

HERITAGE COUNCIL OF NSW

Approvals Committee



MINUTES OF MEETING

6 May 2009

Heritage Branch,
3 Marist Place, Parramatta

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

APOLOGIES: Chris Johnson

ALSO PRESENT: Heritage Branch: Vincent Sicari, Nikki Ward, Gary Estcourt, Siobhan Lavelle

For Macquarie Lodge: Paul Campbell (The Salvation Army), Ben Kearney (Thomson Adsett), James Phillips (Weir Phillips), David Crane (David Crane & Associates)

For Museum of Contemporary Art: Kristin Wark (Root Projects), Elizabeth-Ann McGregor (Museum of Contemporary Art), Sam Marshall (Marshall Architects), Peter Mould (Department of Commerce)

1. Opening – Welcome

The Chair opened the meeting at 9:00 am.

1.2 Confirmation and Timing of Agenda

The agenda was confirmed.

Declarations of Interest

Item 5.3 – Diane Jones – Peddle Thorp & Walker Pty Ltd are architectural consultants for this project.

Item 6.1 – Peter Mould – The Government Architects Office are joint architects for this project.

2. Confirmation of Minutes

2.1 Approvals Committee Meeting of 6 April 2009

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

Resolved:

It was noted that the minutes of the 6 April 2009 meeting was missing a brief on the presentation made for the concept proposal for 120 Pitt Street, Sydney. The April 2009 minutes will be amended to include notes on this presentation.

3. Action Report

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

Resolved:

That the Action Report, noting actions undertaken since the meeting of 6 April 2009, be adopted.

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

5.1 Macquarie Lodge, Wollongong Road, Arncliffe – IDA

Macquarie Lodge, 171 Wollongong Road, Arncliffe, has State heritage significance for its ability to demonstrate historic patterns of development within the surrounding area and for its ongoing association with, and ability to demonstrate, the social work of the Salvation Army since 1917. This application seeks consent for the proposed Stage 2 for development at the site involving construction of 46 Independent Living Units to the south of Macquarie Lodge. In its current form the proposal is likely to have a larger impact than the original versions of the proposal previously included in the Master Plan.

Presentation

The proponent cited upgrade requirements as well as financial viability as contributing factors to the proposed development for Stage 2 on the site. As no funding was received from other Salvation Army activities to assist running the residential aged care centre it would be essential for the centre to raise enough surplus funding to cover all financial requirements for the site. The proposal now provided 2 bedroom units as it was not considered financially viable to only have single bedroom units. There were, therefore, an increased number of units in the current proposal. In support of keeping the top floor units, the proponent stated they would have views to the city, making them more desirable, and therefore able to provide higher levels of return to support the upkeep of the centre. New buildings would be set back from Dappeto House, allowing for some separation between the house and the new units. The current proposal is a balance between the Design Review Panel's advice, the desire to maintain views and limitations of placement due to existing trees. Open spaces around the footprint of the new

units would be closed in the new design with the proponent citing security needs and proposed use of the grounds in these areas by residents.

Consideration

The Approvals Committee noted that there had been no pre-DA consultation with the Heritage Branch prior to submission of the development application. The Committee expressed concern about the change from a pavilion layout with spaces between sections of the new building to a monolithic building. Further, the Committee held reservations about the need for a fourth floor. The justification for closing the open spaces around the base of the units seemed to be at odds with the use of open spaces at other aged care centres. Also, the outdoor space in the area surrounding Dappeto to House would need to be more coherent. The Approvals Committee decided to defer consideration of this proposal pending a review of the design to meet the Committee's concerns.

Resolved:

The Approvals Committee notes that the application is substantially different in layout, form and scale to that shown in the master plan to which it had regard when approving the stage 1 application for the development for the residential aged care facility. The Approvals Committee is concerned that the development would have a greater impact on Dappeto than previously indicated on the master plan due to the additional storey proposed and the change from pavilion-like development to a continuous monolithic form. The Committee believes that the fourth floor of the proposal should be removed and greater modelling of the footprint achieved in order to create pavilion-like structures separated by coherent open space.

That the Heritage Council therefore advise Rockdale City Council in accordance with S91A of the *Environmental Planning and Assessment Act 1979* that it is not prepared to issue an approval under S63 of the *Heritage Act 1977* at this stage and therefore defers consideration of this matter until these issues have been satisfactorily resolved.

5.2 Emanuel School, Randwick - IDA

The site has important social and historical associations with the development of the Randwick area through the occupation of James Watkins, the development of late 19th century private education in the eastern suburbs of Sydney, and the development of social welfare in NSW. The site also contains a number of features which are notable, aesthetically, within the Randwick area.

The proposal involves demolition of 1930s accretions in the service yard of Aston lodge and construction of a specialist learning facility within the enclosed space.

Consideration

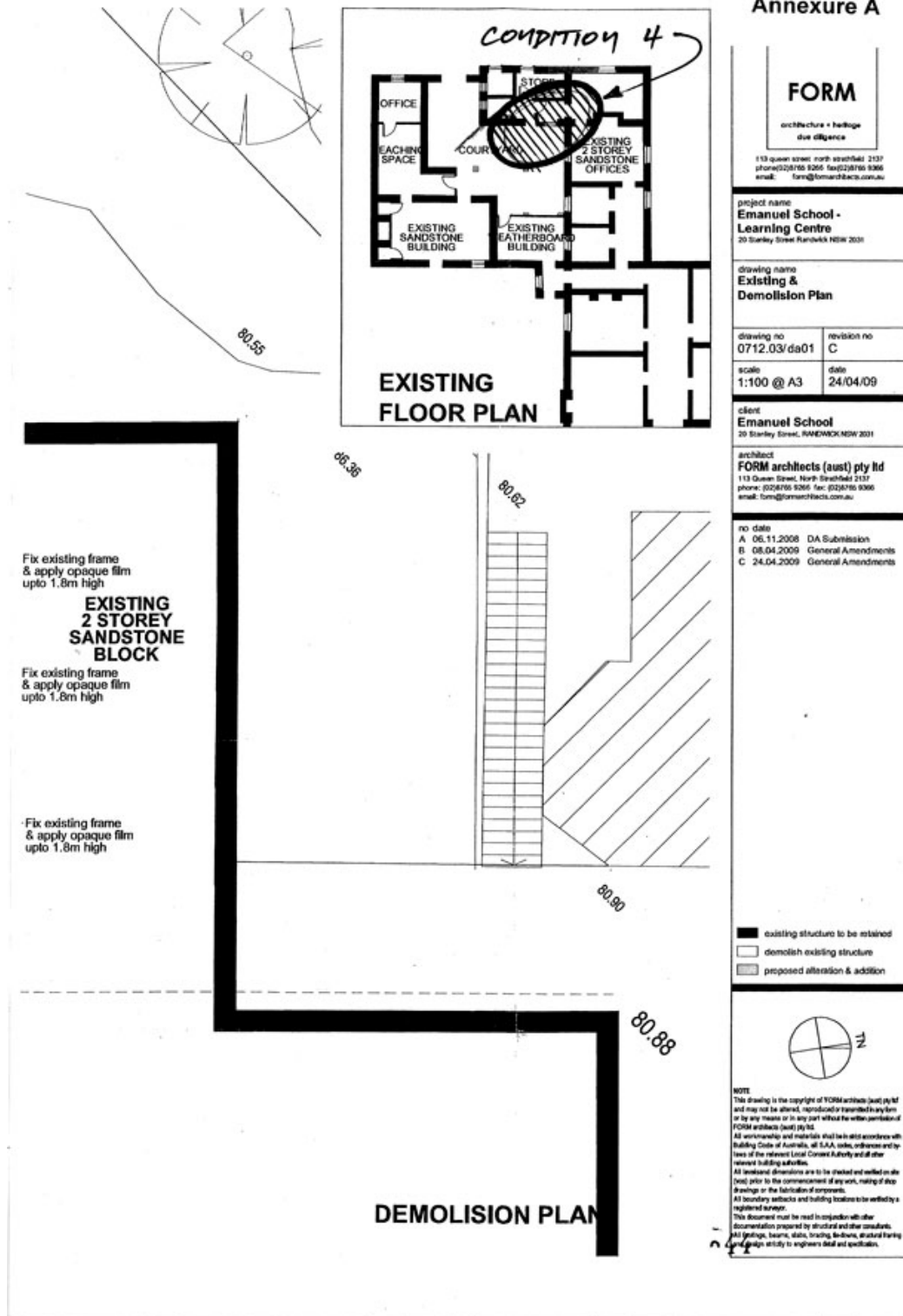
A sub-committee had visited the site and provided clear guidance to the proponent, which was taken on board and incorporated into the current proposal. The Approvals Committee agreed that the intrusive element in the north west corner of teaching area 4 (as marked on the plan) could be removed and replaced with materials sympathetic to the new works.

Resolved:

That the Committee provide the following General Terms of Approval to Randwick City Council, on the basis of the submitted designs:

- 1. Fully detailed documentation shall be submitted with the required S60 application.**
- 2. All work that impacts upon original fabric shall be performed by qualified tradesmen using traditional methods and materials, as guided by the conservation policies of draft CMPs 1999 & 2002, and the following;**
 - a) Patching material should match the original fabric as closely as possible in colour, grain, bedding, durability, porosity and chemical composition.**
 - b) Where repointing is necessary, either because the existing mortar is unsound or where the lack of sufficient mortar is causing detrimental water penetration, a weak mortar mix no stronger than that originally used in the building shall be employed.**
 - c) The use of electric saws or pneumatic hammers is to be avoided, to alleviate the risk of fabric destabilisation.**
 - d) Paint removal from stone surfaces shall be performed by experts using techniques which do not harm the masonry.**
- 3. 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.**
- 4. The intrusive brick element on the northwest corner of the courtyard (as marked on plan) shall be removed and replaced with materials sympathetic to the new works.**
- 5. An application under section 60 of the NSW Heritage Act must be submitted and approved by the NSW Heritage Council prior to work commencing.**

Annexure A



FORM	
architecture + heritage due diligence	
113 Queen Street, North Brisbane, 4107 phone: (02) 8786 9266 fax: (02) 8786 9266 email: form@formarchitects.com.au	
project name Emanuel School - Learning Centre 20 Stanley Street, Randwick NSW 2231	
drawing name Existing & Demolition Plan	
drawing no 0712.03/da01	revision no C
scale 1:100 @ A3	date 24/04/09
client Emanuel School 20 Stanley Street, RANDWICK NSW 2231	
architect FORM architects (austr) pty ltd 113 Queen Street, North Brisbane, 4107 phone: (02) 8786 9266 fax: (02) 8786 9266 email: form@formarchitects.com.au	
no date A 06.11.2008 DA Submission B 08.04.2009 General Amendments C 24.04.2009 General Amendments	
<p>■ existing structure to be retained □ demolish existing structure ▨ proposed alteration & addition</p>	
<p>NOTE This drawing is the copyright of FORM architects (austr) pty ltd and may not be altered, reproduced or transmitted in any form or by any means or in any just without the written permission of FORM architects (austr) pty ltd. All workmanship and materials shall be in strict accordance with Building Code of Australia, all S.A.A. codes, ordinances and by-laws of the relevant Local Council Authority and all other relevant building authorities. All dimensions shown are to be checked and verified on site (not) prior to the commencement of any work, making of site drawings or the fabrication of components. All boundary setbacks and building footprints to be verified by a registered surveyor. This document must be read in conjunction with other documentation prepared by structural and other consultants. All drawings, beams, slabs, bracing, boltings, structural framing and design details to be prepared by engineers, draft and specifications.</p>	

5.3 Sydney Grammar School, Darlinghurst – S140

The primary historical association of this site is with the development and continuous occupation of the school for over 170 years. The site has secondary associations that pre-date the establishment of the school. It encompasses and preserves a substantial portion of one of the seminal town boundaries of Sydney, the 1792 limit established by Governor Phillip. The proposal is for Archaeological Testing of an area within the school to be developed for a new underground auditorium. This will be followed by either archaeological salvage and/or notification and archaeological monitoring – subject to the results of the initial testing phase in identifying significant historical archaeological features, relics or deposits.

Consideration

The Approvals Committee acknowledged that, due to the confinement of the site, underground construction to expand the school's facilities would be necessary. The Committee recommended that if sections of the historic boundary wall are found during archaeological excavations they should be carefully removed prior to any construction. The approval for the permit would incorporate conditions to allow removal of sections of the wall if it is found to enable display and interpretation in the new assembly hall or playground areas of the school.

Resolved:

That the Heritage Council approve the application with the following conditions:

- 1. This approval allows for the large-scale Archaeological Testing of an area within the Sydney Grammar School which is to be developed for a new underground auditorium. That stage will be followed by a notification and "on call" archaeological program which will allow for archaeological recording/salvage and/or monitoring – subject to the results of the initial testing phase in identifying significant historical archaeological features, relics or deposits requiring further investigation. All works shall be in accordance with the submitted methodology outlined in the S140 Application number 2009/S140/08 and in the supporting document: 'Application S140 Excavation Permit Assembly Hall Sydney Grammar School College Street Sydney', prepared by Cultural Resources Management Pty Ltd, dated March 2009;**

EXCEPT AS AMENDED BY THE FOLLOWING CONDITIONS:

- 2. This permit is valid for five years from the date of approval.**
- 3. This approval allows the removal of State significant 'relics' or deposits, as specified in the approved Research Design, in particular an early boundary wall from the Woolloomooloo Estate.**
- 4. The Heritage Council of NSW or its delegate must be informed of the commencement and completion of the archaeological program at least 5 days prior to the commencement and within 5 days of the completion of work on site. The Heritage Council and the Heritage Branch, Department of Planning, reserve the right to inspect the site and records at all times and to access any relics recovered from the site.**

5. **The Excavation Director, Ms Wendy Thorp of CRM Pty Ltd, must be present at the site supervising all archaeological fieldwork and must take adequate steps to record all relics discovered on the site in accordance with the approved Research Design and current best practice guidelines. This work must be undertaken in accordance with the relevant Heritage Council guidelines 'How to Prepare Archival records of Heritage Items' (1998) and 'Photographic Recording of Heritage Items Using Film or Digital Capture' (2006).**
6. **The Applicant must ensure that the nominated Excavation Director, Ms Wendy Thorp, briefs all personnel involved in the project about the requirements of the NSW 'Heritage Act 1977' in relation to the proposed archaeological program. This briefing should be undertaken prior to the commencement of on-site excavation works.**
7. **The Applicant must ensure that the area under archaeological investigation are made secure and that the unexcavated artefacts, structures and features are not subject to deterioration, damage or destruction during and after the investigation, until all necessary recording is concluded.**
8. **The Applicant must ensure that the nominated Excavation Director or an appropriate specialist cleans, stabilises, identifies, labels, catalogues and stores any artefacts uncovered from the site in a way that allows them to be retrieved according to both type and provenance.**
9. **A summary of the results of the Archaeological Testing, up to 500 words in length, must be prepared by the Excavation Director and submitted to the Heritage Council of NSW for approval within one (1) month of the completion of the archaeological field work.**
10. **At the conclusion of the initial Archaeological Testing stage, the Excavation Director must consider the most appropriate strategy for the subsequent stages of the project as outlined in Condition 1. The preferred Stage 2 strategy must be discussed with, and approved by the Heritage Council of NSW or its delegate, in light of the findings from the archaeological testing before the commencement of the next phase of archaeological involvement.**
11. **Within 3 months of the completion of the final archaeological fieldwork an Interpretation Plan should be prepared to incorporate the findings from all of the archaeological works. The Plan should be prepared by an appropriate specialist in accordance with the Guidelines issued by the Heritage Council of NSW. The Interpretation Plan should be submitted for the approval of the Heritage Council or its delegate. On-site interpretation must be approved by the Heritage Council or its delegate, and must be installed at the site prior to the occupation of any new development on the land.**
12. **The Applicant must ensure that a final excavation report is written by the Excavation Director, to publication standard, within one (1) year of the completion of the final archaeological work. The Applicant must ensure that one (1) electronic copy of the final excavation report is submitted on CD to the Heritage Council of NSW together with two (2) printed copies of the final excavation report.**

The Applicant must also ensure that further copies are lodged with the local library and/or another appropriate local repository in the area in which the site is located.

13. The Heritage Council of NSW requires that the final report shall include:
 - a) An executive summary
 - b) Due credit to the client paying for the excavation on the title page
 - c) An accurate site location and site plan
 - d) Historical research, references, and bibliography
 - e) Detailed information on the excavation including the aim, the context for the excavation, procedures, analysis, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale drawings, photographs, repository)
 - f) Nominated repository for the items
 - g) Detailed response to research questions
 - h) Details of how this information about this excavation has been publicly disseminated

14. Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Environmental Protection and Regulation Division of the Department of Environment and Climate Change is to be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974. Aboriginal 'objects' must be managed in accordance with an approved permit under Section 87 or Section 90 of the National Parks and Wildlife Act, 1974.

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

6.1 Museum of Contemporary Art, Circular Quay – Part 3A

David Logan chaired the meeting for this item as Peter Mould declared an interest and left the room.

The Museum of Contemporary Art and the site upon which it is located are of State heritage significance for their historical, aesthetic and scientific cultural values as well as for their contribution to The Rocks area, however they are not listed on the State Heritage Register. Although the public submission period has closed the views of the Heritage Council have been sought in recognition to the long involvement the Heritage Council has had with the proposal. A five level addition is proposed to the north of the existing MCA building. Rooftop venue spaces are to be added to the top level of the existing building while its internal spaces are to be remodelled. The new addition would allow access from both George Street and the Circular Quay concourse and provide a publicly accessible link between the two.

Presentation

The aim of the proposed extensions was to provide greater access to the building (especially from George Street), coherent circulation through the building/s, provide dedicated education spaces, flexible gallery spaces, improve revenue optimisation and create a contemporary signifier. The proponent had undergone extensive consultations with various organisations with an interest in the site. Various photomontages were shown to illustrate the current proposal. In the

current design the proponent had reduced the new George Street façade design to allow better views to the façade of the original building. The central circulation area linking the new northern extension to the existing building would be encased with a glass envelope to aid in maintaining a gap between the two buildings. In line with this an external lift in the same area would also be encased with glass to promote transparency.

Consideration

The Approvals Committee appreciates being briefed on the proposed development at the MCA but would have liked the opportunity to contribute recommendations at an earlier stage in the process. The Committee made the comment that a further separation of the existing building and the northern extension would be beneficial, as well as reducing the height of the new George Street façade. The Approvals Committee recommended that proposed works to any state significant item come to the Heritage Council for consultation, advice and recommendations.

Resolved:

The Approvals Committee notes that the building is not on the State Heritage Register but is recognised to be of State heritage significance. Accordingly the Heritage Council, when last consulted regarding this site in 2007, advised the applicant that it would be keen to continue assisting in developing a scheme which provides the Museum with the necessary accommodation while protecting the heritage values of the place.

The Approvals Committee regrets that it was not given the opportunity to provide advice during the design development of the proposal nor during the formal consultation process.

The Approvals Committee further notes that draft conditions of approval have recently been issued to the applicant. Nevertheless the Approvals Committee has concerns about the proposal and makes the following recommendations:

- 1. A clearer and wider separation between new and old buildings would be appropriate.**
- 2. The western extension fronting George Street should be reduced in height to better respect the sandstone building behind and not obscure it. This would also reduce the impact on the low scale heritage streetscape of George Street.**
- 3. The roof top extension should be set back further from the George Street frontage to reduce its visual dominance.**
- 4. In line with accepted heritage practice, an updated Conservation Management Plan should be prepared and submitted to the Heritage Council for advice.**
- 5. The archaeology of the site is of state, if not national significance and requires careful management. Therefore an archaeological management plan should be submitted to the Heritage Council for advice.**

Further, the Department of Planning is requested to refer to the Heritage Council any applications for major changes to items that are not on the SHR but are identified as having state heritage significance.

7.0 Matters for Consideration

NIL

8.0 Matters for Information

8.1 Cumberland Press Site, Parramatta – Future S140 application

The site owners plan to redevelop the site. The site is anticipated to contain relics of State significance. There has been a difference of opinion about whether the archaeology revealed to date is of sufficient intactness to warrant in-situ retention. The floor plate required for the new building proposed for the site would require the majority of the site to be built upon. The Approvals Committee suggested ground floor parking for part of the site, as opposed to basement parking only and that the proponent consider the use of less piers to support the building structure, based on architectural requirements. Also, if further investigation revealed some areas contain highly significant archaeology, the Approvals Committee recommends that the proponent avoid placing piers into the ground in those locations. Further, the Approvals Committee suggested that geotechnical investigations for the site be combined with further archaeological testing.

Resolved:

That the Heritage Council:

1. **Note the information in the report.**
2. **The approvals committee notes that, on currently received information, Lots 46, 47 and possibly 48 and 49 appear to be of both European and Aboriginal archaeological significance at a State level, thus warranting in-situ conservation. As a minimum the Heritage Council would expect the in-situ conservation of lots 46 and 47 with minimal disturbance from structural columns for development above these lots. Depending on the outcome of further testing, some additional in-situ conservation within lots 48 and 49 may be warranted.**

9.0 General Business

The Approvals Committee would like to raise with the full Heritage Council the issue of consultation from bodies such as Design Review Panels and for Part 3A applications for items of state significance. In order to help streamline processes the Approvals Committee would like the Heritage Council, or its delegate, to be included in the list of authorities to be consulted during the decision making phase for determination of applications for works involving state significant items, whether or not they are listed on the State Heritage Register.

There being no further business the Acting Chair closed the meeting at 2:20 pm.

<p>Peter Mould Chair Approvals Committee Heritage Council of NSW</p>	<p>Next Meeting of the Approvals Committee 3 June, 2009 3 Marist Place Parramatta</p>
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