



HERITAGE COUNCIL OF NSW

MEETING MINUTES – Approvals Committee

Tuesday, 7 May 2024 | 9:00 AM – 1:30 PM

via teleconference

ATTENDANCE

Members

Mr Ian Clarke	Chair
Dr Nicholas Brunton	Deputy Chair
Dr Caitlin Allen	Member
Mr David Burdon	Member
Ms Vanessa Holtham	Member
Dr Danièle Hromek	Member
Ms Julie Marler	Member
Mr David McNamara	Member
Mr Bruce Pettman	Member
Mr Frank Howarth AM PSM	Heritage Council Chair / Alternate Member

Apologies

Nil

External Presenters

Mr Greg Mannes	Project Director, GPT Group (item 2.1)
Mr Mark Crees	A/Executive Director, Policy Implementation, Create NSW (item 2.1)
Mr Patrick Buckle	Director, Create Infrastructure (item 2.1)
Ms Maryam Akbarian	Senior Project Manager, Create Infrastructure (item 2.1)
Mr Peter Tonkin	Director, Tonkin Zulaikha Greer (item 2.1)
Mr David Waddell	CEO, Orange City Council (item 2.2)
Mr Michael Madden	Justice Officer, Orange LALC (item 2.2)
Mr Jeff Morrissey	Health representative, Bloomfield PCG (item 2.2)
Ms Kim Watson	Heritage Consultant, Extent Heritage (item 2.2)
Ms Alissa Baker	Manager, EY (item 2.2)
Ms Yurinda Davies	Manager, KPMG Orange (item 2.2)
Mr Robert Newton	Principal Project Officer, Goat Island Remediation Team, Greater Sydney Branch, NSW NPWS (item 2.3)
Mr Deon Runsberg	Director, Greater Sydney Branch, NSW NPWS (item 2.3)
Mr Paul Connett	Technical Director Heritage Structures TTW (item 2.3)

Heritage NSW

Mr Sam Kidman	Executive Director
Tim Smith	Director Heritage Assessments
Mr Michael Ellis	Manager Assessments (items 2.1, 2.1 & 3.1)
Mr James Quoye	Senior Assessments Officer (item 2.1)
Ms Tempe Beaven	A/Manager Assessments (items 2.2 & 3.1)
Mr Rajeev Maini	Manager Assessments (item 2.3)
Ms Louise Doherty	Senior Assessments Officer (item 2.3)
Ms Elizabeth Thomas	Senior 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.
- There were no apologies noted for this meeting, and it was confirmed that a quorum had been met.

1.1 Conflict of Interest Declarations

Prior to the meeting, members declared the following potential and actual conflicts of interest.

Item 2.2 Bloomfield Heath Precinct:

- Bruce Pettman and Caitlin Allen noted potential perceived COIs as both had worked on the preparation of the 2006 CMP for Bloomfield Hospital.
It was agreed no further action was required.

Item 2.3 Me Mel Tower Crane:

- Julie Marler declared a conflict of interest noting her office continues to be involved in NPWS projects in the Blue Mountains.
It was agreed that Ms Marler be excused for this item and papers redacted from view.

Item 3.1 Barrenjoey Head Lightstation Amenities:

- Julie Marler declared a conflict of interest noting her office continues to be involved in NPWS projects in the Blue Mountains. Danièle Hromek shares an office with the project architect and has provided them with informal advice about community engagement.
It was agreed that Ms Marler and Dr Hromek be excused for this item and papers redacted from view.
- Bruce Pettman and Caitlin Allen noted potential perceived COIs as both had worked on the preparation of the archaeology sections of the CMP.
It was agreed that both Mr Pettman and Dr Allen could participate fully in this item.

Moved by David McNamara and seconded by Vanessa Holtham

1.2 Minutes from Previous Meeting – 2 April 2024

Resolution 2024-16
The Heritage Council Approvals Committee: 1. Confirms the minutes of the previous ordinary meeting (Tuesday, 2 April 2024), as a complete and accurate record of that meeting.
Moved by Nicholas Brunton and seconded by Julie Marler

1.3 Out of Session decisions

Nil.

1.4 Matters Arising

Argyle House and Apartments, Newcastle

The Chair provided an update on the recent informal visit to Argyle House and Apartments, Newcastle held with the owner and the heritage architect. Heritage NSW is planning a further site visit during May/June and will extend an invitation to members once arrangements are confirmed.

1.5 Action Report

The Committee noted the action report and verbal update from Tim Smith.

2. External Presentations

2.1 Roxy Theatre, Parramatta (SHR 00711) – Create NSW briefing

The Approvals Committee received a confidential briefing from Create NSW regarding the *Roxy Theatre* at Parramatta (SHR 000711).

The Committee thanked Create NSW for the opportunity to discuss this significant heritage site.

Daniele Hromek joined the meeting at 9:40 AM

2.2 Bloomfield Health Precinct – business case

The Approvals Committee received a report from Heritage NSW and a presentation from Orange City Council. The council introduced the PCG members that represent the various land owners of the site and sought the committee's guidance and feedback on the proposed business case for a health precinct within the SHR listed *Bloomfield Hospital* at Orange (SHR 01745).

Key points of the presentation

- Orange City Council has received State government funding to deliver a business case to explore ways to unlock the Bloomfield Health Precinct and deliver new housing (including social and affordable) for the Central West region.
- In late 2023, Orange City Council sought community consultation through the various stakeholders and via an online survey to inform the business case and the preferred option proposes a mix of low-medium density residential development, adaptive reuse of heritage buildings and expansion of the Hospital.
- Orange LALC provided some truth telling for the region and the site, and highlighted the successful Aboriginal Land Agreement delivered with Government and the importance of self-determination. The LALC also provided their views on ACH values and significance of the site and reflected on the loss of connection to the natural bushland following the development of the golf course.
- Extent Heritage presented the key considerations and heritage analysis undertaken for the proposed development of the site and outlined elements proposed for conservation.
- Future work will include updating the 2020 CMP and preparation of a heritage led masterplan with supporting documents such as a Statement of Heritage Impact, archaeological assessment and and further community consultation.
- EY presented the draft concept plans which explored the various density options for the site and the retention of key sightlines, and noted that the business case demonstrates the viability of unlocking the Precinct and the masterplanning process will further consider density and opportunities for open space.

The Committee emphasised the importance of adopting the *Connecting with Country* framework to ensure development proposals are designed with ACH values in consultation with Community, and thanked the applicant for the opportunity to provide feedback on the proposal.

Following the presentation, members discussed:

- the CMP and the need for a modified heritage led plan
- whether a different approach may provide greater retention of the landscape with a revised mix of low to high rise density in areas that may be more appropriate for densification
- opportunities to reduce the hardened surfaces and increase retention of vistas and open space that acknowledges past uses, including the historic treatment of mental health in the 20th century
- how the proposal affects ACH values and/or addresses the NSW Government's *Connecting with Country* policy framework and the need for greater understanding of how the proposal will benefit and address the needs of the Community, and
- titling and potential strata scheme considerations and commercial uses currently being operated on the site.

Resolution 2024-18

The Heritage Council Approvals Committee resolved to:

1. **Thank** the applicant and their consultant for presenting to the Approvals Committee.
2. **Consider** the attached documents and the presentation from the applicant.
3. **Provide** the following comments to the applicant regarding this project:
 - a. Supports adaptive reuse in principle, and strongly supports the proposed reuse of the former Bloomfield Hospital buildings and open spaces to support the Orange community.
 - b. Notes the long relationship the community has with the site, particularly with the local Aboriginal community and notes the Orange LALC ownership of part of the site.
 - c. Supports the longstanding heritage conservation principles for the place established by the Conservation Management Plan (CMP). This includes the principle that while more intensive redevelopment is possible within the SHR curtilage, it should be placed outside the primary heritage curtilage established by the CMP.
 - d. Requests adopting a Connecting with Country approach, engaging a First Nations design practitioner, to address:
 - how the project can support the living cultural heritage of Wiradjuri and other First Nations people in Orange
 - how the project will approach the health and truth telling for the local community
 - how the health and wellbeing of Country will be improved both tangibly and intangibly and the health of people will be bettered, and
 - how the planning and design outcomes can support a living cultural practice.
 - e. Recommends developing a heritage-led masterplan to ensure that a major subdivision including new buildings, civil works and landscape design respects the existing heritage character of the place without dominating the landscape setting that contributes to the State heritage values. This may include a curtilage adjustment.
 - f. Suggests a strata plan or other management structure that retains a financial or ownership link between the new developments and the heritage buildings / open space, to ensure coordinated, informed and consistent commitment to ongoing maintenance, protection and managing change.
 - g. Requests a greater focus on protecting State Heritage values, particularly the landscape character of the Institutional Parkland precinct and notes that the former Driving Range has higher tolerance for change than the Golf Course and therefore some of the proposed development in the Hybrid option should be shifted.
 - h. Notes the proposed additional buildings over the existing Base Hospital carparks would have a negative impact on heritage values, and suggests careful consideration of carparking to ensure preservation of open green space across the site.
 - i. Requests the applicant's ongoing engagement with Heritage NSW relating to the Bloomfield Health Precinct Business Case to ensure the Approvals Committee are kept informed about any relevant issues as they arise.
4. **Recommend** that to enable a full and proper assessment of any future development proposal, the following information would be required:
 - a. A unified urban design solution that integrates Bloomfield's Heritage and considers a mixture of ways in which the site can be developed, including Connecting with Country, and also provides opportunities to support experience of the historic place.
 - b. Statements of Heritage Impact (SoHI) for the proposed business case and masterplan. The assessment should also focus on cumulative impact of changes across the State Heritage Register (SHR) item. The SoHI should address the factors listed in the Heritage Council's Subdivision Policy entitled [Subdivision and NSW State Heritage Register items policy | NSW Environment and Heritage](#). For a major subdivision of a SHR item, support should be provided through a masterplan that considers heritage aspects. The goal is to

coordinate heritage management across the site and avoid an ad hoc approach to development.

- c. If of State Significance, an Aboriginal cultural heritage assessment report (ACHAR) that includes Aboriginal community consultation.
- d. Arboricultural Impact Assessment.
- e. Visual Impact Analysis that includes a heritage assessment for cultural landscape (including significant landscape values and identified significant views).
- f. Traffic and parking management study.
- g. Concept Stormwater Management Plan.
- h. Community consultation strategy that provides opportunities for engagement throughout the business case process.

Moved by Caitlin Allen and seconded by Bruce Pettman

2.3 Me Mel (Goat Island) Tower Crane - pre lodgement consultation

Frank Howarth joined the meeting and Julie Marler was excused for this item

The Approvals Committee received a report from Heritage NSW and a presentation from the NSW National Parks and Wildlife Service (NPWS) on their response to the AC's comments provided in January 2023 regarding their proposal to demolish the Hammerhead Crane at Me Mel (Goat Island).

Key points of the presentation

- The Statement of Significance notes that the Crane is deemed to be of high significance as part of the State's maritime history.
- Safety inspections of the Crane have been carried out biannually since 2010 however, it's structural stability is not known as testing of all rivets is not possible and the Crane poses a risk of catastrophic collapse.
- The Crane has reached the end of its service life with no possibility that it could be re-operationalised and NPWS proposes to dismantle, remove and dispose of the Crane.
- NPWS considers the CMP remains relevant given the limited changes to the site since it was produced in 2015 and could be updated with addendums for the Crane as part of the pre lodgement submission.
- The State Government has committed funding to support the transfer of Me Mel Island to the Aboriginal community and costs associated with the ongoing safety of the Crane would need to be factored into the future budgeting for Aboriginal owners should it remain in-situ.

Members acknowledged the complexities of the site and reflected on the Heritage Council's roles and responsibilities for the State's heritage assets, as an advisor to the Minister for Heritage, and as an independent regulatory body.

The Committee emphasised the statutory compliance requirements for owners to maintain their heritage assets under the *Heritage Act* and questioned whether NPWS has a strategic approach to applying resources to the ongoing protection, maintenance and conservation of its broader heritage asset portfolio.

Following the presentation, members discussed:

- the NPWS' response to the *Connecting with Country* framework for Me Mel
- the deferred liability risks and transfer arrangements for Me Mel to the Aboriginal community with regard to ongoing maintenance of all assets on the island and the conditional assessments currently being undertaken by NPWS for existing assets as part of these arrangements
- the options analysis prepared by NPWS in 2022 for the future of the Crane and financial estimates for anticipated costs to make the Crane safe
- options that may include retention of some key physical elements of the Crane, noting that whilst not an alternative to heritage conservation, may provide some tangible heritage interpretation, and
- potential approval conditions for partial or complete removal of the crane.

Resolution 2024-19

The Heritage Council Approvals Committee resolved to:

1. **Note** the contents of this paper and the crane's likely individual State Heritage significance (currently sits within SHR curtilage).
2. **Note** that the significant crane is in a state of disrepair.
3. **Refer** the applicant to the previous Approvals Committee Resolution (**Res 2023-05**) made at the meeting held 31 January 2023.

Moved by David McNamara and seconded by Caitlin Allen

3.0 Heritage NSW presentations

3.1 Barrenjoey Head Lightstation Amenities – section 60 update

Danièle Hromek and Julie Marler were excused for this item

The Approvals Committee received a report from Heritage NSW on the proposal to construct an amenities building located on the summit of Barrenjoey Headland within the SHR curtilage of *Barrenjoey Head Lightstation* (SHR 00979).

Members noted that:

- the proposal is to construct a partially submerged building flanked by gabion walls to reduce the impact on the significant views to and from the Lightstation buildings, which are graded as being of exceptional significance
- the revised proposal includes lowering the new amenities building by 150mm into the ground, reducing the gabion walls and reducing the number of toilets provided (from four to three)
- the Statement of Heritage Impact concludes that the building will not impact on any significant views to and from the site.

Resolution 2024-20

The Heritage Council Approvals Committee resolved to:

1. **Consider** the proposal described in the section 60 report at **Tab 3.1.A** of the report.
2. **Provide approval** pursuant under s63 of the *Heritage Act* 1977, subject to the draft Section 60 letter, at **Tab 3.1.B** of the report.

Moved by Bruce Pettman and seconded by Nicholas Brunton

Vanessa Holtham did not support this resolution

4.0 General Business

4.1 Forward agenda

The Approvals Committee noted the forward agenda and verbal update provided by Tim Smith.

5.0 Meeting Close

There being no further items of business, Ian Clarke, Chair, declared the Approvals Committee meeting closed at 1:30 PM.



Mr Ian Clarke
Chair, Heritage Council Approvals Committee
Date: 4 June 2024