



HERITAGE COUNCIL OF NSW

MEETING MINUTES – Approvals Committee

Tuesday, 31 January 2023 | 09:00 AM – 1:05 PM

Via Teleconference

ATTENDANCE	
MEMBERS	
Mr Ian Clarke	Chair
Ms Caitlin Allen	Member
Ms Julie Marler	Member
Mr Bruce Pettman	Member
Mr David Burdon	Member
Mr David McNamara	Member
Ms Vanessa Holtham	Member
Mr Frank Howarth	Heritage Council Chair / Alternate Member (item 2.3)
APOLOGIES	
Dr Nicholas Brunton	Deputy Chair
EXTERNAL PRESENTERS	
Mr Ben Nacard	Senior Manager Urban Design, Transport for NSW (item 2.1)
Ms Emma Girr	Heritage Specialist, Transport for NSW (item 2.1)
Ms Eleana Prentice	Project Manager, Transport for NSW (item 2.1)
Ms Rachel MacLucas	Executive Manager Vibrant City, Maitland City Council (item 2.2)
Mr Murray Woods	Senior Architect, Maitland City Council (item 2.2)
Ms Linda Babic	Heritage Architect, Heritas Heritage and Conservation (item 2.2)
Ms Katrina Walker	Barr Planning – Observer (item 2.2)
Ms Kate Glanville	Heritas Heritage and Conservation – Observer (item 2.2)
Mr Mark Kuhne	Urbis – Observer (item 2.2)

HERITAGE NSW STAFF	
Mr Tim Smith	Director Heritage Assessments
Ms Rochelle Johnston	Senior Manager, Major Projects (item 2.1)
Ms Veerle Norbury	Senior Assessments Officer, Major Projects (item 2.1)
Mr Michael Ellis	Manager Assessments, Heritage Assessments (item 2.2)
Ms Lily Chu	Senior Assessments Officer, Heritage Assessments North (item 2.2)
Mr Rajeev Maini	Manager Assessments, Heritage Assessments (item 2.3, 3.1)
Ms Mariyam Nizam	Senior Assessments Officer, Heritage Assessments South (item 2.3, 3.1)
Ms Natasha Agaki	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 accepted from Dr Nicholas Brunton, and it was confirmed that quorum had been met (Dr Brunton later arrived and joined the Committee for item 2.3).

1.1 Conflict of Interest Declarations

Members were asked to raise any conflicts of interest with items on the agenda.

Resolution 2023-01
<p>The Heritage Council Approvals Committee</p> <ol style="list-style-type: none">1. Noted the following conflict of interest declarations:<ul style="list-style-type: none">• Mr Bruce Pettman declared a conflict of interest with Maitland Gaol Development (item 2.2), before and during the meeting, noting that NSW Public Works is conducting project assurance and project management on some aspects of the proposed works; however he is not directly involved. Mr Pettman is Director Heritage Assets, NSW Public Works.• Dr Nicholas Brunton declared a conflict of interest before the meeting with Balgownie Migrant Hostel (item 3.1) and advised that he would not participate in discussions and decision-making.2. Noted that Mr Pettman and Dr Brunton's access to associated papers had been removed prior to the distribution of papers.3. Agreed that Mr Pettman could remain in the meeting and participate in discussion and decision-making for item 2.2.4. Supported Dr Brunton's decision to leave the meeting for the duration of item 3.1.
Moved by David McNamara and seconded by Caitlin Allen

1.2 Out of Session Activity

The Heritage Council Approvals Committee acknowledged the correspondence received on 14 December 2022 from the City of Sydney, responding to the Committee's recommendations made on the Hyde Park Lighting Upgrade.

1.3 Minutes from Previous Meeting – 6 December 2022

Resolution 2023-02
The Heritage Council Approvals Committee:

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| 1. Confirms the minutes of the previous ordinary meeting (Tuesday, 6 December 2022), as a complete and accurate record of that meeting. |
| Moved by Bruce Pettman and seconded by David Burdon |

1.4 Action Report

The Committee noted the action report and briefly discussed:

- Heritage NSW's liaison with the City of Sydney to finalise the Millers Point Vision and Principles.
- Court proceedings relating to Catherine Hill Bay.

2. External Presentations

2.1 Sydney Harbour Bridge Cycleway Northern Access

The Committee received a presentation from Transport for NSW (TfNSW), and a paper from Rochelle Johnston, Heritage NSW, outlining the 70% design completion and a summary of the submissions from the Review of Environment Factors.

Key points:

- Discussions focused mainly on issues relating to the ramp architecture and detailing, and integration of the bridge with Bradfield Park.
- The intention and rationale of the balustrade design was queried, including proposed materials and finish. Members felt that the form of the balustrades did not work well with the proposed function and suggested alternative design options that could reduce bulk, improve design clarity, and rider safety.
- Members urged TfNSW to consider how the Northern end abutment may be used by the public and to ensure mitigation of any possible misuse.
- Members considered safety risks around the trees located at the Northern landing of the ramp, including being an obstruction for riders, and wet and fallen leaves causing a slippery bend. It was suggested to consider relocating or compensating for the trees in another location through negotiations with North Sydney Council.
- Members suggested alternative options for the bridge column design that could meet the applicant's objectives whilst being more consistent with the design and aesthetic of Sydney Harbour Bridge, including greening the columns. Members also suggested using the columns for interpretation considering high levels of pedestrian interaction at the ground level.

Resolution 2023-03
The Heritage Council Approvals Committee: <ol style="list-style-type: none">1. Thanks Transport for NSW for their presentation.2. Recommends the following elements are considered for further design refinement prior to the lodgement of the Section 60 application:

- Balustrade and bump rail
- Columns
- Materials
- Final finishes
- Landscaping at landing points

Moved by Julie Marler and seconded by Bruce Pettman

2.2 Maitland Gaol Development

The Committee received a presentation from representatives of Maitland City Council and Heritas Heritage and Conservation; and a paper from Michael Ellis and Lily Chu, Heritage NSW, seeking pre-lodgement comments on the activation project.

Key points:

- It was noted that the Heritage Council is strongly supportive of adaptive reuse to preserve and maintain heritage items whilst making them valuable assets to community.
- Members were generally supportive of the proposal, with some key concerns around proposed wall openings, access / egress, and visitors' heritage experience.
- The access / egress proposal was considered overly complicated and not conducive to a positive heritage experience of the gaol. Separation of the new café from the rest of the gaol was not preferred as it could prevent visitors from experiencing the gaol.
- Whilst new openings would impact the integrity of the original 1840s fabric, members felt that the overall legibility of the historic gaol would be retained – it is more important to consider where the openings are located to achieve a functional outcome for the development and its new uses.
- Members discussed possible design options that could meet the proponents' requirements whilst reducing bulk resulting from the disabled access solution; reducing the scale of the new café and improving its integration with the gaol; reducing impacts to the setting of the Lieutenant Governor's Residence and Governor's Residence; and enhancing visitors' experience and heritage interaction.
- Members also urged the proponent to consider how egress limitations could be used to enhance visitors' experience.
- Members raised the issue of setting a precedent with the outcome of this proposal.

Resolution 2023-04

The Heritage Council Approvals Committee:

1. **Notes** the information in this paper and the presentation by Maitland Council.
2. **Supports** the intent to activate Maitland Gaol, ensure restoration is sustainable, and create an asset for community.

3. **Recommends** that the design of the precinct is driven by the Conservation Management Plan (CMP).

4. **Provides** comments on the proposal, following advice from Heritage NSW:

Refurbishment of 1970s store building (little significance)

- a) Supports the refurbishment of the 1970s store building to provide a new ticket office, amenities, loading dock and an upgraded auditorium.
- b) Supports the widening of the double-door opening in the northern perimeter wall (high significance) to provide access for event delivery vehicles.
- c) Does not support the curvilinear design of the ramp to the ticket office. Consider a less dominant ramp that occupies less circulation space.

New openings to the western perimeter wall – John Street (high significance)

- d) Consider less intrusive solutions for new visitor openings that maintain the physical and spatial qualities of the gaol wall enclosure.
- e) Supports, in principle, a new opening in the Western wall and suggests exploring alternative options that would meet the Council requirements to increase pedestrian access. For example, consider openings in the 1970s store building and minor widening of an existing opening within the northern perimeter wall, if necessary. Alternatively, a single small opening or two small openings on the western perimeter wall avoiding the pilasters may be supported.
- f) Does not support the adjacent window opening on the western perimeter wall as proposed, as it would cut through the pilaster detail which would look imbalanced and be unnecessarily intrusive.

Demolition of 1980s café building (low significance), new cafe and entry forecourt

- g) Supports the demolition of the 1980s cafe building to reveal the highly significant perimeter wall.
- h) Supports, in-principle, construction of a new café and entry forecourt. However, proponent to demonstrate that the new work will have a positive impact on the setting of the gaol and the adjacent Lieutenant Governor's Residence.
- i) Consider deleting the ellipse-shaped lawn to achieve an improved stair layout in the forecourt.
- j) Justify why the accessible public access is not located or achieved at the proposed primary stair entry off John Street.
- k) Minimise the height of the lift overrun to the new cafe building.

Adaptive reuse of the Governor's Residences (high significance)

- l) Supports the sympathetic adaptive reuse of the Lieutenant Governor's Residence and Governor's Residence for boutique accommodation.

Submission requirements

m) Submit with the Integrated Development Application:

- i. Heritage Impact Statement
- ii. An archaeological assessment and Archaeological Research Design (ARD), noting the proposal has the potential to reveal above ground archaeology/relics (e.g. within the perimeter walls). The ARD should also consider proposed site drainage and service infrastructure.
- iii. An Arborist report that demonstrates that the c1890 Hoop Pine will be protected in the design of the new cafe and forecourt.
- iv. A permanent and temporary signage proposal.

- v. An Interpretation Plan.
- vi. Details of all conservation work.

Moved by David McNamara and seconded by Caitlin Allen

2.3 Demolition of Hammerhead Tower Crane at Me Mel (Goat Island) (SHR 00989)

Dr Nicholas Brunton joined the meeting.

The Committee received an information paper from Rajeev Maini and Mariyam Nizam, Heritage NSW, on an imminent Section 60 application by National Parks and Wildlife Services (NPWS) for the demolition of the Hammerhead Crane at Me-Mel, Goat Island.

Key points:

- Members reiterated the Heritage Council's commitment to the celebration and conservation of Sydney Harbour's shared heritage and noted that Hammerhead Tower Crane and other elements of Me-Mel are considered within that context.
- Members emphasised the obligation of State agencies to maintain their assets.
- Funding and maintenance issues were thoroughly considered alongside the impacts of demolition.

Resolution 2023-05

The Heritage Council Approvals Committee:

1. **Notes** the contents of the paper presented by HNSW.
2. **Notes** that the crane is likely to be of State heritage significance as an individual item due to its rarity and representativeness of industrial maritime activity in Sydney Harbour and Australia.
3. **Supports** the celebration and conservation of the shared heritage of Sydney Harbour.
4. **Notes** that the crane appears to have not been maintained in accordance with the *Heritage Act 1977*.
5. **Requests** that National Parks and Wildlife Services (NPWS) explores options to reduce the cost of conserving the crane and increase future community engagement – consider alternatives between fully operational and complete demolition and ensure that future planned maintenance costs are considered and fully funded.
6. **Directs** that Heritage NSW provide the proposed Section 60 application for consideration at a future Approvals Committee meeting for its determination.
7. **Requests** an updated Conservation Management Plan (CMP) that addresses all aspects of Me Mel's history and significance before its transition to Aboriginal people.
8. **Requests** that NPWS consults with the Heritage Council of NSW on the updated CMP.

Moved by Vanessa Holtham and seconded by Julie Marler

Dr Nicholas Brunton left the meeting due to a conflict of interest with item 3.1.

3. Other matters for consideration

3.1 Migrant Hostel Balgownie (SHR 01767)

The Committee received an information paper from Mr Rajeev Maini and Ms Mariyam Nizam, Heritage NSW, seeking comments on an Integrated Development Applications (IDA) related to The Balgownie Migrant Hostels, Wollongong, currently on public notification until 30 January 2023, and to be potentially determined under delegation by Heritage NSW due to the time constraints.

Key points:

- Members considered the history and rationale of the SHR listing and raised the Heritage Council's standard position that buildings should not be separated from their context.
- It was noted that the proposed new location of the huts, although outside the SHR curtilage, would still remain within the larger original context of the Balgownie Migration camp; however
- A key concern was that the relocated buildings would likely become dominated by incoming larger structures (including the High-Performance Facility being proposed under a separate IDA), adversely impacting the character, setting, and legibility of the larger precinct.
- The relocation of the huts would remove them from the SHR curtilage. Therefore, the site would be required to undergo a delisting and new listing process and may no longer meet the state significant threshold.
- Members considered possible opportunities within a new listing, including an expanded curtilage and improved opportunity to interpret and offer public interpretation of the broader significance and heritage values of the Balgownie Migrant hostels.
- Members acknowledged that the design intention of the buildings largely relate to wartime manufacturing, material shortages and the need for the huts to be easily and quickly transported and erected for a temporary period of use. The buildings could thus potentially be moved more sensitively than most, however this has not been demonstrated or justified in the information provided.
- In general, members felt that there was insufficient information to justify the relocation of the huts. Benefits to the heritage of the site, the community, and to the fabric of the buildings have not been demonstrated in the current plans.
- Members noted that a site visit has been arranged for 9 February 2023 to explore possible options for the applicant to achieve its objectives whilst retaining the buildings in their current location.

3.1 Migrant Hostel Balgownie (SHR 01767)

Resolution 2023-06

The Heritage Council Approvals Committee:

1. **Notes** the paper presented.
2. **Provides** the following comments to Heritage NSW:
 - a) In principle, relocating any heritage building is not acceptable, as context is a critical element of significance.
 - b) Note that relocation to a proposed location outside the current State Heritage Register (SHR) curtilage would require a new SHR listing to be developed and approved by the Minister for Heritage.
 - c) Note that the broader site does not currently interpret its Migrant history and social significance adequately.
 - d) Relocation would therefore require additional material to provide a justification, a mechanism to change the SHR listing, and additional interpretation in the new location.

Moved by David Burdon and seconded by Vanessa Holtham.

4.0 General Business

4.1 Forward agenda

The Committee noted the forward agenda and requested a follow up on the design workshop with Transport for NSW for the Great Western Highway Upgrade (Medlow Bath overpass).

5.0 Meeting Close

There being no further items of business, Ian Clarke, Chair, declared the Approvals Committee meeting closed at 1:05 PM.



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Mr Ian Clarke

Chair, Heritage Council Approvals Committee

Date: