



STATE HERITAGE REGISTER COMMITTEE

MEETING MINUTES

3 September 2024 | 9:00 AM – 1:10 PM

Meeting held via Teams videoconference.

ATTENDANCE

State Heritage Register Committee

Ms Colleen Morris	Acting Chair
Dr Brian Lindsay	Member
Ms Lisa Trueman	Member
Dr Stephen Gapps	Member
Dr Wayne Johnson	Member
Ms Natalie Vinton	Member

Apologies

Mr Frank Howarth AM PSM	Alternate Member
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Heritage NSW

Mr Sam Kidman	Executive Director
Ms Anna London	A/Director Heritage Programs
Ms Nicola Roche	A/Manager Heritage Programs North
Mr Stuart Read	Senior Heritage Officer (<i>items 2.1, 3.3</i>)
Ms Monika Sakal	Senior Heritage Officer (<i>item 2.2</i>)
Ms Judith Coombes	Senior Heritage Officer (<i>items 2.2, 3.2</i>)
Dr Damian Tybussek	Senior Heritage Officer (<i>items 2.3, 3.1</i>)
Ms Margot Stuart	A/Team Leader, SHR Listings (<i>item 2.3</i>)
Mr Nikolas Orr	Senior Heritage Officer (<i>item 3.2</i>)
Ms Meggan Walker	Senior Heritage Officer (<i>items 3.4, 3.5</i>)
Ms Lauren Thomson	Senior Heritage Officer (<i>item 5</i>)

Secretariat

Ms Olgica Lenger	Manager Secretariat
Ms Natasha Agaki	Secretariat Officer

External Presenters

Ms Emma McGirr	Heritage Specialist, TfNSW (<i>item 2.1</i>)
Mr Dean McAllister	Delivery Director WHT & WFU Projects, TfNSW (<i>item 2.1</i>)
Mr Sam Schubert	Manager Environment and Sustainability, TfNSW (<i>item 2.1</i>)
Ms Kerry Radford	Observer – Environment and Sustainability, TfNSW (<i>item 2.1</i>)
Ms Flavia Scardamaglia	Observer – Heritage Specialist, TfNSW (<i>item 2.1</i>)
Ms Katherine Webster	Observer – Urban Design Greater Sydney, TfNSW (<i>item 2.1</i>)
Ms Fiona Binns	Associate Director, Urbis (<i>item 2.2</i>)
Ms Alicia Jones	Senior Development Manager, Dexus (<i>item 2.2</i>)
Mr Justin Kell	Project Manager, KMJ Surveying (<i>item 2.3</i>)
Mr Rashid Bhuiyan	Owner, Lansdowne (<i>item 2.3</i>)
Ms Sabrina Bhuiyan	Owner, Lansdowne (<i>item 2.3</i>)
Ms Samantha Higgs	Consultant, Artefact (<i>item 2.3</i>)

IN-CAMERA SESSION

This item was not minuted.

Item 1. Welcome and Formalities

A/Chair Colleen Morris opened the meeting at 9:15 AM and delivered an Acknowledgment of Country. There were no apologies, and a quorum had been met.

The Committee noted the resignation of The Hon. Robyn Parker from the Heritage Council of NSW. Members expressed their profound gratitude to Ms Parker for her leadership and chairing of the Committee, noting her unique perspective as a former Minister for Heritage, along with her commitment to balancing the views of the Committee, increasing its efficiency, and ensuring a diversity of listings on the State Heritage Register (SHR).

The Committee congratulated Heritage NSW staff on the success of the Heritage Forum 2024.

Item 1.1 Conflict of Interest Declarations

The State Heritage Register Committee noted the following conflict of interest declarations:

- *Item 3.3 Wyoming, Birchgrove RTL* – Colleen Morris declared a conflict, noting that she prepared a Statement of Significance for the site. All associated papers were redacted from Ms Morris' view, and she excused herself from the meeting for the duration of item 3.3.
- *Item 2.2 AMP Building (former), Sydney Cove NOI* – Natalie Vinton declared a conflict, noting that AMP signs off on the conservation advice provided by her firm for the MLC Building. Ms Vinton left the meeting for the duration of item 2.2.
- *Item 2.3 Lansdowne (amendment) NOI* – Stephen Gapps declared a potential conflict noting that he works with the engaged consultant, Artefact Heritage. Mr Gapps withdrew from decision making for item 2.3.

The State Heritage Register Committee further noted the following standing declarations:

- Robyn Parker: 2011-2015 Decisions
- Colleen Morris: National Trust of Australia
- Wayne Johnson: Place Management NSW
- Natalie Vinton: Powerhouse Museum, Ultimo and MLC Building, North Sydney

Item 1.2 Out of Session Decisions

Nil reported.

Item 1.3 Minutes from the Previous Meeting – 5 August 2024

Resolution 2024-57
<p>The State Heritage Register Committee:</p> <p>1. Confirmed the minutes of the previous ordinary meeting (5 August 2024) as a complete and accurate record of that meeting.</p>
<p>Moved by Brian Lindsay and seconded by Lisa Trueman</p>

Item 1.4 Matters Arising

Nil reported.

Item 1.5 Action Report

The State Heritage Register Committee noted the report.

Item 2 SHR Nominations – Notice of Intention**Item 2.1 Berrys Bay Precinct (Carradah Park) – NOI**

The State Heritage Register Committee noted a brief presentation on Berrys Bay Precinct NOI from Stuart Read, Heritage NSW, followed by a presentation from Transport for NSW (TfNSW).

Key points noted / discussed:

- The item was nominated by the Australian Institute of Landscape Architects – NSW (AILA NSW) in 2018 as one of the many cultural landscapes around Sydney Harbour referred to as the “green necklace”. The nomination arose from the AILA NSW Landscape Heritage Study, which was funded by the Heritage Council.
- The Committee discussed the site’s values of significance, primarily its historic trade, maritime, and industrial uses. It was noted that the proposed boundary, extending offshore, is intended to protect views and retain the relationship between the land and harbour waters.
- The Committee noted the assessments undertaken, specifically the outcomes of the final excavation report, and sought clarification on the extent of maritime archaeological assessment carried out given the evidence of ship wreckage and wartime remnants in the surrounding vicinity.
- TfNSW presented updates on the Berry’s Bay Park delivery as part of the Western Harbour Tunnel State Significant Infrastructure (SSI) project and suggested a deferral of the listing to finalise detailed design of Carradah Park’s south portion.
- The Committee discussed the potential impact of any delays and felt that listing the site with site specific exemptions should proceed.
- The park design was considered to be sympathetic to the proposed heritage listing overall, and members noted that a state listing for the extended parkland would be a great heritage outcome.

The Chair thanked Transport for NSW and Stuart Read for their presentations.

Resolution 2024-58

The State Heritage Register Committee:

1. **Considers** the item known as Berrys Bay Precinct (Carradah Park) at Balls Head Road, Waverton, defined in accordance with the curtilage shown at Tab 2.1C of the report, is likely to be of State heritage significance.
2. In accordance with section 33(1)(a) of the *Heritage Act 1977*, will **give** each person that it considers to be an affected owner or occupier written **notice** that it is going to consider whether or not to recommend the listing of the item concerned (a *Notice of Intention to Consider Listing*).
3. In accordance with section 33(1)(b) and section 33(1)(c) of the *Heritage Act 1977*, within 14 days after notice of intention to consider listing is given, will cause a **notice** of

intention to consider listing to be **published** in a newspaper circulating in the area in which the item is situated, inviting submissions on the listing, specifying a date as the closing date for the receipt of submissions of 60 days after the publication of the newspaper notice and the manner in which submissions may be made.

Moved by Brian Lindsay and seconded by Wayne Johnson

Item 2.2 AMP Building (former), Sydney Cove – NOI

The State Heritage Register Committee noted a presentation from Urbis and Dexu representatives on the AMP Building (former), Sydney Cove - NOI, and a report from Monika Sakal, Heritage NSW.

Key points noted / discussed:

- The owners, Dexu Wholesale Property Ltd and Mirvac Wholesale Office Fund, are supportive of the listing in principle, and emphasised the need for Site Specific Exemptions (SSEs) to ensure ongoing commercial use of the building.
- Heritage NSW will be consulting with the City of Sydney on the draft SSEs presented by Urbis.
- Members discussed the historical significance of the building's innovative seawater cooling system, being the first to draw water from the harbour for air conditioning and requested to include it in the heritage listing. An amended curtilage was later proposed by Heritage NSW and supported by the Committee.

The Chair thanked Urbis, Dexu, and Monika Sakal for their presentations.

Resolution 2024-59

The State Heritage Register Committee:

1. **Considers** the building known as the AMP Building, Sydney Cove (former) at 33 Alfred Street, Sydney defined in accordance with the curtilage shown at Tab 2.2C of the report, as amended to include the seawater cooling system, is likely to be of State heritage significance.
2. In accordance with section 33(1)(a) of the *Heritage Act 1977*, will **give** each person that it considers to be an affected owner or occupier written **notice** that it is going to consider whether or not to recommend the listing of the item concerned (a *Notice of Intention to Consider Listing*).
3. In accordance with section 33(1)(b) and section 33(1)(c) of the *Heritage Act 1977*, within 14 days after notice of intention to consider listing is given, will cause a **notice** of intention (NOI) to consider listing to be **published** in a newspaper circulating in the area in which the item is situated, inviting submissions on the listing, specifying a date as the closing date for the receipt of submissions of 28 days after the publication of the newspaper notice and the manner in which submissions may be made.

Moved by Brian Lindsay and seconded by Lisa Trueman

Natalie Vinton left the meeting for the duration of this item due to a conflict of interest.

Item 2.3 Lansdowne (amendment) – NOI

The State Heritage Register Committee noted a presentation from Rashid Bhuiyan (owner), detailing a conservation and adaptation plan for Lansdowne Park, and a report from Damian Tybussek, Heritage NSW.

In his presentation, Mr Bhuiyan emphasised the need for subdivision to ensure financial viability of the project and conservation of the heritage site.

The Chair thanked Mr Bhuiyan for his presentation.

Key points noted / discussed:

- The existing curtilage does not include relevant Aboriginal cultural heritage (ACH) values, or the entire area of archaeological potential. It provides an inadequate setting for the homestead complex, lacks consideration of the visual catchment, and excludes the synagogue – which was intended for inclusion when a Permanent Conservation Order (PCO) was advertised for this item in 1984.
- The owner indicated that he would support a curtilage amendment, provided he is able to develop a portion of the property to raise funds to conserve and activate the homestead complex.
- Recent assessments have defined an area of potential State significant archaeological value on the site.
- Recent consultation with the Aboriginal community (as part of the ongoing Aboriginal Place (AP) proposal process) has identified that the site adjacent to the dam is likely to have high cultural value, being associated with occupation and ancestral remains; however, this location is outside of the current curtilage.
- It was noted that, regardless of any chosen curtilage, any ACH values outside of it will still be subject to consideration under the *National Parks and Wildlife (NPW) Act 1974* as part of any future assessment process.
- Heritage NSW noted the potential for further consultations to reveal a much greater extent of ACH and cultural landscape values which may lead to a different recommended curtilage.
- The Committee discussed the possibility of extending the consultation period to allow for more in-depth engagement with Aboriginal stakeholders.
- The Committee considered three curtilage options and their possible impacts, factoring in previous concerns raised by the Approvals Committee, ongoing ACH consultations, the owner's wishes, and statutory timeframes.

Resolution 2024-60

The State Heritage Register Committee:

1. **Considers** the item known as Lansdowne at 33 Bungonia Road, Goulburn, defined in accordance with the curtilage shown as **Option B** at Tab 2.3C of the report, is likely to be of State heritage significance.
2. In accordance with section 33(1)(a) of the *Heritage Act 1977*, will **give** each person that it considers to be an affected owner or occupier written **notice** that it is going to consider whether or not to recommend the listing of the amended item concerned (a *notice of intention to consider listing*).
3. In accordance with section 33(1)(b) and section 33(1)(c) of the *Heritage Act 1977*, within 14 days after notice of intention to consider listing is given, will cause a **notice** of intention to consider listing to be **published** in a newspaper circulating in the area in which the item is situated, inviting submissions on the listing, specifying a date as the closing date for the receipt of submissions of 60 days after the publication of the newspaper notice and the manner in which submissions may be made.

Moved by Brian Lindsay and seconded by Natalie Vinton

Stephen Gapps excused himself from the decision-making process on this item due to a potential conflict of interest.

Item 3. SHR Nominations – Recommendation to List

Item 3.1 Nissen Hut – RTL

The State Heritage Register Committee noted a presentation and report from Damian Tybussek, Heritage NSW.

Key points noted / discussed:

- The Committee considered the likelihood of state heritage significance for Nissen Hut, particularly as a representative example of its building type in terms of its form and historic use.
- The extent of modification was discussed, and it was noted that the restoration and adaptation of the property protected it from any immediate danger of deterioration.
- The Committee considered the adequacy of local protection for the property in question, acknowledging that its remaining heritage value could be appropriately managed without state-level intervention.
- The Committee noted the owners' strong objection to the listing proposal and discussed the challenges of balancing the historical significance of a property with the owner's perspectives, when approaching listing proposals in general.

The Chair acknowledged and thanked Damian Tybussek for his work on this listing proposal.

Resolution 2024-61

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 the item known as the Nissen Hut at 4 Somerset Street, Belmont North.
2. **Notes** that the site is protected under the *Lake Macquarie Local Environment Plan 2014*.
3. **Decided** not to recommend the listing as the site is not considered to meet the threshold of State heritage significance in its own right.
4. In accordance with section 33(1)(e) of the *Heritage Act 1977*, **give notice** of its decision to persons notified under section 33(1)(a).

Moved by Brian Lindsay and seconded by Wayne Johnson

Item 3.2 Toganmain Woolshed Precinct – RTL

The State Heritage Register Committee noted a presentation on Toganmain Woolshed Precinct RTL from Nikolas Orr, Heritage NSW.

Key points noted / discussed:

- The Committee noted that all 13 submissions received were in support of the listing, and briefly discussed recent additions made relating to Aboriginal, colonial, and labour history.

- It was noted that the Statement of Country has expanded to include mention of scar trees, a nearby women's place, and documented massacres on neighbouring stretches of the Murrumbidgee River.
- The historical notes have been updated to frame Toganmain within the broader context of colonial and economic forces at the turn of the twentieth century.
- The Committee also supported minor amendments to the associative values since the report submission and acknowledged that the additions have significantly enriched this listing.

The Chair thanked Nikolas Orr, Heritage NSW, for his presentation.

Resolution 2024-62

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 Toganmain Woolshed Precinct located at Darlington Point, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria a, b, and c, as detailed in the amended report at Tab 3.2A.
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 Toganmain Woolshed Precinct located at Darlington Point, on the State Heritage Register, as shown in the plan at Tab 3.2C of the report.
3. In accordance with section 33(1)(e) of the *Heritage Act 1977*, **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*, **note** that the Heritage Council Standard Exemptions will apply.

Moved by Lisa Trueman and seconded by Stephen Gapps

Item 3.3 Wyoming, Birchgrove – RTL

The State Heritage Register Committee noted a presentation and report on Wyoming, Birchgrove RTL from Stuart Read, Heritage NSW.

Key points noted / discussed:

- The Committee noted the historic, associative, aesthetic, rarity, and representative values of the property.
- It was noted that the owners nominated Wyoming for listing, have sympathetically restored and reconstructed the residence since the early/mid-nineties, and have expressed support for any Conservation Management Plan (CMP) updates and site-specific exemptions.
- The Committee considered the potential for site-specific exemptions that would allow for reasonable future management and any possible changes to the Marine Villa while maintaining its heritage values.
- The Committee acknowledged that the owners' proactive stance sets a positive example for heritage conservation and owner collaboration in the listing process.

The Chair thanked Stuart Read, Heritage NSW, for his presentation.

Resolution 2024-63
<p>The State Heritage Register Committee:</p> <ol style="list-style-type: none"> 1. In accordance with section 33(1)(d) of the <i>Heritage Act 1977</i>, has considered the submissions received in response to its notice of intention to consider amending SHR listing 00772 and considers the item known as Wyoming at 25 Wharf Road, Birchgrove, satisfies more than one of the approved criteria for determining whether an item is of State heritage significance, being criteria a, b, c, f and g as detailed in the report at Tab 3.3A. 2. Recommends to the Minister, in accordance with sections 32(1) and (2) of the <i>Heritage Act 1977</i>, that the Minister direct the amendment of SHR listing 00772 of the item, Wyoming at 25 Wharf Road, Birchgrove, as shown in the plan at Tab 3.3C of the report. 3. In accordance with section 33(1)(e) of the <i>Heritage Act 1977</i>, give notice of its decision to persons notified under section 33(1)(a). 4. In accordance with section 57(2) of the <i>Heritage Act 1977</i>, recommends that the Minister grant the site specific exemptions at Tab 3.3D of the report from section 57(1) of the Act in addition to the Heritage Council Standard Exemptions.
<p>Moved by Natalie Vinton and seconded by Lisa Trueman <i>Colleen Morris left the meeting for the duration of this item due to a conflict of interest.</i></p>

Item 3.4 The Art Gallery of NSW – SSE

The State Heritage Register Committee noted a presentation and report on SSEs for The Art Gallery of NSW, from Meggan Walker, Heritage NSW.

Key points noted / discussed:

- The Committee noted that the SSEs were developed through extensive consultation with The Art Gallery of NSW Trust, and later The Royal Botanic Gardens and Domain Trust, Transport for NSW and Transurban/Airport Motorway Pty Ltd, as key stakeholders; and that all parties reached support for the proposed exemptions.
- It was also noted that the exemptions would mitigate operational impact by avoiding regulation of the existing fabric of Naala Badu, and by exempting all activities required for the functioning of the Eastern Distributor.

The Chair thanked Meggan Walker, Heritage NSW, for her presentation.

Resolution 2024-64
<p>The State Heritage Register Committee:</p> <ol style="list-style-type: none"> 1. In accordance with section 57(2) of the <i>Heritage Act 1977</i>, recommends that the Minister grant the site specific exemptions at Tab 3.4A of the report, from section 57(1) of the <i>Heritage Act 1977</i>, in addition to the Heritage Council Standard Exemptions.
<p>Moved by Lisa Trueman and seconded by Brian Lindsay</p>

Item 3.5 The Royal Botanic Gardens and Domain – SSE

The State Heritage Register Committee noted a presentation and report on amended SSEs for the Royal Botanic Gardens and Domain from Meggan Walker, Heritage NSW.

Key points noted / discussed:

- The amended SSEs were developed as a result of the Committee’s notice of intention to consider listing the Art Gallery of NSW.
- The proposed amendments will ensure that the Art Gallery of NSW remains compliant with legislation under both State Heritage Register listings when using its own exemptions in the curtilage area that overlaps the Royal Botanic Gardens and Domain.
- The Royal Botanic Gardens and Domain Trust support the amended SSEs.

The Chair thanked Megan Walker, Heritage NSW, for her presentation.

Resolution 2024-65
That the State Heritage Register Committee:
1. In accordance with section 57(2) of the <i>Heritage Act 1977</i> , recommends that the Minister grant the new site specific exemptions for the item known as The Royal Botanic Gardens and Domain (SHR No. 01070) at Tab 3.5A of the report, from section 57(1) of the Act, in addition to the Heritage Council Standard Exemptions.
Moved by Natalie Vinton and seconded by Wayne Johnson

Item 4. Matters for Consideration

Item 5. Preliminary Assessment of New SHR Nominations

Item 5.1 SHR Nomination – Wilton, Randwick

- The item was nominated by an architect and member of the community following the lodgement of a development application which included demolition of the building and its surrounding structures.
- There is no current local listing status, and the Committee noted there is insufficient information to suggest the item meets the threshold for state significance..

Item 5.2 SHR Nomination – Manly Promenade, Manly

- The item is locally listed and has been nominated for State heritage listing due to the proposed redevelopment of the Manly Surf Life Saving Club at its south end.
- The Committee discussed the potential significance of the Manly beachfront and noted that the nomination does not fall within the Heritage Council’s priority areas for listing.

The Committee thanked Heritage NSW, and particularly Lauren Thomson, for the work done on these items.

Resolution 2024-66
The State Heritage Register Committee:
1. Considers that Wilton is not likely to be of State heritage significance and therefore the nomination should not be progressed (Tab 5B of the report).
2. Considers that Manly Promenade may be of State heritage significance but is not a current priority for progression to a full assessment (Tab 5C of the report).
Moved by Natalie Vinton and seconded by Wayne Johnson

Item 6. SHR Listings Monthly Report

The State Heritage Register Committee noted the report from Heritage NSW on the SHR monthly listings.

Item 7. Forward Agenda

The State Heritage Register Committee noted the report.

Item 8. Other Business

NIL

Meeting Close

There being no further items of business, the Acting Chair, Colleen Morris, closed the meeting at 1:10 PM.



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Colleen Morris
A/Chair, State Heritage Register Committee
Date: 30 September 2024