

HERITAGE COUNCIL OF NSW Approvals Committee



MINUTES OF MEETING

7 March 2007

Heritage Office, 3 Marist Place, Parramatta

PRESENT: Michael Collins (Chair), Peter Mould, Susan Macdonald, David Logan, Julie Bindon, Diane Jones

APOLOGIES: Chris Johnson, Janet Dore

ALSO PRESENT: Heritage Office: Vincent Sicari, Nikki Ward, Alice Brandjes, Siobhan Lavelle, Deborah Arthur, Jacqueline Barker, Rick Schapter, Can Ercan.

For Patrick White House: Stephen Davies & Kerime Danis (City Plan Heritage), Wendy Lynch (Grice Lynch), Samantha Roberts (Property Owner).

For Brewarrina Fish Traps: Gary Lord & Cynthia Moore (Community Working Party), Adam Vey (Dept. of Primary Industries – via teleconference).

For Prince Henry Site: Richard Francis Jones (FJMT), Mark Percy & Ian Campbell (Stockland)

1. Opening – Welcome

The Chair opened the meeting at 9:30 pm.

1.2 Confirmation and Timing of Agenda

The agenda was confirmed.

Declarations of Interest

Pecuniary Interests

David Logan

Item 7.1 – Sydney Harbour Bridge CMP – Godden Mackay Logan prepared the CMP for the RTA.

Non Pecuniary Interests

NIL

Conflicts of Interest

David Logan

Item 5.3 – Prince Henry Hospital Site – Godden Mackay Logan has been extensively involved in the development of the site as heritage consultants to Landcom. In this capacity, GML has provided advice on the site DCP and Masterplan.

2. Confirmation of Minutes

2.1 Approvals Committee Meeting of 7 February 2007

Members received a copy of the minutes.

Resolved:

that the Minutes of the meeting of 7 February 2007 be adopted.

3. Action Report

Members received a copy of the action report.

Resolved:

that the Action Report of the meeting of 7 February 2007 be adopted.

4. Presentations

4.1 Patrick White House, 20 Martin Rd, Centennial Park – IDA

Stephen Davies, of City Plan Heritage, outlined the proposal of the property owner to make alterations to the rear of the house to accommodate contemporary family living needs in terms of space and amenities. Mr Davies highlighted that most alterations to the house were made prior to Patrick White's occupation of the house, with the exception of alterations by Patrick White to create a minimalist, more modern, look in some of the interior spaces. The proposed low scale development at the rear of the house would still allow the original form of the building to be read. The majority of rooms inside the house will remain the same with little or no alterations. It was also pointed out that the

possibilities for alterations to the property are more extensive than would be allowed if the house were to be kept as a 'house museum'.

In this proposal, subtle changes would be made to exterior paint colours, using softer colours. Also, the front fence would be largely rebuilt by removing the concrete block fence and replacing it with a timber picket fence, utilising the existing brick base. This would be finished in a style similar to others in the area and would not obscure the house, as per Patrick White's wish that the house remain sympathetic to the conservation area. Mr Davies pointed out that the original fence at the front of the property was a timber picket fence, replaced by the existing fence during Patrick White's occupancy. The proposed fence would in keeping with the style of the original fence. The large front garden would be maintained as it is an important aspect of the property in terms of its size, layout and planning. Fabric in the front garden paths is to remain, with new paths to be built over the top to retain original fabric.

4.2 Brewarrina Fish Traps – S60

Gary Lord and Cynthia Moore, of the Ngemba Community Working Party (NGWP), presented their 3 main concerns regarding the proposed fishway. Their concerns were regarding the scale of the proposed trench, sorting of remnant fish trap rocks from rubble, and lack of employment opportunities for the Aboriginal community in construction works. The NGWP would like to emphasise, however, that they are in support of construction of the fishway itself, although this may not be the case if a trench is found to be necessary.

Previous consultation between the local community and the DPI Field Officer Tracy McDonald, for the construction of a fishway, were agreeable to all parties and did not require construction of a trench. The NGWP believe that it would not be necessary to create a trench in the river to enable effective operation of the fishway. Particular concern was raised with regard to the proposed removal of a low island in the river, proximity of the works to Trap Set A and Baiame's footprint. In the local community's observation of fish movement along the river, fish are able to swim upstream in shallow water and therefore would not need a deeper pool of water to gather in order to go up the fishway. Further, the NGWP have concerns that existing fish traps may be damaged or destroyed through use of heavy machinery and equipment which may be required to create a trench.

The NGWP has requested, as part of commencement of works, that remnant fish trap rocks be sorted from rubble left as a result of construction of the weir and river crossing. The NGWP would like to be involved in this sorting to ensure remnant rocks are correctly identified and can be recycled for repair of Fish Trap Set A. Further, some rehabilitation of the existing fish traps would be necessary in order to maintain the river for movement of fish.

A teleconference was organised to enable the Approvals Committee to receive a presentation by Adam Vey of the Department of Primary Industries, as he was not able to attend the meeting in person. Mr Vey outlined how the fishway would operate, consultations with the local community, details of the excavation proposal for a trench, and the effect the fishway would have on the weir pool level. Mr Vey also mentioned that a strategy for inclusion of members of the Aboriginal community had been incorporated into their plans with regard to employment to carry out works at the site.

Mr Vey outlined that the original fishway intended for the weir was no longer considered appropriate and would have drawn a greater amount of water from the weir pool than the fishway in the current proposal. Repair of existing fish traps has been incorporated into the DPI's plans.

Mr Vey explained that the rationale behind construction of a trench was to allow fish to collect and sit at the base of the fishway ready to start moving up the fishway. The trench would be located with a low lying island currently exists. (At this stage no geotechnical testing has currently been carried out to see if such excavation would be possible.) The depth of the trench at the base of the fishway would be 600mm – with a maximum possible depth of 1200mm.

Mr Vey expressed a willingness to consider a trial of a staged approach to construction of the fishway. This would mean construction of a trench would go ahead only if found to be necessary after a reasonable trial period to test the effectiveness of the fishway without the trench.

4.3 Lots 11 & 13, Former Prince Henry Hospital site – IDA

Mr Richard Francis Jones presented a fly-through of the proposed development at the former Prince Henry Hospital site. It was highlighted that views to existing heritage items on the site, as well as the coastline, would be enhanced due to the reduced bulk and curved shape of the proposed buildings. Further, views to the flowers wards from Anzac Parade would be maximised as the 2 proposed buildings fan out at their eastern end.

Views to the West from the Flowers Wards would remain fairly unobstructed due to the tapering and fanning out of the proposed buildings at their eastern end. Further, the current proposal has minimised bulk and size of construction on Lot 13 compared with what is possible under the DCP.

A generous envelope has been provided around the heritage Gatehouse building on Lot 11 to enable appreciation of it as a separate building, which has potential to be used for historical displays.

The proposed building breached the DCP as the height is increased and the east end of the building is now closer to the Flowers Wards.

5. Integrated Development Applications/Section 60 and 132 Applications/Section 140 Excavation permits

5.1 Patrick White House, 20 Martin Road, Centennial Park – IDA

The application is for alterations and additions to what was formerly Patrick White's house. The major impacts of the proposal include: the demolition of several rooms to the rear of the property on the ground floor; the addition of several rooms to the ground floor and first floor at the rear of the property; and removal or replacement of several landscape elements.

Approvals Committee members were in support of the proposed changes. It was believed, however that the height of the new timber picket fence should not obstruct views of the house or front garden from street level.

Resolved:

That the Heritage Council approve the Integrated Development Application with the following General Terms of Approval:

1. All work shall comply with the information contained within:
 - a) Architectural plans prepared by Grice Lynch Architects dated January 2007 (Drawing Nos. DA01, DA02, DA03, DA04, DA05, DA06, DA07, DA08, DA09, DA10, DA11, DA12, DA13, DA14 and DA15);
 - b) Landscape plan prepared by Taylor Brammer dated 14 December 2006 (Drawing No. LA01-DA); and
 - c) City Plan Heritage 2006, 'Heritage Impact Statement: The "Patrick White House", 20 Martin Road, Centennial Park', December, City Plan Heritage, Sydney.

AND EXCEPT AS AMENDED BY THE CONDITIONS OF THIS CONSENT

Archival and Photographic Recording

2. An archival recording is to be undertaken of the entire house, internally and externally, prior to any works occurring, to a minimum level of State significance, as set-out in Schedule C of the Heritage Office publication entitled 'How to Prepare Archival Records of Heritage Items' dated 1998. A copy of this archival recording should be lodged with the Heritage Office and with the local studies library of City of Sydney.
3. A photographic record is to be undertaken of the entire house, internally and externally, prior to any works occurring, as set out in the Heritage Office publication entitled 'Photographic Recording of Heritage Items Using Film or Digital Capture' dated 2006. A copy of this photographic recording should be lodged with the Heritage Office and with the local studies library of City of Sydney.

Revisions and Further Information

4. A detailed drawing and description of the proposed plaque to be fixed to the front fence should be submitted to the Heritage Council for approval with the Section 60 application. The plaque should include reference to the listing of the property on the State Heritage Register and the house's association with Patrick White.
5. The external path and layout of the two ground floor bedrooms does not form part of this approval. Details of changes to the external path and layout of the two ground floor bedrooms shall be submitted with the Section 60 application for approval.

6. The height of the pickets on the front fence should not exceed the height of the existing concrete block panels. This requirement is to ensure that the house remains visible to the public from the adjacent footpath. The applicant should change the fence details to comply with this requirement and submit a design revision to the Director, Policy & Heritage Management, Heritage Office for approval.

General

7. All work shall be carried out by suitably qualified tradespeople with practical experience in the conservation and restoration of similar heritage items. The name and experience of these tradespeople shall be submitted to the Heritage Office, Department of Planning, for the approval of the Director, Policy & Heritage Management, Heritage Office prior to works commencing.
8. All work shall be supervised by a qualified heritage consultant to ensure that the impact of the works on the heritage significance of the building is minimised and all work has been carried out in accordance with the approved documentation and the conditions of this consent. The name and experience of this consultant shall be submitted to the Heritage Office, Department of Planning, for the approval of the Director, Policy & Heritage Management, Heritage Office prior to works commencing.
9. Suitable measures shall be put in place prior to the start of works and throughout the duration of the proposed works to protect significant fabric at the property, both internally and externally.
10. Following completion of the proposed internal and external works and prior to the issue of an Occupation Certificate, the nominated heritage consultant shall submit a report to the Heritage Office to confirm that all work has been carried out in accordance with the approved documentation and conditions of this approval, and which describes any impacts or damage and proposed remedial works to be carried out.
11. Following the determination of the development application by City of Sydney, an application under Section 60 of the *Heritage Act 1977 (NSW)* must be submitted to and approved by the Heritage Council of NSW. No works on site shall commence until Section 60 approval is granted.

5.2 Brewarrina Fish Traps – S60

The Approvals Committee, at its meeting of 7 February 2007, considered an application to construct a partial width rock-ramp fishway at the southern abutment of Brewarrina Weir that spans the Barwon River immediately upstream from Brewarrina Aboriginal Fishtraps. The Approvals Committee resolved to defer consideration of the application pending discussions with the Department of Environment and Water Resources and the Department of Primary Industries due to concerns raised by the community.

After hearing from community representatives and the DPI the Approvals Committee discussed possible advantages and limitations of reversing the

direction of the fishway and operation of the fishway without a trench. The Committee also considered the possible natural effects of erosion on the river island as a result of water flow once the fishway is built, albeit a likely minimal effect. The idea was suggested that any such erosion could create a natural pool at the base of the fishway without the need for excavation. For this reason it was proposed that fishway construction be carried out in stages. The first stage would be to create the fishway without excavation of a trench, allowing a reasonable timeframe/series of cycles of water flow to judge whether excavation of a trench would be necessary. The second stage of excavation for construction of a trench would only be carried out if found absolutely necessary for the fishway's effective operation.

The Approvals Committee supported the local Aboriginal community's involvement in this project, particularly with regard to sorting fish trap rocks from rubble in the river, and assessing the movement of fish up the river through each stage of the project. It was recognised that the local Aboriginal community has intimate knowledge of fish movement in the river and that this knowledge, and their proximity to the river for observations, should be utilised.

Resolved:

- 1) That the Heritage Council request the Heritage Office, in conjunction with DPI & delegates of the Community Working Party to develop an alternative resolution that would address the staged implementation of the fishway construction to address concerns regarding the excavation and its potential impact on the riverscape and any remnant fish traps.
- 2) That such a resolution, when developed, can be submitted out of cycle to the Approvals Committee for its consideration.

5.3 Lots 11 & 13, Former Prince Henry Hospital site – IDA

The proposed development involved the construction of two 5 storey mixed commercial/retail and residential buildings including basement carpark on Lots 11 and 13 at the Prince Henry site. The proposals are located in DCP Precinct P2 and have been referred to the Heritage Office as a result of a number of non-compliances with the development controls. The non-compliances include the maximum number of storeys, building and wall heights, floor space ratio and soft landscaping (Lot11 only).

It was considered that the applicant has compensated for these non-compliances with other benefits such as reducing the length of the building opposite the Flowers Wards, provision of increased open communal and public spaces and a better visual corridor from Anzac Parade towards the Flower Wards than what is allowed under the DCP. It was considered that the departure from the development control will not generate detrimental impacts on the significance of the surrounding heritage items and the overall Prince Henry site.

Resolved:

That the Heritage Council advise Randwick City Council in accordance with Section 91A of the Environmental Planning and Assessment Act 1979 that it is prepared to issue an approval under Section 63 of the Heritage Act 1977 in accordance with the following general terms:

1. The development is to be in accordance with the following documents:

Lot 11:

- a) Drawings: LT11_DA001 to LT11_DA0015 revision A, and LT11_GFA000 to LT11_GFA004 revision A dated 27/7/2006 prepared by FJMT Architects;

Lot 13:

- Drawings: LT13_DA001 to LT13_DA014 revision A, and LT13_GFA000 to LT13_GFA004 revision A dated 27/7/2006 prepared by FJMT Architects;

Lot 11 & Lot 13:

- b) Heritage impact statement revision D dated 26/7/2006 prepared by Tanner Architects;
- c) Statement of environmental impacts dated August 2006 prepared by Stockland;
- d) SEPP1 Objection dated August 2006 prepared by Stockland;
- e) Site survey prepared by Whelans;
- f) Site audit statement prepared by ERM;
- g) Geotechnical report prepared by Douglas Partners dated April 2005;
- h) Draft strata plans prepared by Whelans;
- i) Traffic and parking report dated July 2006 prepared by Colston Budd Hunt and Kafes;
- j) Urban and landscape design report dated July 2006 prepared by Oculus;
- k) Landscape Drawings: LA.DA.01 to LA.DA.03 revision A dated 21/7/2006 prepared by Oculus;
- l) Sustainable building report dated 27/7/2006 prepared by Cundall;
- m) Education package prepared by Stockland;
- n) Stormwater concept plan C-013 revision 3 dated 27/7/2006 prepared by Connell Wagner;
- o) Access assessment report dated 31/7/2006 prepared by Accessibility Solutions;
- p) Building services certificates prepared by George Floth Pty Ltd and LHO Group;
- q) Structural and civil engineers certificated dated 17/7/2006 prepared by Connell Wagner;
- r) BCA report dated July 2006 prepared by Philip Chun and Associates;
- s) Waste management plan dated July 2006 prepared by JD MacDonald;
- t) DCP compliance table dated August 2006 prepared by Helen Mulcahy Urban Planning;
- u) Acoustic report dated May 2005 prepared by Renzo Tonin and Associates;
- v) Wind environment statement dated 26/7/2006 prepared by Windtech;
- w) Erosion and sediment control plan prepared by Connell Wagner;
- x) Crime and risk assessment dated 2005 prepared by Harris Crime Prevention Services;
- y) Response to Pre-DA advice prepared by Helen Mulcahy Urban Planning; and
- z) Master Plan compliance table prepared by Helen Mulcahy Urban Planning.

AND EXCEPT AS AMENDED by the following conditions of this consent:

Further information

2. A schedule of the proposed external colours and finishes, and a sample board are to be submitted to the Heritage Office as part of a S60 application for approval. To ensure that the building does not stand out, the palate of external colours and finishes should be muted. External materials should not include highly reflective materials and large areas of glazing should be shaded to reduce its reflectivity.

Aboriginal Archaeology

3. Any ground disturbance and excavation undertaken as part of the proposed works is to be undertaken in consultation with the La Perouse Local Aboriginal Land Council (LPLALC) and, where requested, be subject to LPLALC and archaeological monitoring.
4. Should Aboriginal objects be found, the Department of Environment and Conservation (DEC) is to be informed (as required by the provisions of the NSW National Parks and Wildlife Act 1974). Subject to an assessment of the extent, integrity and significance of any exposed objects, applications under either Section 87 or Section 90 of the National Parks and Wildlife Act may be required before work resumes.
5. Prior to the commencement of the proposed works, all contractors and relevant personnel involved are to be made aware of the existence of Aboriginal archaeological remains at the Prince Henry site by way of an induction process undertaken by the nominated heritage consultant, and of the possibility that more as yet undiscovered Aboriginal cultural material may exist there.
6. Site contractors are to be advised of their obligations under the National Parks and Wildlife Act 1974 (NSW) and notification procedures in the event that any Aboriginal cultural material is disturbed or exposed during site works.

Historical Archaeology

7. If any relics of state significance are uncovered, further excavation must stop and the Heritage Office notified immediately. Further approval will need to be obtained from the NSW Heritage Council as changes to the design and scope of the proposed works may be required depending upon the significance of the relics found.
8. Suitable clauses are to be included in all contractor and subcontractor contracts to ensure that on-site personnel are aware of their obligations and requirements in relation to the relics provisions of the Heritage Act.
9. Prior to the commencement of the proposed works, all those involved are to be made aware by way of an induction of the existence of historical archaeological remains at the Prince Henry site.

Interpretation

10. Any site specific interpretation (proposed themes and media), proposed way signage and street furniture are to be in accordance with the Prince Henry site Interpretation Strategy dated October 2005 prepared by Musecape and submitted to the Heritage Office as part of a S60 application for approval. The site specific interpretation should be integrated into the built and landscape fabric and should particularly present information about the former buildings and uses on the subject site, including the gatehouse as well as the Sandstone Outcrops and the entrance gates to the former Chief Executive Officer's residence, grass tennis court and plantings.

Site Protection & Works

11. Significant built and landscape elements, features and fragile materials are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed. Significant fabric in the vicinity of the development and wherever construction vehicles are used are to be protected during excavation and construction work. A methodology describing the protection of significant built and landscape elements during the work is to be prepared, included in a Master Program and Site Co-ordination Plan (or Work Plan) and submitted to Randwick Council for approval with the Construction Certificate.

Landscape

12. Seed stock indigenous to the site and/or locality (the Prince Henry site, being weed affected, may not be able to provide sufficient stock) should also be used to generate the proposed new landscaping. This should include seed of species forming the Sandstone Heaths, Woodlands and Forests, and the Eastern Suburbs Banksia Scrub vegetation types. Written confirmation of compliance with this requirement is to be submitted to the Heritage Office with the section 60 application.

S60 application

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

6. Development Application Referrals and Major Project Application Referrals Under Part 3A of EP&A Act

NIL

7.0 Matters for Consideration

7.1 Sydney Harbour Bridge CMP - delegated endorsement

The CMP has been prepared following the expiration of the endorsement of a CMP prepared in 1998, and in the context of the forthcoming activities to celebrate the 75th anniversary of the opening of the Bridge, to be held on the 18th March 2007.

The Heritage Office has been consulted on various matters during the preparation of the CMP, and a preliminary review indicates the plan is suitable for endorsement. However, it is likely that the Bridge will be listed on the National Heritage List in the near future, and some amendments will need to be made to the CMP to reflect this. Therefore it is recommended that the endorsement of the CMP be delegated to the Executive Director to allow for the CMP to be endorsed as soon as any such revisions or amendments are completed.

Resolved:

That the Heritage Council Approvals Committee:

Delegates to the Executive Director of the Heritage Office the endorsement of the conservation management plan titled *Sydney Harbour Bridge Conservation Management Plan*, prepared by Godden Mackay Logan Pty Ltd for the RTA, dated February 2007, upon condition that the National Heritage values for the item are included (once they become known, if the item becomes listed on the National Heritage List), and any consequent policy development is satisfactorily addressed.

8.0 Matters for Information

NIL

9.0 General Business

NIL

There being no further business the Chair closed the meeting at 12:50 pm.

Michael Collins Chair Approvals Committee Heritage Council of NSW Date:	Next Meeting of the Approvals Committee 4 April, 2007 3 Marist Place Parramatta
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