



## HERITAGE COUNCIL OF NSW

### MEETING MINUTES – Approvals Committee

Tuesday, 5 April 2022 | 12:00 PM – 3:20 PM

Via Teleconference

<b>ATTENDANCE</b>	
<b>MEMBERS</b>	
Mr Ian Clarke	Acting Chair
Mr Bruce Pettman	Member
Dr Nicholas Brunton	Member
Mr David Burdon	Member
Ms Caitlin Allen	Member
Ms Julie Marler	Member
Mr David McNamara	Alternate Member
Mr Frank Howarth AM	Heritage Council Chair (item 2.1)
<b>APOLOGIES</b>	
Mr Dillon Kombumerri	Chair
<b>EXTERNAL PRESENTERS</b>	
Ms Abbie Galvin	Government Architect NSW (item 2.1)
Ms Anna Bradley	Executive Director, Integrated Precincts, Transport for NSW (item 2.1)
Mr Ben Nacard	Design Manager, Integrated Precincts, Transport for NSW (item 2.1)
Ms Emma McGirr	Heritage Specialist, Urban Renewal, Transport for NSW (item 2.1)
Ms Amanda Tipping	A/Senior Project Manager, Waverly Council (item 2.2)
Ms Fleur Mellor	Strategic Planner (Heritage), Waverly Council (item 2.2)
Ms Sarah Cameron	Senior Manager Callan Park, Greater Sydney Parklands (item 3.1)
Mr Dan Sharp	Senior Associate, Tyrrell Studio (item 3.1)

Ms Shannon Foster	Partner, Bangawarra (item 3.1)
<b>HERITAGE NSW STAFF</b>	
Mr Tim Smith	Director Heritage Assessments
Ms Rochelle Johnston	Senior Manager Assessments, Heritage Assessments (item 2.1)
Mr Hendry Wan	Senior Heritage Assessments Officer, Heritage Assessments (item 2.1)
Ms Shikha Jhaldiyal	A/ Manager Assessments, Heritage Assessments (item 2.2)
Ms Andreana Kennedy	Senior Heritage Assessments Officer, Heritage Assessments (item 2.2)
Mr Michael Ellis	Manager Assessments, Heritage Assessments (item 3.1)
Ms Tempe Beaven	Senior Heritage Assessments Officer, Heritage Assessments (item 3.1)
Ms Caroline Ford	Manager Policy and Reform, Heritage Policy Strategy (item 4.1)
Ms Emma Dortins	Principal Policy Officer, Heritage Policy Strategy (item 4.1)
Ms Natasha Agaki	Secretariat Officer

## 1. Welcome and formalities

The Chair, Ian Clarke, opened the meeting at 12:00pm.

- The Chair delivered an Acknowledgement of Country and welcomed attendees.
- Apologies were accepted from Dillon Kombumerri.
- Late apologies were accepted from David Burdon who arrived at 1:00pm due to a perceived conflict of interest with item 2.1.
- It was noted that quorum had been met.

### 1.1 Conflict of Interest Declarations

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

Resolution 2022-11
<p>The Heritage Council Approvals Committee:</p> <ol style="list-style-type: none"><li>1. <b>Notes</b> the following conflict of interest declarations:<ul style="list-style-type: none"><li>• Julie Marler – Although not directly involved in Callan Park (item 3.1), Ms Marler is lead designer on the Landscape Management Plan for Fernhill Estate, part of the Greater Sydney Parklands.</li><li>• David Burdon – National Trust NSW made a public submission in relation to the Sydney Harbour Bridge Northern Cycleway project (item 2.1) during the exhibition period. Mr Burdon is Conservation Director at the National Trust NSW.</li></ul></li><li>2. <b>Agrees</b> that Mr Burdon’s declaration constitutes a perceived conflict of interest and supports his decision to remove himself from the meeting for the duration of item 2.1.</li><li>3. <b>Supports</b> Ms Marler’s decision to have her access to all papers relating to item 3.1 restricted and to leave the meeting for the duration of the item.</li></ol>
Moved by Caitlin Allen and seconded by David McNamara

### 1.2 Out of Session Activity

The Committee noted the following business conducted out of session:

1. Ian Clarke has been working with Tim Smith, Heritage NSW, to develop a set of draft guidelines for Approvals Committee out of session workshops. The draft guidelines are discussed at item 5.1.

### 1.3 Minutes from Previous Meeting – 1 March 2022

The Committee received the Minutes from the previous ordinary meeting.

## Resolution 2022-12

The Heritage Council Approvals Committee:

1. **Confirms** the minutes of the previous ordinary meeting (Tuesday, 1 March 2022) as a complete and accurate record of that meeting.

Moved by Caitlin Allen and seconded by Bruce Pettman

### 1.4 Action Report

The Committee noted the action report.

## 2. External Presentations

### 2.1 Sydney Harbour Bridge Northern Cycleway design competition – Transport for NSW presentation

The Committee received a briefing from the Government Architect NSW and Transport for NSW on outcomes of the Design Jury report and the announcement of the winning design by Aspect Studios. A paper was also received from Hendry Wan, Heritage NSW.

*Key points:*

- The Committee discussed with Abbie Galvin, Government Architect NSW, the Design Jury composition, the assessment methodology and process used, and the standard of submissions received.
- The presenters delivered a comparative overview of the design submissions by Aspect Studios, REALM Studios and Civile, including their different approaches to alignment, form, architectural expression and Designing with Country; their varying visual impacts on the heritage setting, and how the Jury approached the challenge of balancing competing requirements.
- The Approvals Committee, Heritage NSW and Government Architect NSW are supportive of the winning design by Aspect Studios, noting that refinements will be made and that a collaborative process of design engagement will progress throughout the year.
- A key group associated with North Sydney Council oppose the winning design however it was a clear preference for the majority of community.
- Transport for NSW are proposing to establish an independent community group representing a diverse community of bike users to become part of the design and development process.
- The Approvals Committee encourage a clear presentation of community views moving forward to ensure that they are closely considered in the assessment.

- The project, as a modern intervention, provides an opportunity to uplift the broader site in a way that respects and complements the exceptional heritage and enhances community use and experience.
- The Committee continue to encourage Transport for NSW to work with North Sydney Council to integrate the cycleway with Bradfield Park through improved master planning of the broader precinct.

#### Resolution 2022-13

The Heritage Council Approvals Committee:

1. **Noted** the information provided in the report.
2. **Noted** and thanked the NSW Government Architect and Transport for NSW (TfNSW) for their presentation.
3. **Noted** that a long design process has been undertaken by TfNSW to develop a scheme for the Sydney Harbour Bridge Northern Cycleway, that the ASPECT scheme won the Design Competition, and further detailed design will be completed before a proposal is submitted for approval.
4. **Provided** the following advice/comments for TfNSW:
  - a. Request continued consultation with the Approvals Committee and Heritage NSW during the detailed design process, prior to lodging the Section 60 application;
  - b. Request that TfNSW works with North Sydney Council to develop an integrated master plan for the whole of Bradfield Park including the undeveloped southern end. The project should specifically deal with the interface of the cycleway with the Park at ground level and how it links to Alfred St and how the impacts on sightlines within the Park are mitigated;
  - c. Suggest continued engagement with the wider community to ensure the final design preserves and enhances the heritage values of the Sydney Harbour Bridge and Bradfield Park;
  - d. Engage with people who can speak for Country to ensure Connection to Country themes are appropriately informed;
  - e. Consider viewlines carefully and how to best reduce impacts on Milsons Point station during the detailed design phase;
  - f. Ensure the detailed design deals with the pedestrian/bike interface at the southern end of the cycleway including the continued pedestrian use of the stairs, and ensure appropriate details are provided on new viewpoints for the public at the end of the cycleway near the Bridge interface;
  - g. Ensure the detailed design and choice of materials are of high quality and align with the character and setting of Country, Sydney Harbour Bridge and Bradfield Park.

Moved by Julie Marler and seconded by David McNamara

## 2.2 Safety by Design in Public Places – Bondi Beach Cultural Landscape

The Committee received a pre-lodgement presentation from Amanda Tipping and Fleur Mellor, Waverly Council. A paper was also received from Andreeana Kennedy, Heritage NSW.

### *Key points:*

- A design plan for the cultural landscape as a whole would better demonstrate the proposal within its broader context. The proponent should ensure a holistic approach to the landscape.
- Design options and further visual material of the existing and proposed structures from key sight lines would assist the Committee in better understanding the proposal and its impacts.
- The Committee considered the Hostile Vehicle Mitigation (HVM) requirements and whether the proposed additions to the site could be integrated in a manner that is more sympathetic to the character of the landscape.
- GML Heritage has been engaged from the commencement of the project and its archaeological report findings have been factored into the design proposal. The Committee notes that the HVM requirements result in little capacity to adjust the location of any excavations, however if archaeological deposits are uncovered in the process, a reassessment would be required.
- The proposal is necessarily functional and utilitarian but should be balanced with interpretation that is in line with the character of Bondi beach. The proposal should be used as an opportunity to enhance community use and experience, e.g., introduce more shade, integrate art/sculptures as part of the interpretation plan.
- The Committee raised concerns around discrepancies in the local, state and national listing boundaries and possible issues resulting from multiple Conservation Management Plans (CMPs); and requested that Heritage NSW seek advice from the State Heritage Register Committee (SHRC) on the issue.

### Resolution 2022-14

The Heritage Council Approvals Committee:

1. **Notes** the information in the report presented including its attachments.
2. **Notes** the presentation from Waverly Council.
3. **Acknowledges** and **supports** the need for hostile vehicle mitigation measures
4. **Provides** the following advice to Waverley Council on what would be required in a Section 60 application:
  - a. Leverage the range of design typologies / diversity of design features presented appropriately;
  - b. Provide a design plan for the entire Bondi cultural landscape that includes the new elements and any other current or planned proposals in order to understand cumulative impacts on heritage (e.g., lighting, Bondi Surf Bathers Life Saving Club, Bondi Pavilion);

- c. Provide photo montages or a 3D rendering to better visualise key sight lines;
- d. Provide a detailed assessment of archaeological impacts, and avoid impacts where possible;
- e. Continue engagement with traditional owners and land councils;
- f. Identify opportunities to add native tree species to enhance the landscape; and
- g. Ensure the new installations respond to the character of Bondi, (e.g., through finishes, interpretation and public art).

Moved by Nicholas Brunton and seconded by Caitlin Allen

### 3. External presentations 2

#### 3.1 Stage 1B Landscaping Waterfront Green, Callan Park

The Committee received a pre-lodgement presentation from Sarah Cameron, Dan Sharp and Shannon Foster on the revised concept design for Waterfront Green, Callan Park; and a paper from Tempe Beaven, Heritage NSW.

##### *Key points:*

- The Committee acknowledged an improvement from the previous iteration, especially with the proposal's response to Country which marks a starting point for Greater Sydney Parklands' Indigenous interpretation strategy across the site and incorporation of Connecting with Country principles more broadly. Members encouraged the applicant to ensure consistency of interpretation throughout Callan Park.
- Members considered the existing location for contaminated soil storage, environmental risks, and possible alternative options that factor in contaminated fill from future projects within Callan Park.
- Although reduced in height from the previous mound, the elevated podium to encapsulate the contaminated material still has visual impacts to the landscape, fragmenting the significant space. A more gradual and naturalistic edge to the lawn slope would mitigate this impact, if possible, noting that contamination requirements may have been factored into the proposed gradation.

#### Resolution 2022-15

The Heritage Council Approvals Committee:

1. **Notes** the information in the report provided.
2. **Thanks** the applicant and their consultants for presenting to the Approvals Committee and for responding to the Committee's previous comments.
3. **Notes** that the understanding and design of Connecting to Country has significantly improved in this iteration.

4. **Provides** general support for the proposed Concept Design for the Waterfront Green at Callan Park 18 March 2022 subject to the following recommendations:
- a. The development application should:
    - i. Include details of the proposed works and finishes required to install a sandstone garden on the southern part of the site, indicating the relationship with the extant sandstone outcrops, which are highly significant remnants of the original topography of the site;
    - ii. Provide a revised Planting Plan with planting schedule (species/mature height/location) indicating proposed tree, shrub and groundcover plantings. To preserve water views, the additional trees planted along the Bay Run should not extend east beyond Wharf Bay Road.
    - iii. Consider whether North south landscape sections through the site showing a more gradual terracing down to the shoreline is possible. All sections are to include the natural ground line. Ideally the proposed graded edge of the lawn slope should be maximum 1:8 slope with transitions at top and bottom of maximum 1:12, designed to avoid the need for handrails.
    - iv. Include further information on a holistic contamination strategy for Callan Park to mitigate the cumulative heritage impact of multiple stabilised storage sites.
5. **Request** that the applicant has ongoing engagement with Heritage NSW relating to the Callan Park Landscape Structure Plan development to ensure the Approvals Committee are kept informed about any relevant issues as they arise.

Moved by Nicholas Brunton and seconded by David McNamara.

## 4. Heritage NSW presentations

### 4.1 NSW Heritage Amendment Bill

The Committee noted an update presentation on the Heritage Amendment Bill from Caroline Ford and Emma Dortins, Heritage NSW.

#### *Key points:*

- Outcomes of the reform intend to modernise the Heritage Act and shift heritage system emphasis from regulation to celebration and activation.
- The changes being proposed are consistent with the Upper House enquiry into the Heritage Act last year, and the Government response to the enquiry.
- Discussions with the Committee primarily revolved around proposed definitions, consistency of approval timeframes, and streamlining of approval processes which aim to better support proponents.



## **5. General Business**

### **5.1 Draft Guidelines: Approvals Committee Workshops**

The Committee received draft guidelines for the management of Approvals Committee out of session workshops and a verbal report from Deputy Chair, Ian Clarke.

- The objective of the guidelines is to ensure clear terms of engagement in carrying out subcommittee workshops and to encourage a collaborative and mutually beneficial process with proponents.
- Members reviewed the draft guidelines and provided preliminary comments with a view to offering further feedback by Friday 8 April.

### **5.2 Forward agenda**

The Committee noted the forward agenda.

### **5.3 Other matters**

1. *Prospect Hill, Pemulwuy*

Cumberland City Council has investigated several schematic design options with reference to the Approvals Committee's 2 March 2021 Resolution (2021-10), onsite discussions on 30 April 2021, and a design mark-up prepared by former AC member and landscape architect, Ingrid Mather. The design options were presented at a Mayoral briefing and to the ATSICC working group and were met with concern. Council is seeking feedback from the Approvals Committee on the meeting outcomes and revised scheme. The matter will be progressed to the Approvals Committee in due course.

2. *Glenlee House, Menangle Park*

Notes circulated to the Approvals Committee by Julie Marler and Caitlin Allen following the site visit on 10 February 2022 informally represent the position of the Committee and have been provided to the proponents by Heritage NSW. The Committee request that Heritage NSW provide a brief overview of properties within the Cumberland Plains to assist in comments and decision-making on similar applications in the future.

### **6.0 Meeting Close**

There being no further items of business, Ian Clarke, A/Chair, declared the Approvals Committee meeting closed at 03.20 PM.



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Mr Ian Clarke

A/Chair, Heritage Council Approvals Committee

Date: 5 May 2022