



# STATE HERITAGE REGISTER COMMITTEE

## MEETING MINUTES

31 January 2023 | 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 Stephen Gapps	Member
Dr Brian Lindsay	Member
Ms Lisa Trueman	Member
Ms Natalie Vinton	Member
Mr Frank Howarth AM PSM	Alternate Member

### *Apologies*

Dr Wayne Johnson	Member
Mr Paul Knight	Member

### Heritage NSW

Mr Sam Kidman	Executive Director
Ms Anna London	A/Director Heritage Programs
Ms Mary Ann Hamilton	A/Manager, Heritage Programs North (Item 4.1)
Mr David Hoffman	Senior Heritage Officer (Item 4.1)
Ms Sonia Limeburner	Manager Strategy and Implementation (Items 5, 6)
Dr Louise Prowse	Senior Heritage Officer (Item 3.1)
Mr Stuart Read	Senior Heritage Officer (Item 3.5)
Dr Damian Tybussek	A/Manager (South), Heritage Programs (Items 3.3, 3.4, 3.5)

### Secretariat

Ms Olgica Lenger	Manager Secretariat
Miss Linda Bugarin	Secretariat Officer

## IN-CAMERA SESSION

### Item 1. Welcome and Formalities

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

It was noted Dr Wayne Johnson and Mr Paul Knight were apologies and a quorum had been met.

#### Item 1.1 Conflict of Interest Declarations

The Committee noted the following standing declarations:

- Robyn Parker: 2011-2015 Decisions
- Colleen Morris: National Trust of Australia
- Dr Wayne Johnson: Place Management NSW

The Committee also noted the following:

- Lisa Trueman declared a conflict of interest regarding Item 4.1 *115, 117 & 119 Holt Avenue, Cremorne – IHO Request*.
- Dr Stephen Gapps declared a conflict of interest regarding Item 5.4 *SHR Nomination – Kings Plains, Blayney*.

#### Item 1.2 Out of Session Decisions

Nil reported.

#### Item 1.3 Minutes from the Previous Meeting – 6 December 2022

Resolution 2023-01
<p>The State Heritage Register Committee:</p> <p>1. <b>Confirmed</b> the minutes of the previous ordinary meeting (6 December 2022) as a complete and accurate record of that meeting.</p>
<p>Moved by Ms Colleen Morris and seconded by Ms Lisa Trueman</p>

#### Item 1.4 Matters Arising

The State Heritage Register Committee noted that a decision to make a recommendation to list an item on the State Heritage Register must be made in full, either by the Committee or the Executive Director, Heritage NSW, and confirmed that going forward, any matters requiring further consideration will be addressed via out-of-session circular resolutions.

#### Item 1.5 Action Report

The State Heritage Register Committee noted the report.

## Item 2. SHR Nominations – Notice of Intention

### Item 2.1 Nowland's Lochnivar Coach Station – NOI

Item deferred.

### Item 3. SHR Nominations – Recommendation to List

#### Item 3.1 Plumwood, Monga – RTL

The State Heritage Register Committee noted the presentation on Plumwood, Monga – RTL by Dr Louise Prowse.

*Key points noted:*

- Plumwood, Monga is a cultural landscape, which addresses areas of lower representation on the SHR including sites in non-urban areas and sites that recognise the intellectual contribution of women in NSW.
- Plumwood, Monga is the site of a Voluntary Conservation Agreement.
- Eight submissions were received during the exhibition period, all in support of the listing.
- Minor amendments have been made to the Statement of Significance and the significance assessment in response to the clarification of dates contained in the supporting submissions.
- The property owner has requested site-specific exemptions.
- Heritage NSW (HNSW) confirmed the shared access driveway agreement is current, and the owners are satisfied with the arrangement.
- HNSW has organised a site visit for late March 2023.

The Chair thanked Dr Louise Prowse for her work on this item.

#### Resolution 2023-02

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 *Plumwood* at 4120 Kings Highway, Monga, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria (a), (b), (c), (d), (e), (f) and (g), 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 *Plumwood* at 4120 Kings Highway, Monga, on the State Heritage Register, as shown in the curtilage plan at Tab 3.1C of the report.
3. In accordance with section 33(1)(e) of the *Heritage Act 1977*, will **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*, **recommends** that the Minister **grant** the site-specific exemptions at Tab 3.1D of the report from section 57(1) of the *Heritage Act 1977* in addition to the Heritage Council Standard Exemptions.

Moved by Ms Colleen Morris and seconded by Ms Natalie Vinton

#### Item 3.2 Gooriwal – Frenchman’s Bay and Yarra Bay Cultural Landscape – RTL

Item deferred.

### Item 3.3 Kameruka Golf Course – RTL

The State Heritage Register Committee noted the presentation on Kameruka Golf Course – RTL by Dr Damian Tybussek.

*Mr Frank Howarth joined the meeting.*

*Key points noted:*

- Fifty submissions were received during the exhibition period, with 47 submissions in support.
- The Committee reflected on the Society of Kameruka Golfers' presentation in October 2022, which outlined its commitment to and a strong economic argument for the restoration of the golf course to its full historic origins.
- A detailed submission objecting to the proposed listing was received from the landowner, questioning that 'there is still a physical entity worth protecting' or 'any realistic prospect of that entity being reinstated'.
- The property owner and the Society have been in negotiations about a potential lease since October 2022; the Society is awaiting a decision by the owner.
- HNSW has been unsuccessful in reaching a negotiated settlement with the owner regarding his rural residential subdivision plans and the proposed listing. Options to exempt any proposed subdivision or amend the curtilage were offered for the owner's consideration.
- Heritage Council will organise a meeting with the owner to discuss available options and to explore heritage agreements.
- HNSW will present a report on heritage agreements at the next Committee meeting.

The Chair thanked Mr Frank Howarth, Chair of the Heritage Council, for joining the discussion of this agenda item.

The Chair thanked Dr Damian Tybussek for his report.

*Mr Frank Howarth left the meeting.*

#### Resolution 2023-03

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 *Kameruka Golf Course* at West Kameruka Road, Kameruka, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria (a), (b), (c), (e), (f), and (g), as detailed in the report at Tab 3.3A.
2. **Deferred** the decision whether or not to recommend the listing and **requests** Heritage NSW and the Heritage Council of NSW to undertake further discussions with the property owner.

Moved by Dr Brian Lindsay and seconded by Ms Colleen Morris

### Item 3.4 Wingello Park, Marulan – RTL

The State Heritage Register Committee noted the presentation on Wingello Park, Marulan – RTL by Dr Damian Tybussek.

*Key points noted:*

- At the SHRC meeting in July 2022, the Committee resolved that Wingello Park, Marulan is of State heritage significance, supported a reduced curtilage requested by the owner, and delegated the recommendation to list decision to the Executive Director HNSW, as further negotiation with the owner regarding proposed site-specific exemptions was required.
- On further investigation, it was confirmed that a decision to make a recommendation to list must be made in full, either by the Committee or the Executive Director (on the advice of the Heritage Council).
- Heritage NSW is seeking the Committee to remake its decision to recommend the listing to the Minister.

The Chair thanked Dr Damian Tybussek for his report.

#### Resolution 2023-04

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 *Wingello Park* at 14597 Hume Highway, Marulan, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria (a), (b), (c), (e), (f), and (g) as detailed in the report at Tab 3.4A.
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, *Wingello Park* at 14597 Hume Highway, Marulan, on the State Heritage Register, as shown in the curtilage plan at Tab 3.4C of the report.
3. In accordance with section 33(1)(e) of the *Heritage Act 1977*, will **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*, **recommends** that the Minister **grant** the site-specific exemptions at Tab 3.4D of the report from section 57(1) of the *Heritage Act 1977* in addition to the Heritage Council Standard Exemptions.

Moved by Ms Natalie Vinton and seconded by Ms Colleen Morris

### Item 3.5 Little Bay Miocene and Geological and Ochre Site – RTL

The State Heritage Register Committee noted the presentation on Kameruka Golf Course – RTL by Mr Stuart Read and Dr Damian Tybussek.

*Key points noted:*

- Heritage NSW is seeking the Committee to remake its decision of 1<sup>st</sup> November 2022 to recommend the listing of Little Bay Miocene and Geological and Ochre Site.
- Amendments have been made to correctly address references to the significance criteria and the social significance criteria that relates to Aboriginal cultural heritage.

The Chair thanked Mr Stuart Read for his work and negotiations on this item.

**Resolution 2023-05**

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 *Little Bay Miocene Geological and Ochre Site* at 1R Lapwing Street, Little Bay, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria (a), (d), (e), (f) and (g) as detailed in the report at Tab 3.5A.
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, *Little Bay Miocene Geological and Ochre Site* at 1R Lapwing Street, Little Bay, on the State Heritage Register, as shown in the curtilage plan at Tab 3.5C of the report.
3. In accordance with section 33(1)(e) of the *Heritage Act 1977*, will **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*, **recommends** that the Minister **grant** the site-specific exemptions at Tab 3.5D of the report from section 57(1) of the *Heritage Act 1977* in addition to the Heritage Council Standard Exemptions.

Moved by Ms Lisa Trueman and seconded by Dr Stephen Gapps

## Item 4. Matters for Consideration

### Item 4.1 115, 117 & 119 Holt Avenue, Cremorne – IHO Request

The State Heritage Register Committee noted the update on 115, 117 & 119 Holt Avenue, Cremorne – IHO Request by Mr David Hoffman and Ms Mary Ann Hamilton.

*Ms Lisa Trueman declared a conflict of interest due to previously advising North Sydney Council on these properties and left the meeting for the duration of this item.*

#### *Key points noted:*

- North Sydney Council issued an Interim Heritage Order (IHO) over 115, 117, 119 Holt Avenue, Cremorne on 11 March 2022 due to the local heritage values of the properties.
- Local council submitted a planning proposal to Department of Planning and Environment (DPE) for gateway approval to list these properties in the North Sydney Local Environmental Plan 2013 (LEP), but DPE declined to issue a Gateway Determination.
- The Independent Planning Commission (IPC) is currently considering a Gateway Review request from the North Sydney Council, but it is likely its findings will be published after the IHO expires on 11 March 2023.
- Requests have been made by the local council and the local Member to place a new IHO on these properties before the current IHO expires.
- HNSW recommended issuing a new IHO upon the expiration of the current order to allow the IPC hearing to progress with procedural fairness.
- The Committee sought further clarification regarding the duration of the IHO in the circumstances where the matter is under consideration by the IPC.

The Chair thanked Mr David Hoffman and Ms Mary Ann Hamilton for their presentation.

**Resolution 2023-06**

The State Heritage Register Committee:

1. **Recommends** that the Minister make an Interim Heritage Order over the property at 115, 117 & 119 Holt Avenue, Cremorne commencing on 11 March 2023, subject to HNSW seeking legal advice.

Moved by Dr Brian Lindsay and seconded by Ms Colleen Morris  
*Ms Lisa Trueman left the meeting for the duration of this agenda item.*

**Item 4.2 Anambah House – Curtilage Amendment Request**

Item deferred.

**Item 5. Preliminary Assessment of New SHR Nominations**

The State Heritage Register Committee noted the presentation on Preliminary Assessment of New SHR Nominations by Ms Sonia Limeburner.

*Ms Lisa Trueman entered the meeting.*

**Item 5.1 SHR Nomination – Haberfield**

- Haberfield is listed as a Heritage Conservation Area on the Local Environmental Plan (LEP) with corresponding Development Control Plan (DCP) provisions.
- Community consultation undertaken by council indicates some owners' support. However, given the scale of the nomination and the high number of individual owners, further consultation would be required to determine owners' position.
- Haberfield as a listing will require significant HNSW resources dedicated over many years.
- The Committee discussed the possibility of Haberfield reconsidering the proposed curtilage.
- Under the current legislation, the listing of large cultural landscapes (including heritage conservation areas) is complex due to high numbers of landowners, varied land uses and heritage values requiring consideration. Several SHR nominations of cultural landscapes / precincts have not been prioritised, pending the finalisation of the Heritage Act review.
- As a cultural landscape, Haberfield does not fall into the Heritage Council's listing priority areas being First Nations heritage and LGBTIQ+ heritage.

**Resolution 2023-07**

The State Heritage Register Committee:

1. **Considers** that while *Haberfield* may be of State heritage significance, the nomination is not a current priority to progress for listing on the SHR.

Moved by Ms Natalie Vinton and seconded by Dr Brian Lindsay



**Item 5.2 SHR Nomination – Greenway, Vaocluse**

- The item was nominated by local council but is not supported by the owner.
- The property is currently for sale.

**Resolution 2023-08**

The State Heritage Register Committee:

1. **Considers** that while *Greenway, Vaocluse* may be of State heritage significance and the nomination should be progressed to an assessment.

Moved by Ms Lisa Trueman and seconded by Ms Natalie Vinton

**Item 5.3 SHR Nomination – Ben Linden, Narellan**

- The item Ben Linden, Narellan is owner nominated. The owner is concerned about potential impacts to the property caused by future development in Narellan.
- The item is listed on the LEP.

**Resolution 2023-09**

The State Heritage Register Committee:

1. **Considers**, based on the information available at the time, that *Ben Linden, Narellan*, is unlikely to be of State heritage significance, **notes** that it is locally listed, and the nomination should not be progressed to an assessment.

Moved by Dr Stephen Gapps and seconded by Ms Lisa Trueman

**Item 5.4 SHR Nomination – Kings Plains, Blayney**

*Dr Stephen Gapps declared a conflict of interest and did not participate in the decision-making process.*

- The nomination aligns with the Heritage Council's listing priority area of First Nations heritage (including frontier conflict).
- Kings Plains is the proposed location for an open cut gold mine which has been classified as State Significant Development (SSD). The matter is currently with the IPC for final determination.

**Resolution 2023-10**

The State Heritage Register Committee:

1. **Defers** its consideration and preliminary assessment of a nomination to list *Kings Plains*, near Blayney on the SHR, pending the Independent Planning Commission's final determination on a State Significant Development application in the area.

Moved by Ms Colleen Morris and seconded by Ms Natalie Vinton  
*Stephen Gapps abstained from voting on this agenda item.*

The Chair thanked Ms Sonia Limeburner for her report.



## **Item 6. SHR Listings Monthly Report**

The State Heritage Register Committee noted the SHR Listings Monthly Report by Ms Sonia Limeburner.

The Chair thanked Ms Sonia Limeburner for her report.

## **Item 7. General Matters**

### **Item 7.1 Forward Agenda**

The State Heritage Register Committee noted the report.

### **Item 7.2 Other Business**

The Chair congratulated Heritage NSW (HNSW) staff for their hard work progressing items, noting the positive publicity listings are receiving.

## **Meeting Close**

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



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The Hon. Robyn Parker

**Chair, State Heritage Register Committee**

Date: 28 February 2023