



## HERITAGE COUNCIL OF NSW

### MEETING MINUTES – Approvals Committee

Tuesday, 1 March 2022 | 09:00 AM – 1:00 PM

Via Teleconference

<b>ATTENDANCE</b>	
<b>MEMBERS</b>	
Mr Dillon Kombumerri	Chair
Mr Ian Clarke	Deputy Chair
Mr Bruce Pettman	Member
Dr Nicholas Brunton	Member
Mr David Burdon	Member
Ms Caitlin Allen	Member
Ms Julie Marler	Member
Mr Frank Howarth AM	Alternate member
<b>APOLOGIES</b>	
Mr David McNamara	Alternate Member
Mr Sam Kidman	Executive Director, Heritage NSW
Mr Tim Smith	Director Heritage Assessments, Heritage NSW
<b>EXTERNAL PRESENTERS</b>	
Mr Richard Francis Jones	Design Director, FJMT (item 2.1)
Mr Chris Bridge	Senior Associate, FJMT (item 2.1)
Mr Jonathan Bryant	Director, Urbis (item 2.1)
Mr Joel Thompson	Coordinator Heritage, Wollongong City Council (item 2.2)
Mr Jon Griffiths	Design & Technical Services Manager, Wollongong City Council (item 2.2)

Ms Linda Davis	Director Planning and Environment, Wollongong City Council (Item 2.2)
Ms Carly Boag	Observer – Heritage Officer, Wollongong City Council (Item 2.2)
Mr Jon Madry	Observer – Landscape Architect, Wollongong City Council (item 2.2)
Mr Andrew Stanic	Director, Stanic Harding Architects (item 3.1)
Ms Sarah Cameron	Senior Manager, Callan Park Greater Sydney Parklands, DPE (item 3.1)
Mr Dominic Steele	Director, Dominic Steel Consulting Archaeology (item 3.1)
<b>HERITAGE NSW STAFF</b>	
Mr Rajeev Maini	Manager Assessments (item 2.1 and 2.2)
Mr Rajat Chaudhary	Senior Heritage Assessments Officer (item 2.1 and 2.2)
Mr Michael Ellis	Manager Assessments (item 3.1)
Mr James Quoye	Senior Heritage Assessments Officer (item 3.1)
Ms Natasha Agaki	Secretariat Officer

## 1. Welcome and formalities

The Chair, Dillon Kombumerri, opened the meeting at 9:00am.

- The Chair delivered an Acknowledgement of Country and welcomed attendees.
- The Chair acknowledged the annual celebration of Australia Day, including the difficult emotions it brings for many and the hope for reconciliation. The 2018 Declaration of Australia offered by Noel Pearson was cited: *“Three Stories Make Australia: The Ancient Indigenous Heritage which is its foundation, the British Institutions built upon it, and the adorning Gift of Multicultural Migration”*.
- Apologies were accepted from David McNamara (member), Sam Kidman (Executive Director, Heritage NSW) and Tim Smith (Director Assessments, Heritage NSW).
- 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 2022-06
The Heritage Council Approvals Committee: <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></ul></li><li>2. <b>Supported</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 Nicholas Brunton and seconded by Caitlin Allen

### 1.2 Out of Session Activity

The Committee noted the following business conducted out of session:

1. 03 February 2022 – Julie Marler and David Burdon attended a design workshop with the consultant for Wentworth Memorial Church.
2. 10 February 2022 – Caitlin Allen and Julie Marler attended a site visit to Glenlee House, Menangle Park, followed by a design workshop on 14 February 2022 with the proponent’s consultants, Campbelltown City Council and the Department of Planning and Environment.
3. 16 February 2022 – David Burdon and Bruce Pettman attended a design workshop with applicants for S60 Pier One outdoor seating proposal. The applicant had responded to the Approvals Committee’s recommendations and will return with an updated plan.
4. 23 February 2022 – The Approvals Committee convened for an out of session meeting on the Sydney Harbour Bridge Northern Cycleway design competition. Transport for NSW

(TfNSW) presented an update on the Design Jury process and a technical review of an alternative design option associated with North Sydney Council. Representatives from North Sydney Council also presented a vision for Bradfield Park, Milsons Point, with a Cycleway. The AC strongly recommended that TfNSW provide a pre-briefing on the winning design prior to any public announcements.

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

The Committee received the Minutes from the previous ordinary meeting.

Resolution 2022-07
The Heritage Council Approvals Committee: 1. <b>Confirms</b> the minutes of the previous ordinary meeting (Tuesday, 1 February 2022) as a complete and accurate record of that meeting.
Moved by Bruce Pettman and seconded by Ian Clarke.

### 1.4 Action Report

The Committee noted the action report.

## 2. External Presentations

### 2.1 Pre-SSD: 35 Harrington St, The Rocks (Clocktower Site)

The Committee received a pre-lodgement presentation from representatives of FJMT Studios and Urbis outlining a proposal for 35 Harrington St, The Rocks; and a paper from Rajat Chaudhary, Heritage NSW.

*Key points discussed:*

- With careful planning and quality design, the proposal has the potential to greatly enhance the site and the overall character and experience of The Rocks. However;
- The applicant should further explore opportunities of remaining within the SCRA envelope, noting that noncompliance without clear justification would be a detrimental precedent for The Rocks.
- The building height extension may have visual impacts on significant view lines across the broader Precinct. Views of the building from higher elevations, e.g. Cumberland St and the Sydney Harbour Bridge should be carefully considered.
- The applicant should ensure robust landscape treatments including greening the roofs.
- The diagonal staircase currently proposed for the corner of Argyle and Harrington Streets compromises the integrity of this important street corner and raises concerns around access.
- Careful consideration should be given to the balance of façade treatments toward street frontages, including Cambridge Street, which should not be neglected as the rear servicing

end of the building. The treatments should be respectful of the character and historic context of The Rocks.

- The Committee strongly supports the acknowledgement of Country within the design concept and process thus far. Developing upon the research and ideas of the broader area as an Aboriginal Gathering place could elevate the site to a key destination within The Rocks.

#### Resolution 2022-08

The Heritage Council Approvals Committee:

1. **Notes** the applicant's presentation.
2. **Provides** the following comments:
  - a. The proponent's preferred option requires better justification for non-compliance with the SCRA envelope.
  - b. Impact on significant view lines should be considered from different vantage points across The Rocks, Observatory Hill and more broadly across Circular Quay.
  - c. Further consideration of alternative design options should be given to the corner of Argyle & Harrington streets
  - d. Façade treatment and fenestrations need to be clarified to ensure they are sympathetic to its historic context. Consider broader character of the Rocks - grain, scale, nooks and crannies, circulation etc.
  - e. Consider the building presentation in the round, including Cambridge St, and balance of architectural treatment at street frontages.
  - f. Landscape treatment should be considered, including the need for greening roofs.
  - g. Support the acknowledgement of Country within the design concept and the AC is interested to see how elements such as the Gathering space will be appropriately developed.

Moved by David Burdon and seconded by Bruce Pettman

## 2.2 Pre-DA: North Beach Seawall Project

The Committee received a pre-lodgement presentation from representatives of Wollongong City Council outlining their proposal for Stage 2 of the North Beach Seawall Project. A paper was also received from Rajat Chaudhary, Heritage NSW.

*Key points discussed:*

- The Committee supports the continued use of North Beach and agrees with the need to address issues around climate change, public safety and equitable access; however, the current proposal is a heavily engineered approach and requires more nuance in the design solution.
- Impacts of climate change will present major issues moving forward and this proposal should aim to set a precedent with its coastal management and design response.

- The Committee discussed impacts of the tiered seawall option on the interface between land and water and how best to address this connection in a way that respects Country as well as the built additions to the landscape.
- There were varying opinions around the architectural style of the current proposal, its compatibility with the existing landform and setting, and the degree of threat it poses to other NSW beaches, however, all members agreed that the proposal needs refinement and would benefit from a peer review exercise.
- Impacts of further additions to comply with building codes, e.g. handrails, were also considered.
- The current proposal lacks engagement with Aboriginal cultural heritage (ACH). There is great opportunity to link the ACH significance that is celebrated in key areas to the North and South of the site. The proponent should ensure acknowledgement of ACH is appropriately embedded in the design.

## 2.2 Pre-DA: North Beach Sea Wall Project

Resolution 2022-09

The Heritage Council Approvals Committee:

1. **Notes** the applicant's presentation.
2. **Provides** the following comments:
  - a. Acknowledge the requirement for access to the beach, coastal management and an erosion response.
  - b. The Council is encouraged to explore best practice examples in developing strategies for a response to sea level rises through an integrated approach of engineering, ecology and landscaping. A peer review exercise is suggested in arriving at a more sympathetic solution.
  - c. Consider how to best articulate the connection between land, beach and water in a way that respects both Country, recent additions and uses of the place.
  - d. Further integrated and coherent design options should be explored to complement the setting.
  - e. Consider reducing the extent of the proposed steps.
  - f. Support including natural materials and finishes that complement the existing character and design detailing to minimise clutter and mitigate the overall visual and physical impact.

Moved by Nicholas Brunton and seconded by Julie Marler.

## 3. External presentations 2

### 3.1 IDA: Callan Park Waterfront Green amenities building

The Committee received a presentation from Mr Andrew Stanic, Ms Sarah Cameron and Mr Dominic Steele on the proposed amenities building in Waterfront Green, Callan Park; and a paper from Rajat Chaudhary, Heritage NSW.

*Key points discussed:*

- The proposal is a reasonably modest and sensitive response to the requirements of the facility. However, the Committee notes that:
  - The roof form protrudes outside of the building envelope.
  - Leaf litter from the adjacent casuarina grove will present significant maintenance issues.
  - The design of the amenities building should resonate with the character of the casuarina grove and complement the colours of the natural setting. The applicant should explore other palettes within Callan Park that could be referenced and that would better complement the casuarinas.

Resolution 2022-10

In accordance with Section 4.47 of the *Environmental Planning and Assessment Act 1979*, the Heritage Council Approvals Committee grants the following **general terms of Approval** for the integrated development application:

**APPROVED DEVELOPMENT**

1. Development must be in accordance with:
  - a) Architectural drawings, prepared by Stanic Harding architects
  - b) Callan Park Waterfront Green, Statement of Heritage Impact, prepared by Dominic Steele Consulting Archaeology, 16 December 2021
  - c) Callan Park Waterfront Green, Statement of Environmental Effects, Stage 1C Works, prepared by APP Corporation Pty Ltd, December 2021
  - d) Landscape Structure Plan, prepared by Tyrell Studio, dated 1 January 2021
  - e) Rozelle Hospital Conservation Management Plan (three volumes, Tanner & Associates, January 2002). Endorsed by the Heritage Council 6 March 2002

**EXCEPT AS AMENDED** by the conditions of this approval:

**COMPLIANCE WITH THE CALLAN PARK (SPECIAL PROVISIONS) ACT 2002**

2. The following detailed design/information is to be submitted as part of the Section 60 application for approval by the Heritage Council of NSW (or Delegate):
  - a) Modified architectural drawings that include sectional drawings that demonstrate the proposed Amenities building sits within the building envelope of the recently demolished building B505 in accordance with s.7(5) of the Callan Park (Special Provisions) Act 2002. The section must be based on a survey made prior to the demolition of building B505.

*Reason: Limited details of the above have been provided with the application. Further details are required to allow impacts to be adequately assessed, and to ensure impacts to significant landscape and spatial quality are minimised.*

### **DETAILS TO BE SUBMITTED FOR APPROVAL**

3. The following detailed design/information is to be submitted as part of the Section 60 application for approval by the Heritage Council of NSW (or Delegate):
  - a) Modified architectural drawings of an amended design for the Amenities building with a character, scale, form, materials and colour and detailing that blend and merge with its surroundings to render the building less visually intrusive.

*Reason: The Amenities building as proposed will have an unacceptable visual impact. The roof form will promote collection of leaf litter from adjacent casuarina trees and present a maintenance issue*

- b) Details of all illumination in and around the proposed Amenities building and an assessment of the impact to the heritage values of the site are to be provided.

*Reason: Limited details of the above have been provided with the application. Further details are required to allow impacts to be adequately assessed, and to ensure impacts to significant landscape are minimised.*

### **UNEXPECTED HISTORICAL ARCHAEOLOGICAL RELICS**

4. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

*Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.*

### **ABORIGINAL OBJECTS**

5. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the *National Parks and Wildlife Act 1974*.

*Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works.*

### **COMPLIANCE**

6. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.



*Reason: To ensure that the proposed works are completed as approved.*

#### **SECTION 60 APPLICATION**

7. An application under section 60 of the *Heritage Act 1977* must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

*Reason: To meet legislative requirements.*

Moved by Nicholas Brunton and seconded by Ian Clarke

## **4. General Business**

### **4.1 Forward agenda**

The Committee noted the forward agenda.

### **4.2 Other Matters**

1. The Committee discussed the need for principle-based Guidelines and Terms of Reference for workshops and site visits conducted out of session, to clarify roles and responsibilities, ensure appropriate governance, and maximise the Committee's effectiveness in the industry.

## **5. Meeting Close**

There being no further items of business, Dillon Kombumerri, Chair, declared the Approvals Committee meeting closed at 1:00 PM.



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Mr Dillon Kombumerri  
Chair, Heritage Council Approvals Committee  
Date: 11/4/2022