



HERITAGE COUNCIL OF NSW

RESOLUTIONS – Approvals Committee

Monday, 30 September 2024 | 9:00 AM – 11:45 AM

via teleconference

1.1 Conflict of Interest Declarations
<i>Item 2.2 Sydney Football Stadium carpark</i> Members noted Nicholas Brunton's previous declaration, and agreed that he may participate in the discussion but will be excluded from making any decisions in relation to this item.
1.2 Minutes from Previous Meeting – 3 September 2024
Resolution 2024-41
The Heritage Council Approvals Committee: 1. Confirms the minutes of the previous ordinary meeting (Tuesday, 3 September 2024), as a complete and accurate record of that meeting.
Moved by Bruce Pettman and seconded by David Burdon
1.3 Out of Session Decisions
Nil
1.4 Matters Arising
The Heritage Council Approvals Committee noted the letter received from the City of Sydney for 2 <i>St Mary's Road, Sydney</i> – s34 conciliation conference.
1.5 Action report
The Committee noted the action report.
2.1 Studley Park – s38 amendment to integrated development application
Resolution 2024-42
The Heritage Council Approvals Committee: 1. Notes the applicant's presentation. 2. Approves the revised proposal with the amended General Terms of Approval and standard conditions outlined in Section 5 of the detailed assessment report provided at Tab 2.1 A of this report noting that it will require additional information to be submitted with the section 60 application for approval by the Heritage Council (or delegate) prior to commencement of works. 3. Request that the project team consult with the traditional custodians to understand the significant landscape and the cultural significant plantings as well as the proposed use of sandstone and the need for sourcing repurposed and recycled sandstone.
Moved by Julie Marler and seconded by Nicholas Brunton

3.1 Argyle House and Apartments

Resolution 2024-43

The Heritage Council Approvals Committee:

1. **Thanks** Bruce Pettman for the presentation and for visiting the site on behalf of the Committee.
2. **Supports**, in principle, the removal of structures in the rear part of the site to preserve, restore and activate the original AA Coy building. A minority of the AC did not support removal of any buildings until a more detailed assessment of their significance is undertaken.
3. **Provides** the following updated prelodgement comments to the applicant about the proposed the construction of a 13-storey residential unit building at *311 Wharf Road, Newcastle* within the SHR curtilage of Fanny's Tavern (SHR 00315):
 - a. Argyle House is a place of State heritage significance that is protected on the State Heritage Register as part of the listing for Fanny's Tavern. Formerly the head office of the Australian Agricultural Company (AA Coy), 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 reactivation of Argyle House which protects and complements its State heritage significance.
 - d. The proposed 13-storey residential tower would require the demolition of structures in the rear part of the site. 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.
 - 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.
 - g. The AC noted the importance of the AA Coy in the development of the Hunter Region and suggests further interpretation of this role in any reconstruction of the building, including its impact on aboriginal people.
4. **Recommends**:
 - a. Consultation with traditional Hunter custodians be undertaken to consider potential truth telling opportunities.
 - b. A detailed assessment of the significance of the place and its elements be provided to support decision making for any proposed demolition, full or partial delisting and other changes to its statement of significance.
 - c. Any future application must include an Archaeological Research Design supporting document and a Conservation Management Strategy for Argyle House.
 - d. Any future development proposal includes consultation with the City of Newcastle.

Moved by David McNamara and seconded by Bruce Pettman

3.2 Sydney Football Stadium Carpark (Busby's Bore) – State Significant Development - Venues NSW response

Resolution 2024-44

The Heritage Council Approvals Committee:

<ol style="list-style-type: none"> 1. Reiterates its disappointment that inadequacies in the archaeological approach failed to detect the location of Busby’s Bore Spur and that further ground truthing should have been carried out to meet the 2019 condition that no damage occur to Busby’s Bore. 2. Notes the information provided by Venues NSW in its letter of 20 September 2024, including a contention that any major modification to the current project plan (MOD7) would impose unacceptable delays and costs. MOD7 did not include any contingency planning to mitigate the risk of damaging Busby’s Bore. 3. Recommends that the Chair of the Heritage Council responds to the letter from Venues NSW. 4. Suggests that further work be carried out on an interpretation plan including state of the art in situ and adjacent archaeological interpretation approaches, including lessons learned from outside Australia. 5. Recommends that the Heritage Council is consulted on revised design options that involve any destruction and interpretation of the Busby’s Bore shaft and tunnel.
Moved by Vanessa Holtham and seconded by Julie Marler
4.1 Forward agenda
The Heritage Council Approvals Committee noted the forward agenda.
Meeting Close
There being no items of further business, the Chair, Ian Clarke, closed the meeting at 11:45 AM.

Secretariat
Heritage Council of NSW