further actions requested.

### Item 2. Executive Director, Heritage NSW - update

The Heritage Council of NSW noted the report and verbal update from Executive Director, Sam Kidman.

#### *Willandra Lakes Repatriation*

The Executive Director outlined the recent issues around the reburial of Mungo Man and Mungo Woman and the other 106 Aboriginal ancestral remains in the Willandra Lakes region in

unmarked locations, including an application to the federal Department of Agriculture, Water and Environment by a group of traditional owners challenging the reburial. The reburial has been postponed to allow incoming commonwealth minister to consider the application.

#### *Appin Cultural Landscape SHR Nomination*

Heritage NSW recently met with the Walker Corporation and presented a potential investigation area for the Appin Cultural Landscape SHR nomination, including a proposed collection of six non-contiguous sites across the landscape to be connected with appropriate heritage interpretation.

The Council noted that a site visit is being arranged for the 1<sup>st</sup> July for members of the Heritage Council, State Heritage Register Committee (SHRC) and the Aboriginal Cultural Heritage Advisory Committee (ACHAC).

The Council suggested a 'lessons learned' session be held once this matter is finalised, to improve the ways we navigate large area cultural landscape nominations, including bio diversity, Connecting with Country and the process of early stakeholder engagement.

### **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 31<sup>st</sup> May SHRC meeting, including *Fitz Roy Iron Works Archaeological Site*, the proposed amendment to the *SSE at the University of Sydney* and the SHR nomination for the *Parsonage, Bungonia*.

The Council noted that Heritage NSW were congratulated for the consultation and positive outcome achieved with Meriton in finalising the Recommendation to List the *Little Bay Miocene Geoheritage and Ochre Site*.

It was also noted that the Acting Chair of the Heritage Council of NSW attended the Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) meeting on the 23<sup>rd</sup> May 2022, where an update was provided on Dhawura Ngilan implementation and the Aboriginal cultural heritage reforms in NSW.

#### **Item 3.2 Approvals Committee (AC)**

Dillon Kombumerri, Chair of the Approvals Committee, provided an update on key outcomes for items considered at the 31<sup>st</sup> May AC meeting, including conditional approval for *outdoor seating options at Pier 1, Walsh Bay*, provision of comments on Transport for NSW's proposal for a pedestrian overpass at *Medlow Bath Railway Station - Great Western Highway Upgrade*, and a proposed amendment to the service dock as part of a broader redevelopment proposal for the *Marsden Rehabilitation Centre Group*.

### **Item 4. Legal, Policy and Administration**

#### **Item 4.1 Heritage Act Reforms**

The Acting Chair welcomed members of the State Heritage Register Committee (SHRC) and Approvals Committee (AC) to the meeting for an update from Lucy Albani and the policy team on the Heritage Act Reforms.

Heritage NSW sought the members' feedback on the *Draft Heritage Bill stakeholder overview* document to ensure that the Bill will meet the needs to deliver good heritage outcomes for the State.

Members sought clarification and provided comments on the key areas of reform, draft objects, the composition and functions of the Heritage Council and the categories proposal.

Members were invited to provide any additional written comments to Heritage NSW by the 10<sup>th</sup> June.

*Sam Kidman and Tim Smith joined the meeting at 12:10 PM.*

## Item 5. External Presentations

*Vanessa Holtham was excused from the meeting for discussion of items at Section 5.0.*

### Item 5.1 TOGA Central – Western Gateway presentation

The Heritage Council of NSW received a presentation from TOGA *and their design team to address queries raised by the Council at the previous presentation on the 2<sup>nd</sup> March. The presentation focused on the structural methodology, heritage interiors and the public realm integration of the former Parcel Post Office building (Adina Apartment Hotel).*

*Key points presented:*

- The significance of the interior spaces and the existing condition of the heritage fabric within the former Parcel Post Office building and the proposed open plan layout for the co working levels with exposed heritage fabric were noted.
- The design review panel and the rezoning approval process were finalised prior to the design competition and included the intended massing of the building in relation to the heritage building and triangular chamfer that runs east-west across the building.
- The structural engineering principles, the cantilever options analysis and evaluation, and the evolution of the current scheme to minimise the intrusion and maximise the efficiency of the centre core system, were presented. It was noted that options to cantilever the building or have a single supporting column for the tower were deemed not feasible.
- Aboriginal consultation has recently been completed and will inform the Heritage Interpretation Strategy.
- The curved built form of the tower will assist in reducing the down draft of wind.
- Rainwater runoff was not considered to be an issue given the prevailing direction of rain, however it was noted that this did not consider rare weather events.

The Council thanked TOGA for their presentation and welcomed the opportunity for ongoing collaboration.

The Council invited a joint presentation from TOGA, Atlassian and Dexus Frasers on the precinct wide Heritage Interpretation Strategy.

The Council noted the constraints of the approved Planning Envelope regarding the cantilever structural solution and reiterated their concerns about the treatment of the heritage building.

Resolution 2022-15
<p>The Heritage Council of NSW:</p> <ol style="list-style-type: none"> <li>1. <b>Noted</b> the information provided in the briefing paper, briefing pack and presentation.</li> <li>2. <b>Thanks</b> TOGA for their presentation on the Central Precinct Redevelopment – Western Gateway and looks forward to further consultation and feedback regarding the heritage interpretation plan for the Precinct.</li> <li>3. The Heritage Council <b>emphasised</b> their preference that there should be no penetration of the Parcel Post Office heritage building using new columns, however the Council</li> </ol>

<b>accepts</b> that in this case, engineering design limitations and site conditions will need to dictate the final outcome.
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Moved by Nicholas Brunton and seconded by Brett Whitworth
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## Item 5.2 Redfern South Eveleigh – Large Erecting Shed

The Heritage Council of NSW received a presentation from Mirvac regarding the revised scheme for the proposed rezoning of the Large Erecting Shed (LES) within the Redfern South Eveleigh precinct of the Eveleigh Railway Workshops.

### *Key points presented:*

- The (revised) preliminary scheme and vision for the adaptive reuse of the LES were presented, including the site context and key heritage considerations.
- The low-scale design is in keeping with the industrial heritage character of the precinct and aims to accommodate commercial workspaces and retail activation that celebrates the history of the building.
- The scheme includes activation of the public realm and minimal landscaping so that views of the LES in the round will not be impeded.
- Mirvac are working closely with the landowner, Transport for NSW, to unlock the development with the rezoning application to be lodged in the near future.

The Council noted the challenges that need to be managed sensibly and sought further details regarding the Heritage Interpretation Strategy and potential to incorporate some relevant locomotive movable heritage items in the scheme.

The Council discussed the various options considered for the location of the substation and mechanical plant equipment.

The Council thanked Mirvac for their presentation and congratulated them on the work done to improve the scheme.

<b>Resolution 2022-16</b>
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The Heritage Council of NSW:
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| <ol style="list-style-type: none"> <li>1. <b>Noted</b> the information provided in the briefing paper and presentation.</li> <li>2. <b>Thanks</b> Mirvac for their presentation on the Redfern South Eveleigh – Large Erecting Shed and looks forward to further consultation and feedback regarding the refinement of the proposal.</li> </ol> |
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Moved by Ian Clarke and seconded by Colleen Morris
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*Vanessa Holtham re-joined the meeting.*

## Item 6. Matters for consideration

### Item 6.1 Timber Truss Bridge Strategy – background and current status

The Heritage Council of NSW were joined by members of the State Heritage Register Committee and Approvals Committee to receive a report and presentation from Rochelle Johnston and Hana Lewis on the Timber Truss Bridge Strategy (TTBS).

*Key points raised:*

- A review of the Timber Truss Bridges was completed in 2010 with the majority of bridges remaining under the management and ongoing maintenance responsibilities of Transport for NSW (TfNSW).
- In 2012, the former Roads and Maritime Services' *Timber Truss Road Bridges - A Strategic Approach to Conservation* was endorsed by the Heritage Council.
- In 2019, the Transport for NSW (TfNSW) *Review of bridges* to be retained under the TTBS was endorsed by the Heritage Council, subject to requirements, with a revised list of bridges for conservation and removal.
- Heritage NSW continues to engage with TfNSW on the development of the TTBS and will undertake further consultation with Heritage Victoria and other key stakeholders prior to determining a preferred option by the end of this year.
- Heritage NSW has provided comments to TfNSW on the draft Heritage Impact Statement (HIS) and is working with the Timber Truss working group to finalise the HIS. TfNSW will be invited to present the HIS to the Heritage Council at the appropriate time.
- Heritage NSW attended a site visit to Swan Hill-Murray River Road Bridge and Tooleybuc Bridge on the 3<sup>rd</sup> May. A further site visit to Swan Hill Bridge is being arranged for NSW and Victorian Heritage Council members together with Heritage NSW and TfNSW.
- Heritage NSW outlined the deliverables and work in progress, including:
  - two priority projects proposed for the Swan Hill-Murray River Road Bridge and Tooleybuc Bridge
  - an updated delivery schedule for the Conservation Management Plans, and
  - preparation of the TTBS de-listings nominations package.

*The Council discussed*

- The Council noted the massive tourism opportunities that timber truss bridges provide for NSW.
- The Council noted the complexities associated with the Swan Hill-Murray River Road Bridge given its location across two state jurisdictions and acknowledged the challenges in retaining such a significant heritage asset whilst also meeting the community needs for a modern transport link.
- The Council emphasised the importance that options and solutions for listing and potential delisting are guided by stakeholder consultation.
- The Council highlighted the need for TfNSW to have bushfire and flood mitigation strategies in place for the timber truss bridges.
- The Council noted that it has become increasingly difficult to source appropriate materials to conserve and maintain the timber truss bridges. Replacement materials, where required, need to be thoughtfully considered to ensure good heritage outcomes and maintenance schedules should be actively enforced.
- Examples were provided where alternative crossings had been established to ensure load bearing on timber truss bridges were not exceeded. This enabled the bridges to be maintained and avoid demolition by neglect.
- Opportunities to include funding for bridge maintenance in the Heritage Grants Program were discussed.

The Council thanked Heritage NSW for the work done to progress the Strategy and look forward to further engagement with Heritage NSW, Heritage Victoria and Transport for NSW.

*Brian Lindsay left the meeting at 3:26 PM.*

## Item 6.2 Dhawura Ngilan Vision and Best Practice Standards update

The Heritage Council of NSW received a presentation from Laura Dafter regarding the implementation of action items related to the *Dhawura Ngilan – A Vision for Aboriginal and Torres Strait Islander Heritage in Australia* (Vision Statement).

Heritage NSW reviewed the Vision Statement's best practice standards for Aboriginal Cultural Heritage (ACH) management to identify areas where Heritage NSW may improve its practices and develop a matrix of policies and strategies that interface with the Vision Statement at the State level.

### *The key items noted:*

- In 2020, the Heritage Council identified the First Nations Heritage (including Frontier Conflict) as a priority area for the listings program and the primary mechanism for delivering on the Dhawura Ngilan Vision Statement.
- Five strategic plans that sit within the First Nations Cultural Heritage (FNCH) framework and aim to deliver on the key objectives for greater ACH outcomes were recently endorsed by the Aboriginal Cultural Heritage Advisory Committee (ACHAC). The FNCH framework was adopted in November 2020, and the five strategic plans and associated policies articulate how the framework will be delivered through Heritage NSW programs.
- Work is underway to update key policies on Aboriginal Heritage Impact Permit (AHIP) consultation processes, to deliver improvements within the current legislative framework and develop a new policy to provide clarity and consistency across NSW for Aboriginal people who request to be added to the Aboriginal Stakeholder List. This work is undertaken in consultation with ACHAC.
- Development of an online Aboriginal Cultural Heritage Information Portal (ACHIP) will modernise the administration of ACH regulation and deliver free access to spatial (non-sensitive) ACH data across NSW. As part of this project, Heritage NSW is developing an Aboriginal Heritage Impact Permit (AHIP) spatial layer which will provide historical information about issued AHIPs across NSW and assist communities in their consideration of development proposals, and support proponents to conduct earlier and better assessments of potential ACH.

*Nicholas Brunton left the meeting at 3:40 PM.*

- Heritage NSW is actively engaging with the lead agency, Aboriginal Affairs in relation to the ACH reforms with three senior staff participating in the ACH Reform Committee which is tasked with drafting an ACH Bill.
- Heritage NSW is also engaging with various technical groups led by Aboriginal Affairs working on the improvement of the current Aboriginal Cultural Heritage Information Management System (AHIMS).
- The Council noted that some of the best practice standards outlined in the Dhawura Ngilan Vision Statement cannot be fully met under the existing legislation and will require new ACH legislation to be developed.
- Heritage NSW's Babana Reference Group is being reinvigorated with a review being conducted to ensure it is re-established with suitable support for its ongoing effectiveness.
- Heritage NSW is developing an ACH customer engagement strategy which will support the work of the ACH regulations team.

The Council emphasised the importance for appropriate consultations and encouraged work to further integrate the databases noting the potential to link heat maps to ACH sites.

The Council thanked Heritage NSW for the update.

*Ian Clarke left the meeting at 4:00 PM.*



**Item 6.3 Regional Visit 2022**

The Heritage Council of NSW received an update from Elizabeth Owers and Rosanna Luca on the draft itinerary for the upcoming Regional Visit.

The Council confirmed the proposed dates for the visit to be held from 7 - 9 September with Coffs Harbour as the base location.

The proposed itinerary was further refined and options for engagement sessions were discussed.

The Council thanked Heritage NSW for the update and look forward to the draft itinerary being progressed.

**Item 7. Executive Reports****Item 7.1 Chair, Heritage Council of NSW – Monthly Report**

There were no matters raised this month.

**Item 7.2 Planning Report (DPE)**

The Heritage Council of NSW noted the planning report.

**Item 7.3 Advisory Panels Report**

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

The Heritage Advisory Panel (HAP) Chair provided an update on the recent HAP meeting and sought status updates on behalf of the Panel for various projects where they have provided input.

**Item 8. Heritage NSW Reporting****Item 8.1 Heritage Operations – Quarterly Reports**

The Heritage Council of NSW received an update from Elizabeth Owers on the media and communications activities undertaken over Q3 2022.

**Item 8.2 Heritage Operations – Monthly Reports**

The Heritage Council of NSW noted the monthly reports and verbal updates from Tim Smith and Steve Meredith.

**Item 9. General Matters**

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

**Item 10. Meeting Close**

There being no further items of business, the Acting Chair, Robyn Parker, closed the meeting at 5:00 PM.



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The Hon. Robyn Parker  
**Deputy Chair, Heritage Council of NSW**

Date: 6 July 2022