

HERITAGE COUNCIL OF NSW

Approvals Committee



MINUTES OF MEETING

3 June 2009

Heritage Branch,
3 Marist Place, Parramatta

PRESENT: Peter Mould (Chair), Petula Samios, David Logan, Julie Bindon, Diane Jones

APOLOGIES:

ALSO PRESENT: Heritage Branch: Vincent Sicari, Nikki Ward, Graeme King, Gary Estcourt

For Newcastle Port Centre: Andrew Wood, Mike Baudinette & Bruce Cooper (Newcastle Port Centre), Ian Gill (Schreiber Hamilton Architecture)

1. Opening – Welcome

The Chair opened the meeting at 12:44 pm.

1.2 Confirmation and Timing of Agenda

The agenda was confirmed.

Declarations of Interest

Item 8.1 – Julie Bindon – JBA Urban Planning Consultants Pty Ltd are consultants on this project.

- Diane Jones – Peddle Thorp & Walker Pty Ltd are consultants on this project.

2. Confirmation of Minutes

2.1 Approvals Committee Meeting of 6 May 2009

Members had each received a copy of the minutes of the last meeting of the Approvals Committee.

Resolved:

that the Minutes of the meeting of 6 May 2009 be adopted.

3. Action Report

Members each received a copy of the action report from the May 2009 meeting.

Resolved:

that the Action Report, noting actions undertaken since the meeting of 6 May 2009, be adopted.

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

5.1 Denbigh, The Northern Road, Cobbitty – S60

Denbigh is of State significance as an intact example of a continuously functioning early farm complex (1817-1820s) on its original 1812 land grant. The homestead and attendant farm buildings are an exceptionally rare and intact group of structures. The physical evidence of Aboriginal occupation of the estate strengthens the integrity and rarity of the continuous physical record of the place. The Denbigh farm estate retains a curtilage and setting of exceptional historic and aesthetic significance. Unlike most of its early colonial contemporaries in the Cumberland Plain, it retains this curtilage and setting in a largely uncompromised state. The current proposal is similar to the previously submitted IDA with minor modifications made as a result of the previous determination of the Heritage Council. The current S60 is for Stages 1 and 2 of the four stage subdivision.

Consideration

The Approvals Committee recommended deferred consent on condition that a Heritage Agreement be finalised prior to any submissions for development to commence on the subject land. Also, a mechanism should be set in place to ensure long term injection of funds into the maintenance of Denbigh.

Resolved:

- 1. This approval is deferred commencement and shall be operational only after a Heritage Agreement (in accordance with the provisions of the Heritage Act) is signed between the Minister administering the Heritage Act and the owner of the subject site;**
- 2. No lodgement of any further development application should take place in this subdivision prior to the finalisation of this Heritage Agreement.**
- 3. The current application does not include the Stage 3 and 4 subdivision of Denbigh. An additional S60 application must be submitted for these works.**
- 4. Plantings and/or landscape works should be undertaken along the edge of the core Denbigh lots to ensure that potential future development does not detract from the rural character of Denbigh. These plantings shall be informed by a landscape plan to be prepared for the site and submitted with the S60 application for the Stage 3 and 4 subdivision.**

5. **The current proposal does not include any specific works. Any works that are proposed within the SHR curtilage will require the further approval of the Heritage Council including the sensitive siting, height and visual impact of any future development within lots 2008 and 2009.**
6. **The Applicant must ensure that if substantial intact archaeological deposits and/or State significant relics are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.**

5.2 Newcastle Port Centre, Newcastle – S60

The Coal River Precinct is significant for its Aboriginal and convict history as well as being the first and most important industrial centre in New South Wales. The Pilot Station, including boat sheds and the Submarine Trap & Gun Emplacement are of historic significance while the Cornish Boat Dock is of high significance as being one of only a few such facilities on the eastern seaboard. The Newcastle Port Authority is seeking approval of a 3-stage upgrade of Pilot Station facilities, by proposing demolition of a number of structures of low heritage significance and construction of a new, multi-functional Port Centre. Determination of the application had previously been deferred by the Approvals Committee on 4 March 2009 due to concerns relating to the orientation, bulk, form and character of the new Port Centre building. It was also requested that the applicant consider fencing of the site that would assist public appreciation of the site.

Presentation

The proponents outlined how a number of concerns, previously raised by the Approvals Committee, had been addressed in a revised proposal. Roof overhangs of the proposed Port Centre building had been reduced, the carport length shortened and the entrance accentuated. Various aspects of the facade treatment and the extent of second floor glazing had also been revised. In order to open up views into the site for the public an open palisade fence has been proposed.

The proponents expressed the view that the bulk and scale of the proposed new building would be appropriate within the context of the site, with consideration to the bulk and scale of existing buildings. The orientation of the building had been selected due to operational requirements for the site, including being able to manoeuvre trucks around the building.

Consideration

The Approvals Committee acknowledged that the proponent had taken measures to address a number of concerns previously raised in the 4 March and 6 May 2009 Committee meetings. The Committee would still prefer that the new building be reoriented to follow the historic line of alignment of buildings on the site, acknowledging that a few amendments would be required to address other elements of the site plan (eg the car park and driveway entrance to the site). Development on the site could be approved with the final positioning of the proposed Port Centre building and car park approval being determined under delegation by the Director, Heritage Branch, Department of Planning.

Resolved:

That the Heritage Council approve the application; construction of the Newcastle Port Centre including demolition of the Survey Store & Workshop, Pilot Station, Residence and Carports, with the following conditions:

1. The proposed Newcastle Port Centre building shall be reorientated so as to respect historical site alignments, in such a manner that the eastern facade of the proposed Port Centre is parallel, but not necessarily adjacent, to the western facade of the nearby TS Tobruk building. Revised plans to this effect are to be submitted to the Heritage Branch for determination under delegation
2. Details of fencing and an interpretation plan to allow public appreciation of the site are to be submitted for Heritage Branch approval before work commences.
3. The applicant shall ensure that adequate measures are taken to ensure that protection is provided to items of heritage significance during the construction period.
4. All excavation is to be undertaken according to the archaeological assessment and methodology prepared by AMAC group archaeological and dated Nov. 2008.
5. The Applicant must ensure that a site specific induction is provided for all personnel involved in demolition work which includes a comprehensive briefing on the requirements of the 'Heritage Act, 1977' in relation to potential archaeological relics which may be found. In the event that archaeological relics are found, all work likely to affect the relic(s) must cease immediately and, in accordance with section 146(a) of the 'Heritage Act, 1977' the Heritage Council of NSW must be notified of the discovery or location of any relics. Additional assessment and approval, or other endorsement, may be required prior to works continuing in the affected area(s) based on the nature of the discovery.
6. All buildings to be demolished shall be photographically recorded prior to and during the demolition process. Copies of these records shall be forwarded to the Heritage Branch and Newcastle Library.
7. This approval shall be void if the activity to which it refers is not physically commenced within five years after the date of the approval or within the period of consent specified in any relevant development consent granted under the *Environmental Planning and Assessment Act, 1979*, whichever occurs first.

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

NIL

7.0 Matters for Consideration

NIL

8.0 Matters for Information

8.1 City One Development, Wynyard – Part 3A

A Concept Plan for demolition of non-significant buildings, construction of new 29 storey office building and refurbishment of Transport House was submitted as part of the City One development around Wynyard. The proposal includes major upgrade works to Wynyard Station, conservation works to former Shell House and its internal refurbishment for use as office premises, five levels of retail linking George Street and Carrington Street to the Station concourse, basement car parking and upgrade of the public domain surrounding the site. Transport House is the only item within the scope of the proposal that is on the State Heritage Register. Therefore the Heritage Council would only be involved to the extent of any proposed works to Transport House.

Resolved:

That the Heritage Council notes the report.

9.0 General Business

NIL

There being no further business the Acting Chair closed the meeting at 2:15 pm.

Peter Mould Chair Approvals Committee Heritage Council of NSW	Next Meeting of the Approvals Committee 1 July, 2009 3 Marist Place Parramatta
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