



Industry and Key Sites
Department of Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Attention: Andy Nixey, Team Leader, Key Site Assessments

By email: Andy.Nixey@planning.nsw.gov.au

Dear Mr Nixey

NOTICE OF EXHIBITION - SSD 6471 SYDNEY MODERN, AGNSW EXPANSION PROJECT

Thank you for the invitation to provide comments for the exhibition of the Sydney Modern, AGNSW Expansion Project (SSD 6471).

The Art Gallery NSW (AGNSW) is not listed on the State Heritage Register (SHR). However, the AGNSW is surrounded on three sides by the Royal Botanic Gardens and Domain (RBG&D) which is listed on the State Heritage Register (SHR No 1070) under the NSW *Heritage Act* 1977.

Therefore, whilst the AGNSW itself is not within the RBG&D listing boundary, its proposed galleries will be located within the adjoining SHR listing boundary.

The following documents were reviewed:

- Architectural drawings by Kazuyo Sejima and Ryue Nishizawa/SANAA and Architectus, Sydney.
- Landscape Plans by McGreggor Coxall.
- Art Gallery of New South Wales Expansion, Sydney Modern, Heritage Impact Statement. by GML Heritage. November 2017.
- Art Gallery Expansion Project, Sydney Modern, Architectural Design Report, by SANAA and Architectus.
- Art Gallery of NSW Expansion Project - Sydney Modern Visual Impact Assessments CLOUSTON Associates. 16-0053 Issue H 1/11/2017.
- Art Gallery of NSW Expansion - Sydney Modern, Geotechnical Report – Concept Design Stage, by Coffey Geotechnics Pty Ltd 24 October 2017

The RBG&D collectively are of exceptional national, State and local significance as:

- one of the earliest surviving colonial botanic gardens in the world and one of the oldest, richest and most extensive early public cultural landscapes in Australia with a substantially intact area and major precincts that are nationally rare from a historic, scientific, aesthetic and social perspective, and which continue to fulfil diverse use expectations by remaining freely accessible and in high demand from a broad community spectrum;

- it contains three of the most important collections for botanical science in Australia notable for their rarity, diversity, size and scientific value - its living collection - distinguished by many rare and unusual cultivated plants, the extensive preserved collections of the Herbarium, and the comprehensive botanical library (scientific/technical and research values);
- The Domain is of historical and aesthetic value at a national level for its ability to demonstrate its dual role as the prime example of a pleasure ground attached to Government House and as a leading example of a public park developed from the mid-19th century (as an early designated landscape for public use (1831) the site was at the forefront of international concerns for the integration of public parks within city planning and development). It is of aesthetic significance also for its association with the Sydney Opera House and harbour setting.

(Source: SHR. Conybeare Morrison, 3/2003, amending Britton, Morris & Annable, 2000)

The 1940s Navy Fuel Bunker (Fuel Tanks) in the Domain is:

- a relic of the various construction activities associated with the war effort and with the operation of Garden Island as the headquarters of the Royal Australian Navy (criterion (a) historic);
- associated with the Department of Defence and its operations during World War 2 (criterion (b) association);
- demonstrative of mass reinforced concrete construction methods developed by the Metropolitan Water & Sewerage & Drainage Board (MWS & DB) for water (and other liquid) storage purposes in the early 20th century (criterion (e) technical/research);
- the only example in Sydney of underground wartime fuel storage tanks (criterion (f) rarity); and
- representative of tanks constructed by the MWS & DB for the storage of fluids in the early 20th century and reflecting the then latest development of a construction design dating from the mid-19th century (criterion (g) representative).

(Source: SHR. Godden Mackay Logan, 2003).

The Sydney Modern concept proposal was presented to the Heritage Council of NSW at its meeting on 4 May 2016. The comments provided by the Heritage Council are attached at **Attachment A**. Subsequently, a revised concept proposal was presented to the Heritage Council Approvals Committee (Approvals Committee) at its meeting on 4 October 2017. The comments provided by the Approvals Committee are attached at **Attachment B**.

It is noted that the accuracy of the review of any heritage impacts has been affected by the fact that the architectural drawings are not detailed, only being at 1:250 at A1, do not include any dimensions, general arrangement of services, selection of materials, colours and do not suggest the potentially complex engineering needed for the tall and lightweight Entry Plaza roof.

SIGNIFICANT FABRIC, SETTING, VIEWS AND USE

The comments listed in the table below include the advice provided by the Heritage Council on 4 May 2016 and Approvals Committee on 4 October 2017:

Issue	Heritage Council of NSW comment	Potential heritage impact	Recommendation - Amendment to proposal or condition of approval
Conversion of open space	<p>At its meeting on 4 May 2016, the Heritage Council expressed concern over the conversion of public space to private space and the setting of a precedent.</p> <p>At the meeting on 4 October 2017, the proponent advised the Approvals Committee that the more compact footprint in the revised proposal reduced the public space converted to private space.</p>	<p>Despite the reduced building in the revised proposal, the proposed footprint occupies approximately 1 ha of the 29ha of the RBG&D. This represents an appreciable loss of open space in the Domain.</p> <p>Despite the fact that this area of the Domain is currently not intensely used, the proposal will prevent this open area being freely used and accessed by the community in the future. This is part of the heritage significance of the Domain as an early designated landscape for public use (1831) (Source SHR listing).</p>	<p>Recommended</p> <p>At least ½ of the proposed landscaped roofs should be freely accessible by the community (at least during the day).</p> <p><i>Reason: So that the proposed building with its landscaped roofs are not alienated from the RBG&D but are integrated into the community's use and sense of communal ownership of the Domain.</i></p>
Proposed entry to the extension competing with existing gallery entry in the 1902 WL Vernon portico	<p>At its meeting on 4 May 2016, the Heritage Council advised that the main entrance should be maintained as the primary entrance to the Gallery.</p>	<p>Despite proponent's assurances that the existing 1902 entry will be maintained as the main entry, the proposed entry will be much larger and have more extensive ticketing and cloak facilities. It is likely that the new entry will compete with and eventually supersede the 1902 entry.</p> <p>There is no information to confirm the balance of use between the existing galleries and the proposed galleries, so that the balance of permanent and temporary art displays is even between the buildings</p>	<p>Recommended</p> <p>A plan showing both the existing and proposed buildings is to be submitted to the satisfaction of the Heritage Council of NSW or its delegate to confirm the retention of the current front entry as the main entry.</p> <p><i>Reason: To confirm that the heritage significance of the Art Gallery is not diminished as a result of a change in the main entry point.</i></p>

Issue	Heritage Council of NSW comment	Potential heritage impact	Recommendation - Amendment to proposal or condition of approval
Proposed Entry Plaza roof.	<p>At its meeting on 4 May 2016, the Heritage Council advised that the proposed shade structure has a potential to compete with the historic Art Gallery building.</p> <p>At its meeting 4 October 2017, The Approvals Committee felt that the entrance canopy is still massive and wonders if it needs to be that large.</p>	<p>The proposed Entry Plaza roof will be highly conspicuous in views along historic Art Gallery Road and will compete with and reduce the historic dominance of the AGNSW's west elevation and its portico. Any adverse visual impact will be exacerbated by the height of the proposed roof, its proximity to Art Gallery Road and its approximately 40m length seen from Art Gallery Road.</p>	<p>Recommended</p> <p>Despite the fact that the proposed Entry Plaza roof will be lower than the AGNSW's main cornice, its visibility along Art Gallery Road should be substantially reduced so the new roof does not compete with the existing building and its portico, and is clearly subservient to the existing gallery and the 1902 portico. This may be achieved either:</p> <ul style="list-style-type: none"> • by setting the roof behind the Art Gallery façade; and • by increasing the separation between the proposed entry plaza roof and the Art Gallery. <p><i>Reason: So that the new roof is still a contemporary addition to the overall composition, functions as an open shaded public area and identifies the entry to the new galleries, but is much less conspicuous and does not visually compete with the significant existing gallery and its portico.</i></p>
Proposed alterations to the existing gallery setback to Art Gallery Road.	<p>At its meeting 4 October 2017, The Approvals Committee agreed that the curved carriageway in the existing forecourt should be preserved as a reference so significance can be understood.</p>	<p>The proposal involves the removal of the low curved sandstone walls that bounded the semi-circular carriageway in front of the 1902 portico. The walls have defined this area since the 1920s. The proposal drawings show that the low walls will be removed and paving will evoke the layout, but there is no information to distinguish the paving and describe their junctions.</p>	<p>Recommended:</p> <p>The footprint of the 1920s low carriageway walls is to be interpreted in the new paving. The sandstone from the low wall is to be salvaged, reused and interpreted within the proposed development.</p> <p><i>Reason: To interpret the layout and materials of the former 1920s low wall that edged the semi-circular carriageway.</i></p>

Issue	Heritage Council of NSW comment	Potential heritage impact	Recommendation - Amendment to proposal or condition of approval
	At its meeting 4 October 2017, the Approvals Committee expressed concern over direction of foot traffic and decrease in covered areas (acknowledging larger street-facing canopy on street frontage).	<p>The proposal involves the relocation of the pedestrian crossing from in front of the 1902 portico to a position closer to the new Entry Plaza.</p> <p>There is no information in the proposal to confirm if the c1950s steps on the west side of the semi-circular carriageway will be retained and how pedestrians will be directed to both the 1902 entry and new entry.</p> <p>The proposal appears to direct pedestrians coming from the Domain to the new entry instead of the existing entry. Any pedestrian control structures may obstruct the view of the 1902 portico from the 1950s steps.</p>	<p>Recommended:</p> <p>The c1950s stone steps on the west side of the semi-circular carriageway opposite to the 1902 portico are to be retained.</p> <p>Any pedestrian control structures at the western edge of Art Gallery Road should not impede pedestrians' access to the gallery's existing entry. Any pedestrian control structure is to be visually recessive and lightweight.</p> <p><i>Reason: So any pedestrian control structures do not favour access to the new gallery instead of the existing entry and do not obstruct the view of the 1902 portico from the 1950s steps on the west side of the semi-circular carriageway.</i></p>
Adaptive reuse of the southern half of the former 1940s Navy Fuel Bunker (Fuel Tanks), as a gallery.	The Heritage Council supports the adaptive reuse of the 1940s Fuel Tanks as a gallery.	The extent and size of new facilities and structures (including additional structural support and bracing for the roof) in the Fuel Tanks has not been provided in the proposal.	<p>Recommended.</p> <p>The design of proposed structures in the former 1940s Navy Fuel Bunker (Fuel Tanks) such as new structural supports or bracing for the building above, the ramp, stair and any services, electrical and mechanical, should be lightweight and complement the character of the significant Navy Fuel Bunker (Fuel Tanks).</p> <p><i>Reason: So that the character of the significant 1940s Navy Fuel Bunker (Fuel Tanks) is not cluttered and its operation and function remains legible.</i></p>
Demolition of the northern half of the former 1940s Navy Fuel Bunker (Fuel	The extent of demolition within the Fuel Tanks was not clarified in the proponent's presentations to the	The proposed demolition of the all the interior of the northern tank and its Pump House, Pump Room (despite	Recommended.

Issue	Heritage Council of NSW comment	Potential heritage impact	Recommendation - Amendment to proposal or condition of approval
Tanks), its Pump House and part of the stepped retaining wall.	Heritage Council on 4 May 2016 and the Approvals Committee on 4 October 2017.	<p>the prior removal of machinery) and amenities building will have a major adverse impact on the integrity of this rare and significant element in the RBG & D and substantially diminish its ability to convey its original size, extent and function.</p> <p>The proposed 10m opening in the stepped retaining wall is reasonable as most of the 100m long wall will be retained to illustrate its character and an understanding of its size and scale.</p>	<p>The proposal should be amended to retain a substantial section of the Fuel Tanks' interior including the roof-top access hatches, concrete columns, the concrete wall dividing the tanks into two, the connecting pipe as well as the Pump House, Pump Room and amenities building.</p> <p>The finalised design for both the Fuel Tanks should be submitted to the satisfaction of the Heritage Council of NSW or its delegate prior to the issue of the construction certificate.</p> <p><i>Reason: So that most of the rare and significant 1940s Navy Fuel Bunker (Fuel Tanks) is retained and its operation and function remains legible.</i></p>
The character and setting of the eastern part of the Domain and significant views.	The character and setting of the eastern part of the Domain and any impact on significant views to and from the RBG&D were not presented in detail to the Heritage Council.	<p>The proposal will alter the character of the eastern part of the Domain. Significant views that would be markedly affected include:</p> <ul style="list-style-type: none"> • East from Woolloomooloo Gate • North and south along Art Gallery Road. <p>The proposed Entry Pavilion and Gallery 2 and the PV roof array will block the Woolloomooloo Gate view (Public Viewpoint 11, Visual Impact Assessment) and the Entry Pavilion and Plaza roof will block most of the view to the 1902 portico south along Art Gallery Road Public Viewpoint 12). The Entry Pavilion and Plaza roof will be conspicuous in the view north along the Art Gallery Road, beyond the AGNSW.</p>	<p>Recommended:</p> <p>High reflective surfaces, large areas of unshaded glass and bright white finishes should be avoided. External colours should be subdued and take inspiration from the colours of the locality, that is Sydney sandstone.</p> <p><i>Reason: To reduce the impact on the Domain's character, setting and significant views. So that the appearance of this intricately composed building is subdued and sits comfortably into the landscape</i></p>

Issue	Heritage Council of NSW comment	Potential heritage impact	Recommendation - Amendment to proposal or condition of approval
		The application does not confirm the proposed external solid walling, except as polished pre-cast units and there are no proposed colours. It is recommended that the proposed building should be much less conspicuous in all views and its external colours and materials should be subdued and take inspiration from its location on Sydney sandstone.	
Damage due to vibration during construction	Damage due to vibration during construction was not presented in detail to the Heritage Council.	<p>The Geotechnical Report Oct 17 advises that the ground adjacent to the development may experience movement due to stress changes from excavation, footings and construction. This may affect the existing building.</p> <p>Vibration as a risk to the existing building is not addressed in the draft Construction Management Plan which focuses on vibration as noise nuisance.</p>	<p>Recommended;</p> <p>A heritage specific dilapidation survey and report for significant elements, materials and finishes in the existing gallery building and site (including the forecourt sculptures) is to be prepared prior to commencement of the works. The construction management plan for the development is to identify and include these significant elements, materials and finishes so that they are protected and not damaged during the work.</p> <p>The finalised construction management plan for the development should be submitted to satisfaction of the Heritage Council of NSW or its delegate for review prior to the issue of the construction certificate.</p> <p><i>Reason: To protect significant elements, materials and finishes during the work.</i></p>
Trees and vegetation	Significant trees and vegetation were not considered in detail by the Heritage Council.	The proposal involves the loss of some vegetation along Art Gallery Road, the removal of two significant trees, relocation of one palm.	<p>Recommended.</p> <p>Significant plants and trees are to be adequately protected during the works from</p>

Issue	Heritage Council of NSW comment	Potential heritage impact	Recommendation - Amendment to proposal or condition of approval
			<p>potential damage. Protection systems must ensure historic plants and plants are not damaged or removed.</p> <p><i>Reason: To protect significant plants and trees during the project.</i></p>

HISTORICAL ARCHAEOLOGY

The proposal involves extensive excavation in a large footprint north of the existing Art Gallery and east of Art Gallery Road for the building itself and adjacent landscape areas. Excavation is also proposed in the Art Gallery's forecourt, along the west side of Art Gallery Road and in a line to the north-east of the site for the seawater heat exchange system. The extent of excavation and archaeological potential in the part of the RBG&D affected by the proposal was not clarified in the proponent's presentations to the Heritage Council on 4 May 2016 and the Approvals Committee on 4 October 2017.

In light of this, the following advice is given:

The Heritage Impact Statement, included with the application, has a brief impact assessment for historical archaeology. The assessment indicates that specific locations within the study area have been assessed as possessing low to moderate archaeological potential.

Due to previous impacts including excavation of the sandstone headland for installation of the Domain Oil Tanks and Cahill Expressway, the assessment has indicated that there remains no archaeological potential within the footprint of the two oil tanks, associated pump house and land bridge over the expressway. The proposed stop-work procedure, within areas considered to be of low archaeological potential in the event that historical archaeological resources are encountered, is considered appropriate.

The assessment has indicated that the areas immediately surrounding the gallery, Mrs Macquarie's Road and Lincoln Crescent have low potential for local archaeological deposits. The potential archaeological resources are likely to consist of former alignment of roads, remains of unmapped pathways and garden beds, artefacts contained within imported fill deposits, evidence of land reclamation and foreshore modification, footings, postholes, working surfaces and artefacts associated with the industries and baths which formerly lined the foreshore. The assessment has indicated that the remains of the early roads, particularly Mrs Macquarie's Road would not necessarily meet the criteria for local or State significance. The alignment of the early roadways, if located during the proposed works, would be of significance as opposed to the physical fabric of the road. The proposal involves the removal of hard surfaces and installation of new hard landscaping in the areas immediately surrounding the gallery, land bridge and Domain Oil have been assessed as unlikely to impact significant archaeological deposits. The archaeological monitoring within areas of low to moderate archaeological potential is considered appropriate.

In the event that historical archaeological remains of local or State significance are identified, the assessment has indicated that work will temporarily stop and the Heritage Division will be contacted. The assessment has indicated that where State significant archaeological resources are identified, they will be left *in situ*. If this is not possible, the Heritage Division will be consulted to determine appropriate management strategies. These management measures are considered appropriate.

Based on the advice above, the following conditions should be included in any approval of this proposal:

- 1. The Applicant shall nominate a suitably qualified and experienced historical archaeologist who must satisfy the Excavation Director Criteria of the Heritage Council of NSW for the proposed activity and significance level.**

2. **A suitably qualified and experienced historical archaeologist shall be on site to monitor all sub-surface works associated with excavation within areas of low to moderate archaeological potential.**
3. **If any archaeological relics of State significance are uncovered during the excavation, all work shall immediately cease in that area and a written assessment of the nature and significance of the resource, along with a proposal for the treatment of the remains shall be submitted for the approval of the Secretary, Department of Planning and Environment and the delegate of the Heritage Council of NSW.**
4. **Aboriginal objects: Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with Section 89A of the *National Parks and Wildlife Act 1974* (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the *National Parks and Wildlife Act 1974*.**

Reason: To ensure appropriate prior assessment of any unexpected archaeological finds, appropriate additional approvals and actions relevant to the type of find and its level of heritage significance.

MARITIME ARCHAEOLOGY

The proposal involves a new ancillary seawater heat exchange system consisting of outlet and inlet pipes laid through the sea wall and up to 60m into Wolloomooloo Bay. The proposal has the potential to substantially impact maritime heritage sites both above and below water and under the seabed. As with historical archaeology, the maritime archaeological potential in Wolloomooloo Bay and its foreshore as well as the extent of any disturbance was not clarified in the proponent's presentations to the Heritage Council on 4 May 2016 and the Approvals Committee on 4 October 2017.

The information submitted with the application does not adequately deal with maritime archaeology. There is no search of the NSW Maritime Heritage databases listed in the documents and the site surveys only involved visual surveys from the foreshores and did not include any diver inspections. This is considered to be unsatisfactory. The impact could be substantial as the large inlet and outlet pipes are proposed to run approximately 60m out into the bay. With this, it is recommended that a detailed Maritime Archaeological Assessment, and Research Design and Excavation Methodology be prepared as soon as possible and before the assessment and determination of SSD 6471.

The maritime archaeological assessment should be prepared by a suitably qualified and experienced maritime archaeologist. The assessment should identify the archaeological potential and significance of maritime heritage sites including shipwrecks, maritime infrastructure, archaeological items and/or relics (both above and below water) that may be impacted by the proposal. The assessment should also include procedures and management strategies for the unexpected discovery of heritage items and/or relics. Underwater surveys may also need to be undertaken and may require remote sensing and/or diver based investigations. The Maritime Archaeological Assessment should be submitted to the satisfaction of the Heritage Council of NSW or its delegate for review prior to the assessment and determination of SSD 6471.

Following the receipt of the maritime archaeological assessment, the Heritage Council of NSW may recommend archaeological conditions to manage maritime archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis and final reporting may be recommended.

INTERPRETATION

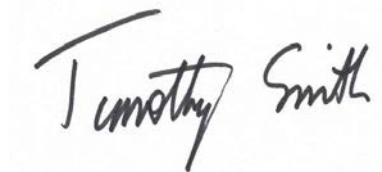
Concerning the requirement for an interpretation strategy listed in the SEARs, the strategy included in the heritage impact statement at pp148-156 is considered to be a reasonable outline.

However, the strategy should be a stand along document and include more decisive recommendations for how a suitable range of interpretation media should be included in the project to enhance an understanding of the heritage significance of the Art Gallery and the Gardens and Domain, not just as signage panels and inserts into pavements. The interpretation strategy should also recommend that an Interpretation Plan be prepared listing the proposed media to be included in the development, locations, content and program of implementation. The revised interpretation strategy and interpretation plan should be submitted to the Heritage Council of NSW for review prior to the issue of the construction certificate.

In summary, the Heritage Council recognises that aspects of the proposal have the potential to adversely affect the significance of the Art Gallery of NSW and the Royal Botanic Gardens and Domain. Therefore, conditions are recommended to avoid, minimise and mitigate any adverse heritage impacts. The scale and design resolution of the proposed new building elements is an outstanding concern to the Heritage Council and requires significant further thought and refinement.


If you have any questions regarding the above matter, please contact Ed Beebe, Senior Heritage Assessment Officer at the Heritage Division, Office of Environment and Heritage on 02 9585 6045 or ed.beebe@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads "Timothy Smith". The signature is written in a cursive, slightly slanted style.

Tim Smith OAM
Director, Heritage Operations
Heritage Division
Office of Environment & Heritage
As Delegate of the Heritage Council of NSW
15 December 2017

Attachment A - Heritage Council of NSW Meeting Minutes 4May2016

MINUTES OF MEETING – 429 Heritage Council of NSW 4 May 2016 Commencing at 9:10.am Office of Environment and Heritage 59 Goulburn St, Sydney NSW		Heritage Council  of New South Wales
PRESENT Mr Stephen Davies (Chair) Dr Mark Dunn (Deputy Chair) Dr Deborah Dearing Ms Jennifer Davis Ms Jane Irwin Dr Raymond Kelly Ms Lisa Newell (National Trust (NSW) Nominee)	APOLOGIES	Mr Gary White (for Secretary, Department of Planning & Environment) Mr Peter Poulet (Observer, Government Architect) Mr Bruce Pettman (Observer, Government Architect)
	HERITAGE DIVISION ATTENDEES	Ms Pauline McKenzie – A/Executive Director, Heritage Division Ms Kylie Seretis – Senior Manager, Policy & Strategy Dr Siobhan Lavelle OAM – Manager, Listings Ms Rochelle Johnston – A/Senior Manager Mr Rajeev Maini – A/Manager, Conservation Mr Robert Nicoll, Mrs Colleen Klingberg – Secretariat Ms Natalie Blake & Ms Diana Cowie (Item 4.6) – Policy & Strategy Mr Gary Hinder (Item 6.4), Ms Katrina Stankowski (Item 6.5) – Conservation Team Ms Lucy Hampton (Items 5.1, 5.2 & 7.1), Ms Sonia Limeburner, Mr David Campbell & Ms Christina Kanellaki Lowe (Items 5.1 & 5.2) – Listings

1.0	Opening and Welcome
	The meeting commenced at 9.10 am. The Chair, Mr Stephen Davies gave an Acknowledgment of Country.
	Agenda Item 1.1 Apologies, Confirmation and Timing of Agenda
Discussion	<ul style="list-style-type: none"> ▪ Apologies received from: <ul style="list-style-type: none"> - Mr Gary White (for Secretary, Department of Planning & Environment); - Mr Bruce Pettman (Observer, Government Architect); and - Mr Peter Poulet (Observer, Government Architect). ▪ Printed copies were provided of the updated agenda and papers for: <ul style="list-style-type: none"> - Item 2.1 – Heritage Council of NSW meeting of 6 April 2016 minutes; - Item 3.3 – Heritage Council of NSW meeting and committees combined action report; - Item 4.4 – Community Heritage Values Survey; - Item 4.5 – Heritage Near Me (HNM) Local Government Consultation – initial paper and supplementary report; - Item 4.7 – Communications Strategy Update; - Item 4.9 – Toolkit Update; - Item 4.10 – Heritage Council of NSW Delegations Guideline; - Item 4.11 – Heritage Council of NSW Delegations for the Endorsement of Conservation Management Plans at Millers Point; and - Item 4.12 – Heritage Council of NSW Delegations to Sydney Harbour Foreshore Authority. ▪ Members noted that Item 6.7 O'Connell Street Public School – Old Kings School IDA and SSD modifications presentation will be considered by the May 2016 Approvals Committee meeting.
Noted	The Heritage Council of NSW <ul style="list-style-type: none"> ▪ Noted the welcome, apologies made, papers received and confirmed the agenda.

	Agenda Item 1.2 Declarations of Interest
Discussion	<p>Members were advised of the following conflicts of interests (which were provided prior to the meeting):</p> <ul style="list-style-type: none"> Mr Stephen Davies <ul style="list-style-type: none"> Item 6.4 – Land and Housing Corporation Millers Point update (19-30 Argyle Place). <p>Additional potential declarations of interest identified and advised during the meeting:</p> <ul style="list-style-type: none"> Dr Mark Dunn is part of a team working with Sydney Living Museums (SLM) on a Conservation Management Plan (CMP) for Museum of Sydney. Noted that this declaration did not apply to the SLM item being presented.
Noted	The Heritage Council of NSW noted the Declarations of Interest.

2.0	Confirmation of Minutes
	Agenda Item 2.1 Heritage Council of NSW meeting of 6 April 2016
Discussion	<ul style="list-style-type: none"> Members discussed the draft minutes of the 6 April 2016 Heritage Council (HC) meeting and proposed amendments following its distribution to members.
Resolution	<p>2016-56. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> Accepts the minutes as a true record of the Heritage Council meeting held on 6 April 2016. <p>Moved by Ms Jennifer Davis and seconded by Ms Lisa Newell.</p>
	Agenda Item 2.2 Heritage Council April 2016 Out of Session Decisions
Discussion	<ul style="list-style-type: none"> Nil matters determined by the Heritage Council out of session in April 2016.

3.0	Reports
	Agenda Item 3.1 Chair's report
Discussion	<p>The Chair reported to members on:</p> <p>Determination of Applications - timeframes</p> <ul style="list-style-type: none"> Concerns were raised with the Chair around the time it is taking for applications to be determined particularly exemption endorsements under sections 57 and 139 of the <i>Heritage Act 1977</i> (the Act). The Chair has requested quarterly reporting to the HC on the number of applications received and processed to completion. The first report is due to the June 2016 HC meeting. <p>The HC noted:</p> <ul style="list-style-type: none"> Heritage Division (HD) has provided a paper updating the Council on process mapping to improve application processing (item 4.9). The objective is to fast track exemptions to be processed within three days. It is currently taking five days to process exemptions. 94 exemption applications were determined in the last month. Applications from Millers Point that fulfil the criteria for fast track are to be included within the fast track process. <p>Recent meeting with Roads and Maritime Services (RMS)</p>

	<ul style="list-style-type: none"> Main items discussed were the 2012 NSW Timber Truss Bridge (TTB) Conservation Strategy and the Sydney Harbour Bridge (Harbour Bridge) access strategy. <p>The HC noted:</p> <ul style="list-style-type: none"> The proposed lift for the Harbour Bridge is to proceed at the preferred location near the Council Depot site on Cumberland Street, The Rocks. A presentation will be forthcoming on the bicycle access ramp on the north and west side of the Harbour Bridge in Milson's Point.
Noted	The Heritage Council of NSW noted the report.
Action	<ul style="list-style-type: none"> HD to provide the first report on applications received and processed to the June 2016 HC meeting.
	Agenda Item 3.2 Executive Director's report
Discussion	<p>The Acting Executive Director, Ms Pauline McKenzie presented the prepared report and provided updates on the following matters:</p> <ul style="list-style-type: none"> Recent State Heritage Register (SHR) Gazettals; Proposed Sydney Opera House Site Visit; Update for the Heritage Agreement for the Gledswood Estate, SHR item #1692; 50 Martin Place, Sydney – Commonwealth Building; WestConnex M4 to M5 Link; and Bondi Beach Cultural Landscape. <p>The HC noted:</p> <ul style="list-style-type: none"> Recent media on Bondi Pavilion detailing community concern over conversion of community-use space to commercial use. HD will update the HC on Gledswood Estate once requested legal advice has been received.
Noted	The Heritage Council of NSW noted the report.
Action	<ul style="list-style-type: none"> HD to send an email update to the HC on Gledswood Estate once legal advice is received.
	Agenda Item 3.3 Heritage Council Action Report
Discussion	Members reviewed the current HC Meeting Action Report.
Noted	The Heritage Council of NSW noted the report.
	Agenda Item 3.4 Conservation Matters Approved Under Delegation
	Agenda Item 3.5 Listing Matters monthly update
	Agenda Item 3.6 Grant Matters Approved Under Delegation
	Agenda Item 3.7 Compliance Matters monthly report
Discussion	<p>Items 3.4, 3.5, 3.6 and 3.7 were discussed together with the HD management team answering questions.</p> <ul style="list-style-type: none"> 3.4 Conservation – Matters Approved Under Delegation. 3.5 Listing Matters monthly update. 3.6 Grants – Matters Approved Under Delegation. <ul style="list-style-type: none"> nil report 3.7 Compliance Matters monthly report. Members: <ul style="list-style-type: none"> Noted the reports.

	<ul style="list-style-type: none"> - Requested the HD to add an item to the agenda of a future meeting, to discuss how the HC can support compliance.
Resolution	<p>2016-57. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. Requests the Heritage Division to add an item to the agenda of a future meeting to discuss how the Heritage Council can support compliance. <p>Moved by Mr Stephen Davies and seconded by Ms Jennifer Davis.</p>
Action	Requested the HD to add an item to the agenda of a future meeting, to discuss how the HC can support compliance.

4.0	Legislative, Policy and Administrative Matters for Consideration & Decision
	Agenda Item 4.10 Heritage Council of NSW Delegations Guidelines
Discussion	<p>Ms Kylie Seretis presented advising:</p> <ul style="list-style-type: none"> ▪ The HC agreed to delegations in August 2015 and Guidelines were requested for the use of delegations. ▪ Revisions to initial guidelines have been made using simpler easier to understand language. ▪ The guidelines will be supplemented with a skills and qualification assessment chart where the delegate will be assessed prior to use of the delegation. An example is included in the Millers Point delegations paper (item 4.11). ▪ HD will assess officer skills and skill up officers over a period of six months. ▪ The Executive Director, HD will have oversight and be satisfied that the relevant officer has the required training and experience to understand the decision making process to use a delegation. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> ▪ HD should ensure delegations used are reported to HC each month. ▪ HD to inform the Minister's office that delegation guidelines have been approved by the HC.
Resolution	<p>2016-58. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. Notes the information in this report; and 2. Endorses the guidelines, subject to minor amendments by the Senior Manager, Policy and Strategy. <p>Moved by Mr Stephen Davies and seconded by Ms Lisa Newell.</p>
Action	<ul style="list-style-type: none"> ▪ HD to inform the Minister's office that the delegation guidelines have been approved by the HC.
	Agenda Item 4.8 Heritage Council 2016 Regional Visit
Discussion	<p>Ms Kylie Seretis presented advising:</p> <ul style="list-style-type: none"> ▪ Options provided are based on earlier consultation with the Chair and members. ▪ Options on proposed dates are to ensure availability of members. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> ▪ A Heritage Near Me (HNM) event is proposed in Broken Hill in September and if available members are encouraged to attend this as well as the regional visit. ▪ The importance of coastal & cultural landscapes and the current development issues/ impacts. ▪ Dr Raymond Kelly to assist incorporating ACH into the program.
Resolution	<p>2016-59. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. Notes the information in the report; and

	<p>2. Advises the Heritage Division to arrange a regional visit to the South Coast for the 17 to 19 August 2016 with the thematic focus on coastal and cultural landscapes.</p> <p>Moved by Mr Stephen Davies and seconded by Ms Jennifer Davis.</p>
Action	<ul style="list-style-type: none"> HD to follow up with Dr Raymond Kelly to incorporate Aboriginal Cultural Heritage into the regional visit program.

5.0	Presentations
	Agenda Item 6.4 Art Gallery of NSW - Sydney Modern Project (Conservation)
Discussion	<p>Ms Sally Webster and Mr Nicholas Wolff – Art Gallery of NSW, Ms Yumiko Yamada – Principal at SANAA and Ms Claire Nunez – GML Heritage presented advising:</p> <ul style="list-style-type: none"> The Art Gallery of NSW (AG) has expanded over time, however the current facilities limit the number of exhibitions and visitors that can be accommodated. Consideration of a remote site presented challenges to operations, security and management and curation of collections. The oil bunkers that are part of the SHR listing for the Royal Botanic Gardens (RBG) are proposed to be adaptively reused as a gallery space. The design's footprint sits primarily over the Cahill Expressway land bridge and the currently underused area over the oil bunkers and therefore there is low expectation of archaeological impact from the new buildings. The proposed sunshade of the courtyard is to be translucent to let light through and constructed high enough to preserve views from Art Gallery Road to Woolloomooloo. The expanded gallery is to be a draw card from Macquarie Street to a new cultural precinct. A development application is expected to be lodged in the second half of 2016. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> The importance of an analysis of the impact to the landscape, views and access, particularly in relation to the Domain and RBG. The importance of maintaining the main entrance. Concern about converting public space to private space and the setting of a precedent. The use of smaller separate building to reduce obstruction and provide access. A natural canopy of trees could deliver the same outcomes as the proposed sunshade. The AG is in discussion with RBG on the future of the Pavilion café. Support for an assessment of current versus future landscape use should development proceed. The HC looks forward to further consultation with the AG. The HD will provide comment to the AG.
Noted	The Heritage Council of NSW noted the presentation.
Action	<ul style="list-style-type: none"> HD to provide comments to the AG.
	Agenda Item 6.5 Sydney Metro Stage 2 (Chatswood to Sydenham) State Significant Infrastructure (SSI) Presentation - Transport for NSW (Conservation)
Discussion	<p>Ms Carolyn Riley – North West Rail Link (NWRL); Mr Peter Romey – GML Heritage and Ms Sandra Wallace – Artefact, presented advising:</p> <ul style="list-style-type: none"> Stage 2 Environmental Impact Statement (EIS) exhibition begins 11 May 2016 for six weeks. Exhibition Submissions Report & Preferred Infrastructure Report are due to be completed mid October 2016 with determination by the end of 2016. SSI application for Sydenham to Bankstown will be lodged later in 2016.

	<ul style="list-style-type: none"> There are three SHR listed stations on the Metro route including Martin Place, Central and Sydenham. Dive structures for the tunnels will be constructed at Chatswood and Marrickville adjoining the Sydney Pumping Pit which is SHR listed. Focus of impacts is Central Station and the challenges of putting a new station box within the existing station. Third major redevelopment of Central Station, the others being in 1906 and 1926. Direct impacts to Central Station include: <ul style="list-style-type: none"> Platform canopies removed to allow for a temporary (10 years) pedestrian bridge to be installed to connect platforms 4 to 23; Four luggage tunnels including the Devonshire Street tunnel; Demolition of kiosks in Eddy Avenue; Construction of a permanent two lane bridge for trucks to access the rail yard fifty metres from Mortuary Station that will significantly impact views to and from the Mortuary Station; and Demolition of platforms 13 to 15, with some later reinstated. The design aims to avoid impacts to the Bradfield Building. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> Mortuary Station is not affected physically. However there will a significant impact on its setting due to the proposed vehicular access. Concern over cumulative impacts of the new development on the heritage significance of Central Station. The need for visuals of proposed works including dive structures to aid comment from the HC, as there have been past issues with tunnelling dive structures and heritage. The proposed bridges could be developed with the aim to improve longer term connectivity such as from Prince Alfred Park to Mortuary Station which can connect to the Goods Line. A higher level of detail on the proposal would aid comment from the HC. The HD will provide comment on the EIS in consultation with the HC and invite Transport for NSW back for a June presentation to the HC.
Noted	The Heritage Council of NSW noted the presentation.
Action	<ul style="list-style-type: none"> HD to provide comment on the EIS in consultation with the HC. Transport for NSW to be invited back for a June 2016 presentation.
	Agenda Item 4.1 Sydney Living Museums – Strategic Projects (Policy)
Discussion	<p>Mr Mark Goggin, Executive Director – Sydney Living Museums (SLM); Ms Oriana Senese – Head of Strategic Projects – SLM and Ms Elisha Long, Head of Heritage – SLM presented:</p> <ul style="list-style-type: none"> The following four strategic projects: The Story of Sydney - Proposes two new structures connected by a glass structure and ground level cultural space linking Macquarie Street to the Domain to create a new cultural precinct centred on the Mint and Hyde Park Barracks and housing a new Museum of Sydney (MoS). The Shoreline Project - Cadman's Cottage - Aims to connect Cadman's Cottage to the original shoreline of Sydney Cove and install a new timber and glass building on land previously occupied by a demolished colonial store building. The Rouse Hill Estate Regional Parkland - Proposal seeks to expand and integrate management of the Rouse Hill Home and Farm and the adjacent Rouse Hill Regional Parkland to deliver on regional open space reservation obligations. The Sydney Crime Museum - A new two-level entrance foyer with café's will be the gateway to the current Justice and Police Museum by redressing major physical barriers and re-presenting Sydney's criminal, legal and policing history through more compelling programming.

	<p>Members discussed the SLM projects noting:</p> <ul style="list-style-type: none"> ▪ Further consultation is valued and will be sought. ▪ The Story of Sydney will replace the 1960s built Supreme Courts and State Records buildings that currently sit behind the Mint and Hyde Park Barracks. ▪ General concern for the replacement of heritage buildings, commercialisation and the bulk and scale of new buildings and their impact on the sites. ▪ Support for the activation and opening up of Hospital Road. ▪ The current MoS site is not working and needs to be reconsidered. ▪ SLM is reconsidering, in consultation with Dexu Lendlease and AMP, how the current MoS site could be re-activated as part of the reinterpretation. ▪ The site of the current MoS will be reinterpreted as a free and public national monument site focused on the site of the first government house, first contact and the nine governors. ▪ Key considerations include the connection between the landscape and buildings, the natural environment (the Domain and RBG), the harbour and the city skyline. ▪ The Lands and Property Information building could be converted to a hotel. ▪ The Rouse Hill proposal contains many roads and paths. Consideration of landscapes is important, including views to and from the house across the landscape.
Action	<ul style="list-style-type: none"> ▪ HD to facilitate further consultation on SLM strategic projects.
Noted	The Heritage Council of NSW noted the presentation.

6.0	Legislative, Policy and Administrative Matters for Consideration & Decision
	Agenda Item 4.2 Heritage Council Finance
Discussion	<p>Mr Anthony Dann presented advising:</p> <p>Heritage Council Third Quarter report</p> <ul style="list-style-type: none"> ▪ A revised report for Quarter 3 was tabled and circulated to all members. ▪ 2015-16 has seen lower than planned expenditure due to delayed projects. <p>Heritage Council Final Budget 16/17</p> <ul style="list-style-type: none"> ▪ The 2016-17 budget will result in a deficit through increased expenditure to deliver delayed projects including: <ul style="list-style-type: none"> - the Hunter Heritage Fund; - a Conservation Management Plan (CMP) and landscape plan for the Hillview property; - a HC communications and engagement strategy; - increased funding for legal advice; - reduced fees from CMPs; and - lower investment returns. <p>Heritage Council Banking Delegations</p> <ul style="list-style-type: none"> ▪ Delegations for the operation of accounts require updating. <p>Future attendance at HC meeting</p> <ul style="list-style-type: none"> ▪ Paul Watkins will be acting as Financial Controller, ROGHD until December 2016, and will be attending the HC meetings in place of Anthony Dann. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> ▪ Previous agreement of the HC to form a strategy and finance sub-committee. ▪ Noted HD request for extra resources to meet CMP deadlines for Millers Point to be discussed later in the meeting under item 4.11 will affect presented 2016-17 budget. ▪ The HC is funded as an out of budget government agency. ▪ Current funding support provided to the Secretariat.

	<ul style="list-style-type: none"> Reduced fees resulting from increased amount of State Significant Infrastructure (SSI) and State Significant Development (SSD) applications.
Resolution	<p>2016-60. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> Adopts the 2015-16 Quarter 3, finance report (Annexure A of the prepared report); Adopts the 2016-17 Full year budget (Annexure C of the prepared report); Authorise the Chair of the Council to sign the Banking Delegations Letter (Annexure E of the prepared report), providing, pursuant to section 63E of the <i>Public Finance and Audit Act 1983</i>, the delegated authority for the signing of any banking products and services, administered by the Office of Environment & Heritage (OEH) on behalf of the Heritage Council of NSW with the contracted banker Westpac Banking Corporation (Westpac), to: <ol style="list-style-type: none"> Executive Director Finance, Procurement, Performance & Services, OEH Corporate Financial Controller, OEH Director Corporate Business Performance, OEH Manager Service Delivery, OEH Team Leader Corporate Accounting, OEH Team Leader Financial Transactions, OEH; Notes that the signing of any banking products and services documentation will be undertaken by any two of the delegates jointly; and Agrees to form a strategy and finance sub-committee. <p>Moved by Ms Jennifer Davis and seconded by Mr Stephen Davies.</p>
Action	<ul style="list-style-type: none"> HC to nominate members for a strategy and finance sub-committee at June meeting.
Agenda Item 4.11 Heritage Council of NSW Delegations for the Endorsement of Conservation Management Plans at Millers Point	
Discussion	<p>Ms Pauline McKenzie and Ms Kylie Seretis presented advising:</p> <ul style="list-style-type: none"> HD is requesting a change to delegations for the endorsement of the remaining CMPs to ensure that the timeframes for the program can be efficiently met. Different options were presented. HD are working with the Land and Housing Corporation (LAHC) to translate draft Superlot CMPs into the agreed format followed by a workshop with consultants to achieve consistent results across all CMPs. HD is requesting funding from the HC to increase assessment capacity. <p>Members discussed the following matters:</p> <ul style="list-style-type: none"> whether it is possible to maintain heritage fabric with the upgrades required to meet relevant accessibility and BCA standards. Implementation of necessary upgrades to achieve subdivision prior to auction. HD noted that some properties will have longer settlements to enable works. Support for the change in delegations and to funding to increase HD assessment capacity until the end of September 2016. HC wants to comment on first iteration of each Superlot CMP with a checklist. HC will provide comment within 3 days via email. A CMP assessment report will only be required if there are substantial changes required.
Resolution	<p>2016-61. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> Notes the information in this report; Delegates the endorsement of the part 2 of Superlots for the Millers Point Conservation Area CMPs, subject to circulation to the Heritage Council of part 2 drafts for comment, to: <ol style="list-style-type: none"> Director of the Heritage Division; Heritage Division Senior Manager;

	<ul style="list-style-type: none"> c. Heritage Division Manager – Conservation; d. Heritage Division Manager – Listings; e. Heritage Council Approvals Committee; f. Heritage Council Approvals Committee – Millers Point Sub-Committee; <p>3. Delegates the endorsement of the part 3 Superlots for the Millers Point Conservation Area CMPs to:</p> <ul style="list-style-type: none"> a. Director of the Heritage Division; b. Heritage Division Senior Manager; c. Heritage Division Manager – Conservation; d. Heritage Division Manager – Listings; e. Heritage Council Approvals Committee; f. Heritage Council Approvals Committee – Millers Point Sub-Committee; <p>4. Recommends the approval of the new delegations to the Minister for Heritage;</p> <p>5. Requires reporting as part of the regular Millers Point updates; and</p> <p>6. Agrees to fund additional assessment officers for Millers Point, up to the value of \$250,000, provided it does not exceed Millers Point Superlot CMP fees.</p> <p>Moved by Ms Jennifer Davis and seconded by Dr Raymond Kelly.</p>
Agenda Item 4.12 Heritage Council Delegations to Sydney Harbour Foreshore Authority	
Discussion	<p>Ms Kylie Seretis presented advising:</p> <ul style="list-style-type: none"> ▪ Amendment to the HC delegation to the Sydney Harbour Foreshore Authority (SHFA) to allow an additional position to exercise the existing delegations. <p>The HC noted the report and agreed to its recommendations.</p>
Resolution	<p>2016-62. That the Heritage Council of NSW</p> <ul style="list-style-type: none"> 1. Notes the information in this report; and 2. In accordance with section 169(3) of the <i>Heritage Act 1977</i>, <ul style="list-style-type: none"> a. agrees to delegate certain functions of the Heritage Council to the Authority, on the terms set out in Attachment B of the prepared report, to the Head of Heritage, Sydney Harbour Foreshore Authority; b. agrees that the revised delegation at Attachment B of the prepared report will repeal and replace the delegation of Heritage Council functions to the Authority from January 2015; and c. agrees to seek the consent of the Minister for this revised delegation. <p>Moved by Dr Mark Dunn and seconded by Ms Lisa Newell.</p>
Agenda Item 4.6 Heritage Council Panels Review	
Discussion	<p>Kylie Seretis presented advising:</p> <ul style="list-style-type: none"> ▪ As a result of reviewing the existing Heritage Council panels, the HD recommends constituting: <ul style="list-style-type: none"> - Heritage Council Heritage Committee with a general heritage skill set to support the HC and HD; - Heritage Council Technical Conservation Committee bringing together the previous Technical Advisory Group (TAG) and the Fire Access and Services Advisory Panel (FASAP); and - Heritage Grants Committee (previously Heritage Grants Panel). ▪ Establishing the Religious Property Advisory Panel (RPAP) and the Maritime Archaeological Advisory Panel (MAAP) as reference groups that meet annually to discuss particular issues. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> ▪ Expand expertise sought in committee's advertisement to include natural heritage, landscape architecture and built environment sustainability.

	<ul style="list-style-type: none"> ▪ HD will circulate lists of expertise required for committees to HC for input prior to finalisation of advertisements. ▪ Aboriginal heritage expertise will be included in the Heritage Council Heritage Advisory Committee however the HC will seek advice on Aboriginal Cultural Heritage (ACH) from the Aboriginal Cultural Heritage Advisory Committee (ACHAC) as required. ▪ Including advertising for additional members for the SHR and Approvals Committees.
Resolution	<p>2016-63. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. Notes the information in this report; 2. Approves the recommendations of the 2015 review with the chairing of committees considered at a future meeting; 3. Approves the Model Terms of Service (Attachment B of the prepared report) and agrees to its finalisation subject to minor edits as agreed by the Senior Manager, Policy and Strategy; 4. Approves the Heritage Division proceeding to implement the recommendations with an update on progress at the next meeting; 5. Approves the Heritage Division seeking membership of the SHR Committee and the Approvals Committee; and 6. Will seek advice on Aboriginal Cultural Heritage from the Aboriginal Cultural Heritage Advisory Committee as required. <p>Moved by Ms Jennifer Davis and seconded by Dr Mark Dunn.</p>
Action	<ul style="list-style-type: none"> ▪ HD to seek HC input to list of expertise included in the advertisement and information pack. ▪ HD to update progress at June 2016 HC meeting.
Agenda Item 4.4 Community Heritage Values Survey Policy Team and Consultant attending	
Discussion	<p>Althea Kannane and Julia Dowling from Policy Division, Office of Environment and Heritage (OEH) and Nicolina Kennedy and Stuart Attwood from the consultant EY Sweeney presented advising:</p> <ul style="list-style-type: none"> ▪ The presentation provided recommendations on survey methodology. ▪ The key objective is to achieve representativeness of the NSW community and smaller groups within the broader community that is statistically robust. ▪ Online surveys are recommended as the most cost effective over phone surveys and are supported by the high penetration of internet use in Australia, even in regional areas. ▪ Survey options proposed include: <ul style="list-style-type: none"> - 1) Survey of general population; - 2) Includes option 1 plus targeted surveys to rural and Aboriginal sub-groups; - 3) Includes option 2 plus targeted surveys to Culturally and linguistically diverse people (CALD) non-English speaking sub-groups; and - Separate quantitative and qualitative options to survey peak bodies. ▪ The consultant requires advice of the HC and HD to identify peak body contacts. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> ▪ Considerations of where and how to survey sub-groups to ensure that demographic, socio-economic, cultural and regional representation will be statistically robust. ▪ Survey option 1 will capture a proportion of regional, Aboriginal and non-English speaking CALD sub-groups that can be analysed to inform and ensure future efforts to survey sub-groups are statistically robust. ▪ HC and HD to evaluate the result of the initial survey prior to proceeding with further work. ▪ Consulting with State government agencies can further inform community perspectives on heritage across a range of sectors.
Resolution	<p>2016-64. The Heritage Council of NSW:</p>

	<ol style="list-style-type: none"> 1. Note the three survey options in Table 1 of the prepared report, their relative advantages and disadvantages and associated costs; 2. Nominate survey option 1 as the preferred survey option; and 3. Request OEH to provide a proposal to consult with state agencies at a future meeting. <p>Moved by Ms Lisa Newell and seconded by Dr Raymond Kelly.</p>
Action	<ul style="list-style-type: none"> ▪ HC and HD to evaluate the results of the initial Option 1 survey prior to proceeding with further work.
Agenda Item 4.7 Communications Strategy Update	
Discussion	<p>Kylie Seretis presented advising:</p> <ul style="list-style-type: none"> ▪ A proposed project scope for a brief to go to tender is provided. ▪ The proposed timeframes allow for the Policy Division led community values survey and the community and local government work of the Heritage Near Me (HNM) program to link into the strategy. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> ▪ The Secretariat will collate HC comments on the strategy out of session.
Resolution	<p>2016-65. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. Notes the information in the Communications Strategy – Proposed Project Scope (Attachment A of the prepared report); 2. Notes that the Heritage Division will liaise with Dr Deborah Dearing, Ms Lisa Newell and Dr Raymond Kelly – to develop the scoping brief for tender document; 3. Approves the Heritage Division to develop the project brief, including all technical specifications, to engage a supplier to deliver the Communications Strategy; and 4. Will provide a response to the project scope out of session. <p>Moved by Dr Raymond Kelly and seconded by Dr Deborah Dearing.</p>
Action	<ul style="list-style-type: none"> ▪ HD to collate HC comments on the communications strategy project brief out of session and work with Dr Deborah Dearing, Ms Lisa Newell and Dr Raymond Kelly to finalise.


7.0	Listing Matters for Consideration & Decision
	Agenda Item 5.1 Recommendation for Removal from SHR – Clarence River Road Bridge, Tabulam – Kyogle Shire LGA and Tenterfield Shire LGA
Discussion	<p>Dr Siobhan Lavelle, Ms Sonia Limeburner and Mr David Campbell presented advising:</p> <ul style="list-style-type: none"> ▪ Removal of bridge from SHR was foreshadowed by the RMS Timber Truss Bridge strategy (the Strategy). ▪ The strategy sets out that the removal of any bridge would need to be considered under section 38 if the <i>Heritage Act 1977</i> on its own merit. ▪ Tabulam was one of the most significant of the bridges proposed for removal in the strategy. ▪ One bridge has already been removed from SHR in line with the strategy—Bridge over Five Day Creek, Kempsey. ▪ No submissions were received on the proposed removal of the Clarence River Road Bridge from the SHR. ▪ The HD reminded members that RMS provided the Heritage Council of the <i>Implementation of the Timber Truss Bridge Conservation Strategy</i> - November 2015 reporting on the endorsed <i>Timber Truss Bridge Conservation Strategy</i> – August 2012. ▪ The initial report received did not cover all aspects required.

Resolution	<p>2016-66. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. In accordance with Section 33(1)(d) of the <i>Heritage Act 1977</i>, advise the Minister that the item known as the 'Clarence River Road Bridge', State Highway 16, Tabulam, Kyogle, be removed from the State Heritage Register; 2. Recommend to the Minister, in accordance with Sections 32(1) and (2) of the <i>Heritage Act 1977</i>, that the Minister direct the removal of the item, 'Clarence River Road Bridge', State Highway 16, Tabulam, Kyogle, from the State Heritage Register; and 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). <p>Moved by Dr Deborah Dearing and seconded by Mr Stephen Davies.</p>
Resolution	<p>2016-67. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. Requires RMS to provide the outstanding matters relating the Timber Truss Bridge strategy reporting from 2015. <p>Moved by Dr Deborah Dearing and seconded by Mr Stephen Davies.</p>
Action	<ul style="list-style-type: none"> ▪ HD to follow up with RMS on outstanding matters related to reporting against the strategy.
	Agenda Item 5.2 Recommendation to List – Thurlow House, 9 Stuart Crescent, Blakehurst, Kogarah LGA
Discussion	<p>Dr Siobhan Lavelle and Ms Christina Kanellaki Lowe presented advising:</p> <ul style="list-style-type: none"> ▪ Thurlow House is a split level Modern Movement House designed by significant architect Harry Seidler that has been recently sold. ▪ An Interim Heritage Order was gazetted on 7 August 2015. ▪ An independent consultant report found that Thurlow House has historical, associational, aesthetic, technical, rarity and representative significance at a state level. <p>Members discussed the matter noting:</p> <ul style="list-style-type: none"> ▪ The new owners are in contact with Seidler & Associates and are aware of the significance of the house and supportive of the listing.
Resolution	<p>2016-68. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. in accordance with section 33(1)(d) of the <i>Heritage Act 1977</i> advise the Minister that the item known as "Thurlow House" at 9 Stuart Crescent, Blakehurst, is of state heritage significance, as shown in the plan at Annexure B of the prepared report and Annexure A of these minutes; 2. recommend to the Minister, in accordance with sections 32(1) and (2) of the <i>Heritage Act</i>, that the Minister direct the listing of the item, "Thurlow House" at 9 Stuart Crescent, Blakehurst, on the State Heritage Register; 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); and 4. in accordance with section 57(2) of the <i>Heritage Act 1977</i>, note that the Heritage Council Standard Exemptions will apply. <p>Moved by Dr Deborah Dearing and seconded by Mr Stephen Davies.</p>
	Agenda Item 5.3 Matter Arsing - Listing Strategy
Discussion	<ul style="list-style-type: none"> ▪ The Chair reminded members that it was agreed at the Business Planning meeting to develop a ten year plan and Listing Strategy for the SHR. ▪ This is to be discussed by the Strategy Committee at a meeting to be arranged.
Noted	<ul style="list-style-type: none"> ▪ The Heritage Council of NSW noted the discussion.

8.0	Updates
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	Agenda Item 4.9 Toolkit Update – Section 57 and Section 139
	Agenda Item 4.3 Port Macquarie Archaeology Fund update
	Agenda Item 4.5 Heritage Near Me - Local Government Consultation
	Agenda Item 6.1 Land and Housing Corporation Millers Point matters - update
	Agenda Item 6.2 Lands and Education Buildings, Bridge St Sydney - update
	Agenda Item 6.3 UrbanGrowth NSW update
	Agenda Item 6.6 Windsor Bridge Replacement Project – Roads and Maritime Services
Discussion	<p>Items 4.9, 4.3, 4.5, 6.1, 6.2, 6.3 and 6.6 were discussed together with HD management team answering questions.</p> <ul style="list-style-type: none"> ▪ 4.9 Toolkit Update – Section 57 and Section 139 ▪ 4.3 Port Macquarie Archaeology Fund update ▪ 4.5 Heritage Near Me – Local Government Consultation ▪ 6.1 Land and Housing Corporation Millers Point matters – update ▪ 6.2 Lands and Education Buildings, Bridge St, Sydney – update ▪ 6.3 Urban Growth NSW update ▪ 6.6 Windsor Bridge Replacement Project – Roads and Maritime Services <p>Members:</p> <ul style="list-style-type: none"> ▪ Noted the reports. ▪ Noted the information provided in the supplementary report provided by HNM. ▪ Noted presentation from Roads and Maritime Services has been deferred to the June 2016 meeting and the report received should be considered at this time for noting.
Resolution	<p>2016-69. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. Notes the information in the reports for items 4.9, 4.3, 4.5, 6.1, 6.2, 6.3 and 6.6; 2. Agrees to provide comment on draft content and format on Item 4.9 Toolkit Update; 3. Notes the Port Macquarie Archaeology Fund - Project & Communications Plan (Attachment A of the prepared report item 4.3); 4. Notes the information in the supplementary report received for Item 4.5 Heritage Near Me - Local Government Consultation; and 5. Notes that Windsor Bridge Replacement Project – Roads and Maritime Services presentation will be received at June 2016 meeting. <p>Moved by Ms Jennifer Davis and seconded by Dr Raymond Kelly.</p>
Action	<ul style="list-style-type: none"> ▪ HD to consider comments of HC on SSI and SSD applications and when an independent heritage review should be applied.

9.0	General Business
	Agenda Item 7.1 State Heritage Register Listing Events
Discussion	<p>Ms Lucy Hampton presented advising:</p> <ul style="list-style-type: none"> ▪ The HD will organise a listings event for any of the recent eight gazettals on the SHR upon direction from the HC. ▪ The HD now has dedicated resources for events. <p>Members discussed the matter:</p> <ul style="list-style-type: none"> ▪ Noted that events are key component of HC public communications and can positively influence community attitudes to heritage.

	<ul style="list-style-type: none"> ▪ Requested that the HD organise an event for each of the eight recently gazetted listings. ▪ Requested that certificates be given to the gazetted items signed by the Chair using the current branding of HC. ▪ Agreed that to accommodate members other commitments to rotate the attendance amongst the members of the council and committees. ▪ Requested that the Heritage Division circulate the Events Strategy mentioned in discussion.
Resolution	<p>2016-70. The Heritage Council of NSW:</p> <ol style="list-style-type: none"> 1. Notes the gazettal of eight new items to the State Heritage Register; 2. Direct the Heritage Division to coordinate listing events for the following items: <ol style="list-style-type: none"> a. Stroud House, Stroud b. The Greek Orthodox Cathedral of Saint Sophia (Agia Sophia), Paddington c. Old Cobram-Barooga Bridge, Barooga d. Urana Soldiers' Memorial Hall, Urana e. Wingham Memorial Town Hall, Wingham f. Avoca Homestead Complex, Wentworth g. 12 Pounder Rifled Breech-Loading Gun (Armstrong) (moveable item), Deniliquin h. Mount St Mary Campus of the Australian Catholic University, Strathfield; and 3. Will provide the Heritage Division with indicative numbers and names of Heritage Council / committee members interested in attending each listing event. <p>Moved by Dr Deborah Dearing and seconded by Ms Jennifer Davis.</p>
Action	<ul style="list-style-type: none"> ▪ HD to circulate the table of proposed events to members once dates have been identified. ▪ HD to circulate the Events Strategy.
Agenda Item 7.2 Business Planning Update	
Discussion	<p>Ms Kylie Seretis presented advising:</p> <ul style="list-style-type: none"> ▪ HD has the report of the planning day facilitator which will be circulated to members. ▪ HD will develop a table of timeframes and progress against business planning objectives.
Noted	The Heritage Council noted the report.
Action	<ul style="list-style-type: none"> ▪ HD will circulate the facilitator's report to HC members. ▪ HD to develop a table of timeframes and progress against business planning objectives.
Agenda Item 7.3 Matters Arising	
Discussion	<ul style="list-style-type: none"> ▪ HD to facilitate a one hour phone link up (PLU) to discuss issues to raise with the Minister. ▪ HD will compile text on the earlier presentations for review and comment by the HC. ▪ Dr Deborah Dearing will be an apology for the June 2016 HC meeting.
Noted	The Heritage Council noted the matters raised.
Action	<ul style="list-style-type: none"> ▪ HD to facilitate a one hour phone link up (PLU) to discuss issues to raise with the Minister. ▪ HD will organise text on presentations from the days meetings for review and comment by the HC.
CLOSE OF MEETING – 4.05 pm	
<p>I confirm that these minutes are an accurate reflection of the Heritage Council of NSW discussion and outcomes.</p> <p></p> <p>Mr Stephen Davies Chair, Heritage Council of NSW Date: 1 June 2016</p>	

Attachment B - Approvals Committee Minutes 4Oct2017

MINUTES OF MEETING Approvals Committee

4 October 2017

Commencing at 2:15pm

Heritage Division, Office of Environment & Heritage

Level 6, 10 Valentine Ave, Parramatta

DOC17/334864

MEMBERS PRESENT

Dr Deborah Dearing (Chair)
 Mr Stephen Davies
 Ms Jane Irwin
 Mr Bruce Pettman
 Mr Peter Romey
 Ms Kerime Danis
 Mr Gary White (on behalf of the Secretary,
 Department of Planning & Environment)
 Mr Peter Poulet (Government Architect)
 Mr Ben Hewett (Government Architect)

OEH ATTENDEES

Heritage Division Executive: Ms Pauline McKenzie, Executive
 Director, Heritage Division, Mr Nigel Routh, Director,
 Heritage Strategy, Mr Tim Smith OAM, Director, Heritage
 Operations, Ms Rochelle Johnston, A/ Senior Manager,
 Conservation, Mr Rajeev Maini, A/Manager, Conservation
Heritage Division Staff: Ms Sarah Jane Brazil, Mr David Nix

HERITAGE COUNCIL SECRETARIAT

Ms Natalia Leiva
 Mr Nathan Robson

APOLOGIES

Kerime Danis

GUEST PRESENTERS

Item 2.1 - AMP Tower, 33 Alfred Street, Sydney, City of Sydney LGA – Ms Fiona Binns (Urbis), Mr Mathew Morel (JPW) and Ms Eve Clark (AMP Capital).
 Item 2.2 - Sydney Metro Sydenham to Bankstown State Significant Infrastructure Project (SSI 17_8256) - Mr Ron Turner (Heritage Manager, Sydney Metro), Mr Kurt Wagner (Design Manager, Sydney Metro), Ms Sandra Wallace (Artefact Pty Ltd)
 Item 2.3 - Sydney Modern Project, Art Gallery of NSW, City of Sydney LGA – Mr Nicholas Wolff (AGNSW), Ms Yumiko Yamada (SANAA) and Ms Claire Nunez (GML Heritage)
 Item 2.4 - Sydney Observatory Marquee IDA - MAAS, Observatory Hill, City of Sydney LGA – Mr Mark Small (MAAS)

Agenda Items

Note: The order of items discussed was adjusted during the meeting to accommodate guest presenters.

The meeting commenced at 2:15 pm.

1.0 Welcome, agenda, confirmation of minutes, action report

1.1 Apologies, confirmation and timing of the agenda

Noted The committee noted the Chair's welcome, apologies, the late papers and confirmed the agenda.

1.2 Members declarations

Discussion No declarations of interest were provided by members prior to the meeting and no additional declarations of interest were identified during the meeting.

Additional declarations of interest identified and advised during the meeting:

- Mr Stephen Davies: Item 2.1 - Leave the Room
- Mr Peter Romey: Items 2.2, 4.2 and family connection for Item 2.1 - Leave the Room
- Mr Bruce Pettman: Family connection for Item 2.3.

Noted The Heritage Council Approvals Committee noted the declarations.

1.3 Approvals Committee meeting of 2 August 2017

Discussion ▪ Members discussed the draft minutes of the 2 August 2017 Heritage Council Approvals Committee meeting.

Resolution 2017-19. The Heritage Council Approvals Committee:
1. Accepts the minutes as a true record of the Heritage Council Approvals Committee meeting held on 2 August 2017
Moved by Mr Gary White and seconded by Mr Peter Romey

1.4 Approvals Committee out of session decisions since last meeting

Nil matters were determined by the Heritage Council Approvals Committee out of session since the last meeting held on 3 September 2017

1.5 Action report

Discussion No discussion was held about this item.
Members reviewed the current Approvals Committee action report.
Members requested:
▪ Sydney Metro – more information has been requested but is yet to be received.

Noted The Heritage Council Approvals Committee noted the report.

Action

- Update the action list to reflect that Item 1 is not completed but no longer relevant and Item 2 is completed.
- Some presentations have been too large, Heritage Division should seek to ensure smaller presentations are provided in future.

2.0 Presentations

2.1 AMP Tower, 33 Alfred Street, Sydney, City of Sydney LGA

• Mr Stephen Davies and Mr Peter Romey left the room for Item 2.1

Presentation Ms Fiona Binns (Urbis), Mr Mathew Morel (JPW) and Ms Eve Clark (AMP Capital) informed the committee:
The AMP Building has been assessed as of state significance but is not listed on the State Heritage Register (SHR). The AMP Building, including interiors, is included in Schedule 5 Heritage items, on the City of Sydney Local Environmental Plan 2012. Due to the importance of the building, the City of Sydney has referred the development application D/2017/500 to the Heritage Council of NSW for comment (Attachment A). The

presentation is to address the issues raised by the Non-Government Subcommittee

Discussion The members:

- Council is generally supportive, understanding the need to revitalise and activate the space through the restoration and update of various aspects.
- Council discussed items including:
 - **Plans to clad the Eastern and Western ends of the building**
Original mosaic tiling to be retained - plans are to clean and prepare it before being over-clad with precast panels of similar colour reference. Original tiling started to fail before the building was originally completed, meaning reinstatement of a monolithic quality to the facing is both important and exciting.
 - **Plans to replace iconic Northern (Harbour-facing) façade**
Council expressed concern over materials selected to replace the (no longer available) existing 'gold' spandrel glass in the façade. The selected material is highly reflective with Council unsure if the Architect has made the correct choice. Original glass had a matte, hot-rolled texture applied over the glass sprinkled with gold dust. Council is also uncertain whether the 'gold' spandrel glass to 'plain' glass ratio is high enough to maintain the building's original feel, although there was some conjecture on this. Significant concerns were raised regarding the reflectivity of the chosen replacement glass.
 - **Extent of plans to revitalise the internal areas of the building**
There is a proposal to replace the lift cars, (no-longer original) ceiling tiles and carpets while removing any asbestos. The intention is to present to tenants as a bare workspace. The internal curtain-wall will also be removed to facilitate improved visibility through the window facings. Council understands these requirements and is generally supportive.
 - **Interaction of this development with another nearby project by the applicant**
A six-to-nine metre distance exists between the two buildings (towers are 33 meters apart with a low podium set six-to-nine metres to the south). Looking to activate the space between the two buildings was sighted as a shared central goal with a previously covered entryway in the AMP Building being restored to help facilitate this. Another focus is an attempt to make the building more accessible. The principal entry remains from Scouts' Place (to the north), though there will also be a new entry on Level 1. Level 1 has a higher floor-to-ceiling than an 'average' floor and there is an escalator connecting it down to Ground and Scouts' Place.

Noted The Heritage Council Approvals Committee noted the presentation and provided comments.

Action The Heritage Council will undertake a site visit to further investigate and assess these matters before making any determinations.

2.2 Sydney Metro Sydenham to Bankstown State Significant Infrastructure Project (SSI 17_8256)

- Mr Peter Romey left the room for Item 2.2

- Presentation Mr Ron Turner (Heritage Manager, Sydney Metro), Mr Kurt Wagner (Design Manager, Sydney Metro), Ms Sandra Wallace (Artefact Pty Ltd) informed the committee:
- Sydney Metro have evolved their designs since the original proposal with many changes implemented after a public consultation process. Outcomes include changes in scale, sense of place, build materials, hot spots (such as Bankstown station and Hurlstone Park) with a tender process underway for South West stations.
 - Wylee Park and Punchbowl have been delisted as no longer possess heritage significance.
- Discussion The members:
- Noted their concern that the newer elements are not subservient to the heritage items and would lead to them becoming overwhelmed and isolated. They also noted further investigations required and more information needed on various options regarding fencing and canopies.
 - Are satisfied station platforms have been reverted to a tiled edge with bitumen running up to the heritage buildings.
 - Noted CMPs will assist in identifying the most significant heritage issues of each station and potential site-specific exemptions for maintenance work relating to the new structures.
- Noted The Heritage Council Approvals Committee noted the presentation and will provide comments on a letter to be circulated by the Heritage Division.
- Action Conservation Team to prepare letter of comments for circulation to Approvals Committee members for their contributions.

2.3 Sydney Modern Project, Art Gallery of NSW, City of Sydney LGA

- Presentation Mr Nicholas Wolff (AGNSW), Ms Yumiko Yamada (SANAA) and Ms Claire Nunez (GML Heritage) informed the committee:
- Design focus is on increased space, visitation, Aboriginal art, increased student visits, maintaining highest environmental standards and economic concerns.
 - No internal changes, smaller footprint with separate buildings and more landscape surrounding. Looking to preserve trees with buildings moved accordingly. Windows positioned to promote communication between old and new buildings on site.
 - Oil Tank space to be as untouched as possible and used for performance.
 - Curved carriage way reference to be preserved as seen to be significant.
 - Looking to lodge SSD in November 2017
- Discussion The members:
- Members happy with reduction in overall footprint but feel the canopy is still massive and wondered if it needs to be that expansive.
 - Members agree curved carriageway reference should be preserved as seen to be significant - concerned over direction of foot traffic and decrease in covered areas (acknowledging larger street-facing canopy on street frontage).
 - Members interested in having the approach pedestrianised, acknowledging advice received by the applicant from the Botanical Gardens and Traffic Consultant

expressing difficulties in this due to dual usage of areas with busses and access requirements.

Noted The Heritage Council Approvals Committee noted the presentation and provided comments.

2.4 Sydney Observatory Marquee IDA - MAAS, Observatory Hill, City of Sydney LGA

Presentation The members were advised that:

- MAAS seeks Heritage Council approval of their request for a temporary marquee for six months a year (August - February) for the next five years. Intended use is for outdoor cultural events, educational facilities and functions. The structure will have a grey roof (or alternative to be approved by the Heritage Council). This proposal is prompted by increased operational needs and the expiration of the current approval in 2019 (2 x 30 day periods per-calendar year).
- Heritage Council and the MAAS met on site to discuss concerns and options in June 2017. As a result, the MAAS commenced a process of Master Planning and the development of an updated Conservation Management Plan for the site in September 2017. Both are scheduled for completion at the end of 2018.
- A Section 60 approval was issued for a one-off extended use of the temporary marquee for the Kaldor Art Project for a period of 4 October - 18 November 2017, which is outside the dates of the current approval.

Discussion The members:

- Accepted a short-term installation of a temporary marquee.
- Discussed the impact of the temporary marquee on the Observatory and commented that the proposal would have impacts on the visual setting and cultural landscape values of the site. Discussed that this is to some extent mitigated by the temporary nature of the existing structure and by the cultural use of the amenity the structure creates.
- Raised concerns however about extending length of time a temporary marquee was on site in the context of the cumulative impact of other developments proposed in the area.
- Questioned whether there were any options to relocate the facility/education centre away from the Observatory.
- Noted that the significance of the Observatory is as an ongoing and permanent place for science and education which by its nature has a limited carrying capacity.
- Further noted that the proposal has the potential to diminish the significance of the Observatory as a focal point of Observatory Hill and the city.
- Raised concerns about the length of time it is proposed to develop a Conservation Management Plan and Masterplan for the place, which are being undertaken to inform a more considered long-term activation program for the site.

Noted The Heritage Council Approvals Committee noted the presentation and provided comments.

Resolution 2017-20. The Heritage Council Approvals Committee resolve that:

1. Subject to the agreement of City of Sydney Council, the MAAS be informed that the Heritage Council Approvals Committee will support an application to increase the approved time for a Temporary Marquee to be installed up to a period of four months per year for three years commencing January 2018.
2. This approval can be used separately or contiguously, as best suits the needs of the MAAS, over the period that it takes to develop the Conservation Management Plan and Site Management Plan for period up to 2018.
3. The significance of the Observatory is permanent and ongoing, and it must be acknowledged that erecting an additional structure on the site, even on a temporary basis, adversely impacts on the visual setting and cultural landscape values that contribute to the significance of that site.

Moved by Dr Deborah Dearing and seconded by Mr Peter Romey

3.0 Integrated Development Applications / Section 60 / Section 140 Excavation Permits

3.1 Parramatta North Urban Transformation (PNUT) Public Domain IDA

*Dr Deborah Dearing left the meeting at 4:32pm. Mr Stephen Davies acted as Chair.

Presentation Mr David Nix & Ms Sarah Jane advised:

- Heritage Division staff provided members with a briefing on the status of the staged development applications – PNUT Stage 1 DA & PNUT DA1 (Early Works).
- The development applications seek consent for the subdivision of Lots, public domain works, and the demolition of all buildings identified as being of moderate significance.
- HD staff advised they are awaiting additional information to adequately assess the development applications, in particular results of archaeological testing.
- HD staff to attend stakeholder meeting with City of Parramatta Council staff and UrbanGrowth representatives on 06/10/2017 to discuss required additional archaeological information.
- It was also noted that the Parramatta Light Rail alignment through the PNUT area is dependent on the PNUT development application being approved as several buildings and significant plantings are within the proposed rail corridor.

Discussion The members noted:

- No decision at this point - this is an information report.
- Significant reservations expressed by the members including at the lack of adequate master planning of the site and potential adverse impacts to significant values of the SHR site through development.
- Members noted they would be interested in undertaking an out of session site visit to better understand the current site conditions and proposed development.
- The out of session site visit may also include Mays Hill, Western Sydney Stadium, Clydesdale House. Secretariat to arrange within next two weeks (and involve Jennifer Carter).
- The significant Aboriginal history of the site requires further investigation to ensure it is not adversely impacted by the proposed development.

Noted The Heritage Council Approvals Committee noted the paper and provided comments.

Action Secretariat to arrange a site visit (inviting Ms Jennifer Carter).

3.2 Royal Australian Airforce Dubbo IDA

Presentation Mr Ed Beebe advised:

- Only landscape of its kind in Australia.
- 2004 heritage agreement made with the Heritage Council to retain five buildings and dismantle two 'igloos' for relocation. Some changes to the agreement since then, with two igloos marked to dismantle and use to repair another - igloos are perhaps impossible to reconstruct.
- Transition to current owners occurred between 2009/2010 and site was purchased (with development in mind) knowing the situation.
- Scarred trees are located on the site - consulting local community to attempt to arrive at a final position on the management and interpretation of the trees.

RESOLUTION:

The Committee notes the proposal in its current form may not be sufficiently consistent with the 'Heritage Agreement and Masterplan by Taylor Brammer Landscape Architects, Issue D dated 23.09.04'. The Council invites the applicant to meet with the Heritage Council Approvals Committee to revise the subdivision proposal and ensure the conservation and future viability of all significant structures.

Discussion The members:

- Considerations regarding the Agreement need to be addressed before the Approvals Committee can reconsider anything that varies the intent and site conservation outcomes, such as proposed in this application.
- Suggest applicant negotiate further as the Heritage Act doesn't allow for the demolition of heritage buildings without significant reasons and these have not been sufficiently supplied.

Noted The Heritage Council Approvals Committee noted the paper and provided comments.

Resolution 2017-21. The Heritage Council Approvals Committee:

In accordance with Section 91A of the Environmental Planning and Assessment Act 1979, grants the following terms of approval:

GENERAL TERM OF APPROVAL

DESCRIPTION

APPROVED DEVELOPMENT

1. Development must be in accordance with the documents as listed in the Information for Consideration. 2. IGLOOS 3 AND 5 The demolition or dismantling of Igloos 3 and 5 is not approved.

Reason: Section 63(2) of the Heritage Act, prevents the Heritage Council from approving the demolition of Igloos 3 and 5.

Advice: If a future application for the demolition of the Igloos is submitted, it should include:

- detailed information and justification to address demolition under Section 63(2) of the Heritage Act 1977.
- detailed information to describe the Igloos' condition, their safety status, compliance with National Construction Code and 2010 Premises Standards, how Igloos 3 and 5 would be dismantled, what material would be salvaged, where it would be securely stored and how Igloos 1, 2 and 4 would be repaired using these salvaged materials.

3. E3 ENVIRONMENTAL MANAGEMENT ZONE

Submit design details for proposed infrastructure in the E3 zone with the section 60 application, showing the location and appearance of proposed fences, paths, stormwater drainage and detention, any shelters and signs.

Reason: So that infrastructure in the E3 zone interprets the landscape's importance to protect an endangered ecological community and its heritage significance as former forestry site and part of a unique military landscape.

4. CONSERVATION

- a) Submit conservation schedules with the section 60 application for the Rabaul Store, Igloos 1, 2 and 5, Bellman Hangers 1 and 2, the semi underground PBX bunker and the section of road to be retained linking Igloos 1, 2 and 4.
- b) The schedules should include a scope of repairs for each major element within each building (roof, wall, windows, doors), plans and elevations that map the location of the work and a trade based reference specification that defines the repair materials and workmanship for each significant material.

Reason: To ensure that significant fabric is conserved in accordance with best industry practice and the relevant conservation standards and guidelines.

5. CONSERVATION MANAGEMENT PLAN

Submit the Conservation Management Plan for the former Dubbo RAAF Stores for endorsement by the Heritage Council of NSW under section 38A of the Heritage Act 1977.

Reason: To comply with Schedule 4(1)(i) of the 2004 Heritage Agreement, that the CMP guides development of the site so that its heritage values are protected.

6. SPECIALIST TRADESPERSONS

All work involving significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage items.

Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice and is in accordance with the relevant conservation standards and guidelines.

7. HERITAGE CONSULTANT

A suitably qualified heritage consultant with demonstrated experience in similar industrial heritage sites must be nominated for this project. The nominated heritage consultant must provide input into the detailed design and inspect the works to minimise impacts to heritage values. The nominated heritage consultant must be consulted prior to the selection of appropriate tradespersons, and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that expert heritage advice is provided during the project and that work on site is undertaken in accordance with the approval documents and conditions, follows best heritage practice, and is in accordance with the relevant conservation standards and guidelines.

8. HERITAGE INTERPRETATION STRATEGY

An Interpretation Strategy for the former Dubbo RAAF Stores must be submitted to the delegate of the Heritage Council of NSW for approval prior to the Stage 2 subdivision. The Interpretation Strategy must detail how information on the history and significance of former Dubbo RAAF Stores will be provided for the public, and must identify the types

and locations of interpretive devices that will be installed as part of this project.

Reason: To interpret and convey the history and significance of the former Dubbo RAAF Stores to the community.

9. SITE PROTECTION

Significant elements and trees are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric and plants are not damaged or removed.

To protect significant fabric and trees during the project.

10. HISTORICAL ARCHAEOLOGY

a) The Applicant shall submit a detailed Archaeological Assessment, and Research Design and Excavation Methodology, prepared by a suitably qualified and experienced historical archaeologist as part of the section 60 application. b) The name of a nominated excavation director suitable to satisfy the Excavation Director Criteria of the Heritage Council of NSW for the proposed activity and significance level. c) Following the receipt of the Archaeological Assessment, Archaeological Research Design and Excavation Methodology as part of the Section 60 Application, the Heritage Council of NSW reserves the right to issue Archaeological Conditions as part of the Section 60 Approval to manage the archaeology. Matters such as (but not limited to) fieldwork methodology, artefact analysis, final reporting may be included as part of these archaeological conditions.

Reason: To comply with the relevant sub-sections in S57(1) of the Heritage Act 1977 concerning archaeology.

11. ABORIGINAL CULTURAL HERITAGE

a) Provide deep soil landscape areas to accommodate and protect the northern and southern scarred trees identified in the 2004 Taylor Brammer Landscape Architects, Issue D dated 23.09.04. The areas must be large enough to not only protect the trees, maintain their health and longevity, but also to provide a setting large enough to interpret their significance. Submit plans to show the extent and location of the deep soil landscape areas with the section 60 application. b) A suitably qualified arborist should inspect the trees, assess their health and recommend future management actions to protect the trees, maintain their health and longevity. Submit the report with section 60 application. c) Prepare a written procedure to consult with the Aboriginal stakeholders if the trees die in accordance with 2004 Heritage Agreement. Submit the procedure with section 60 application.

Reason: To protect significant Aboriginal cultural heritage fabric.

12. ABORIGINAL OBJECTS

Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Office of Environment & Heritage is to be informed in accordance with Section 89A of the National Parks and Wildlife Act, 1974 (as amended). Works affecting Aboriginal 'objects' on the site must not continue until the Office of Environment and Heritage has been informed. Aboriginal 'objects' must be managed in accordance with the National Parks and Wildlife Act, 1974.

Reason: To manage any unexpected finds for Aboriginal cultural heritage within the site that have not been considered in the Aboriginal Heritage Impact Permit under section 90 of the National Parks and Wildlife Act, 1974 (as amended).

COMPLIANCE

If requested, the Applicant and nominated Heritage Consultant may be required to participate in audits of Heritage Council approvals to confirm compliance with conditions of consent.

Reason: To ensure that the development is completed as approved.

14. SECTION 60 APPLICATION

An application under section 60 of the Heritage Act 1977 must be submitted to and approved by the Delegate of the Heritage Council of NSW prior to work commencing.

Reason: Approval is required under the Heritage Act 1977 following the issue of General Terms of Approval under s91 of the Environmental Planning and Assessment Act 1979. **ADVICE** Your attention is drawn towards the powers of entry and inspection under s.148 of the Heritage Act 1977 for authorised persons. If entry and inspection are required, reasonable notice will be provided as per the Act. The owner could voluntarily agree to allow non-authorised persons, such as Heritage Division (Office of Environment and Heritage) staff who are acting in a supporting role to the authorised persons, to enter their property for the purpose of inspection. Owners may also voluntarily grant permission to take photograph, take samples or request records.

Reason: Section 148 of the Heritage Act 1977, allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection. **ADVICE** The proponent is encouraged to apply to Dubbo Regional Council to rezone proposed Lot 12, containing Igloo 4, from residential zone to light industrial zone.

Reason: To prevent future conflicts between any new use that may occur in Igloo 4 and the adjacent residential zone. Light industrial zone is more suitable than residential zone and offers more opportunities for viable uses in this large significant building.

Moved by Mr Stephen Davies and seconded by Mr Peter Romey

4.0 Development Application Referrals and Application Referrals under the *Environmental Planning & Assessment Act 1979*

4.1 Parramatta Light Rail State Significant Development Project

- Presentation Mr David Nix and Dr Siobhan Lavelle OAM advised:
- SSI response due 13/10/2017
 - Significant reservations expressed about the route and potential adverse impacts, in particular to SHR listed Lennox Bridge, Cumberland District Hospital and Robin Thomas Reserve.
 - It was noted there was not enough detail provided by the proponent to make a considered assessment of the proposal.
 - Heritage Division staff attending a meeting to discuss PNUT on 06/10/2017. Officers will seek further information from Parramatta Council staff regarding potential realignment of route.
 - Following the 06/10/2017 meeting with Parramatta Council, SHA will issue draft EIS response letter to members to seek their input/further guidance (in particular regarding the use of Lennox Bridge for the rail alignment) – Draft letter to be sent 9/10/2017.
- Discussion The members:
- It was noted there was not enough detail provided by the proponent to make a considered assessment of the proposal.
 - Council concerned about archaeological impacts - as proponent only looking to salvage, not avoid.
 - Council unsure if ICOMOS assessment guidelines are not being misused. This is clouding the issue as the proponent needs to come to terms with the nuts and bolts of their project
 - Heritage Division to draft response letter to send to the members for their comment/feedback. Sent 09/10/2017.
- Noted The Heritage Council Approvals Committee noted the paper and provided comments.
- Resolution 2017-22. The Heritage Council Approvals Committee:
1. Notes the information contained in this report and the attachments; and
 2. Agrees that the Executive Director, Heritage Division, as delegate of the Heritage Council, provide the above comments and recommended conditions of consent to the Department of Planning by 13 October 2017.
- Moved by Mr Bruce Pettman and seconded by Ms Jane Irwin.
- Action Heritage Division to draft response letter to send to the members to seek their input/further guidance.

4.2 Westconnex M4-M5 Link State Significant Development Environmental Impact Statement

- Mr Peter Romey left the room for Item 4.2
- Presentation Mr David Nix advised:
- SSI response due 16/10/2017

- 1 SHR item affected (White Bay Power Station) with the construction of a temporary roadway within the curtilage. In addition, a number of local and potential heritage items will be impacted by the proposed works.
- Main concerns were visual impacts of the ventilation stacks adjacent to conservation areas, the demolition of items of local heritage significance, and lack of consideration for archaeology such as drainage channels.
- Heritage Division staff to issue draft EIS response letter to members to seek their input/further guidance (particularly regarding an interpretation strategy) – Draft letter to be sent 9/10/2017.

Discussion The members:

- The need exists for the proponent to provide an interpretation strategy.
- SHA to issue draft EIS response letter to members to seek their input/further guidance (particularly regarding an interpretation strategy). Draft letter to be sent 9/10/2017.
- Need to test exactly where archaeological issues are (such as water channels) as proponent has provided no options and adopted a straight to salvage approach.

Noted The Heritage Council Approvals Committee noted the paper and provided comments.

Resolution 2017-23. The Heritage Council Approvals Committee:

1. note the information in this report.
2. agrees to undertake a site visit out of session to better understand the impact of the current development applications.

Moved by Ms Jane Irwin and seconded by Mr Stephen Davies.

Action ▪ SHA to issue draft EIS response letter to members to seek their input/further guidance (particularly regarding an interpretation strategy) – Draft letter to be sent 9/10/2017.

5.0 Matters for consideration and/or decision

Nil matters.

6.0 General business

6.1 Matters Arising

Nil matters.

CLOSE OF MEETING - 6.37pm

I confirm that these minutes are an accurate reflection of the Heritage Council Approvals Committee discussion and outcomes.


 Dr Deborah Dearing
 Chair, Heritage Council Approvals Committee
 Date: 1 November 2017