

MINUTES OF THE HERITAGE COUNCIL APPROVALS COMMITTEE
Wednesday 4 August 2004 at the Heritage Office, 3 Marist Place,
Parramatta at 1.30pm

Attendance

Mary-Lynn Taylor	Chair
Diane Jones	
Susan Macdonald	Assistant Director, Heritage Office
Bruce Pettman	
Megan Jones	
Garry Fielding	
Elsa Atkin	
Michael Collins	Items 4.4 & 8.4

Also in Attendance

Vincent Sicari	Heritage Office	
Vanessa Williams	Heritage Office	
Sean Williams	Godden Mackay Logan	Item 4.1
Trent Delahunty	Cadence	Item 4.1
Paul Lonnett	Hughes Truman	Item 4.1
Hector Abrahams	Clive Lucas Stapleton	Item 4.2
Phillip Creaton	GM Camden Golf Club	Item 4.2
Santo Ragusa	Energy Australia	Item 4.3
Dale Swan	Ancher Martlock Woolley	Item 4.4
Ken Woolley	Ancher Martlock Woolley	Item 4.4
Graham Brooks	Graham Brooks & Associates	Item 4.4
David Sylvester	IPOH	Item 4.4
Fabrizio Perilli	??	Item 4.4
Adrian Timp	??	Item 4.4
Simon Rumbold	??	Item 4.4
Richard Mackay	Godden Mackay Logan	Item 4.5

1. Declarations of Interest

Diane Jones Item 8.2

1.2 Apologies

Sharon Sullivan
Rod Leaver

2. Confirmation of the minutes of the previous meeting

The minutes of 7 July 2004 were confirmed with minor amendments.

3. Action Report

Members noted the Action Report for 7 July 2004.

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4. Presentations

4.1 Prince Henry Site, Artisans' Cottages No. 8 and 9 Proposed Demolition – Pre IDA

Sean Williams, Trent Delahunty and Paul Lonnett attended the Approvals Committee meeting to explain the proposal that involves the full demolition including footings of the Artisans' Cottages No. 8 and No. 9 (Former Married Staff Residences) at the former Prince Henry site at Little Bay. They explained that the subject buildings are a pair of semidetached 1910 timber framed single storey cottages which are in very poor structural condition due to the combined effects of water ingress and termite infestation.

4.2 Studley Park Golf Course, Narellan – Master Plan & CMP Review

Hector Abrahams and Phillip Cleaton attended the Approvals Committee meeting to seek advice to build a new clubhouse, and staged on-site clustered accommodation. They hope through a possible heritage agreement, this could provide an income stream to allow conservation works to and adaptive reuse of both the main house, the original stables (now the clubhouse & offices), and of elements of the estate's landscape, such as early access drives.

4.3 City North Substation – Potential 1790's Archaeology

Santo Ragusa of Energy Australia presented to the Approvals Committee Energy Australia's intension to upgrade an existing Electricity Substation on the site through reconstruction and refurbishment to be implemented between 2004 and 2010. The staged demolition of the substation and excavation of the site to enable the installation of new infrastructure would remove all physical evidence of any older occupation. The Substation site has some archaeological potential for remains from the early Colonial period, possibly a 1790s powder magazine, and occupation layers c.1820s to 1900. Mr Ragusa was in agreement with the proposed resolutions in the Heritage Councils report.

4.4 QVB

The QVB team headed by Dale Swan presented to the Approvals Committee financial information requested at the July Approvals Committee meeting. They also showed the committee an upgraded version of a *fly through* demonstration illustrating the current escalator proposal.

4.5 Reussdale

Professor Richard Mackay presented to the Approvals Committee on behalf of the applicant for Reussdale the intentions of Sydney City Council post a council meeting. Richard Mackay informed the committee that council are looking to repeal the current DCP and that this would have grave ramifications to the current DA.

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

5.1 Reussdale

Resolved:

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

1. All work shall be carried out in accordance with the following documentation:

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- a. Drawings DA-00 to DA-12, DA-20 to DA-22 prepared by PD Mayoh Pty Ltd dated April 2004 & 1064 LP/01 to 03 prepared by John Lock Associates dated 06 April 2004; and
- b. Revised Heritage Impact Statement HIS prepared by Godden Mackay Logan dated April 2004; and
- c. Reussdale Outline of Conservation and Adaptation Works, prepared by Godden Mackay Logan dated April 2004.

Except AS AMENDED by the conditions of this consent.

2. A qualified heritage consultant shall be engaged for the duration of works to liaise with regard to the heritage aspects of the project and to inspect the works to ensure the compliance with the heritage objectives of the project. Prior to commencement of the work the name and the details of the nominated heritage consultant shall be submitted to the Director, NSW Heritage Office. Upon the completion of the work, or prior to the issue of an Occupation Certificate, the nominated heritage consultant shall submit a report to show the compliance of the completed works with the approved documentation and the conditions of this consent to the Director, NSW Heritage Office.
3. A detailed schedule of work/specification shall be prepared for the conservation of Reussdale by the nominated heritage consultant as identified in Condition 2. Such documents shall include detailed drawings, methods of conservation, mitigation techniques and a program of work and shall be submitted to and approved by the Director, NSW Heritage Office prior to the commencement of work including the Abbey and the proposed new developments on the site of Hamilton. The conservation of Reussdale, in accordance with the approved schedule of work, shall be completed prior to the issue of an Occupation Certificate for any part of development identified in this consent. *(Note: An appropriate archival search should also be conducted by the nominated heritage consultant to investigate the original documents. In particular an architectural dissertation 'Life and works of Ferdinand Hamilton Reuss Jnr', prepared by Neil Robert Patrick dated 1970, may provide a valuable insight into the building and its appropriate re-construction).*
4. Prior to commencement of work the detailed designs, finishes, materials and colours for the proposed commercial development in the Abbey shall be submitted to and approved by the Director, NSW Heritage Office.
5. Prior to commencement of work the detailed designs, finishes, materials and colours for the proposed extension to Reussdale shall be submitted to and approved by the Director, NSW Heritage Office.
6. Prior to commencement of work the detailed designs of the proposed services, air conditioning equipment ducts, downpipes, and other external fixtures and fittings for Reussdale and the Abbey shall be submitted to and approved by the Director, NSW Heritage Office.
7. An interpretation plan and strategy shall be submitted with the s60 application. The approved interpretation plan shall be implemented on the site prior to the issue of an Occupation Certificate.
8. The excavation and construction of the proposed underground car park shall be monitored on a continuous basis. If any damage occurs to the heritage buildings on the site, works shall cease and the NSW Heritage Office will be notified immediately. Appropriate mitigation measures will need to be in place to the satisfaction of the Director, NSW Heritage Office prior to re-commencement of the work.
9. The proposed landscaping north-west of the facades of Reussdale is not part of this approval. A revised landscape plan informed by and addressing the following matters shall be submitted to and approved by the Director, Heritage Office, together with the

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section 60 application as required in condition 14 of this consent. It is also recommended that the landscaping north-west of the facades of the Abbey and the new development on the site of Hamilton address the same matters as outlined below:

- a) reduced paved area and increased garden area in front (north-west) of the Abbey, particularly on either side and closest to the Abbey's north and west facade corners;
- b) reduction in size of proposed paved area north-northeast of the proposed driveway ramp under the new development on the Hamilton site to a minimum, and replacement with grass
- c) an addendum to the conservation management plan addressing remnant garden areas to the north-west of Reussdale, the Abbey and the new development on the Hamilton site, specifically addressing:
 - i) analysis and ranking of significant remnant garden area spaces;
 - ii) identification of relative significance of each;
 - iii) conservation policies for each significant garden space;
 - iv) analysis and ranking of significant remnant garden area layout, relative setbacks (ref. page 106-7, CMP), views from public streets into the property, views from the property out;
 - v) conservation policies for each significant element of layout, setback, view;
 - vi) conservation policies for replacement of any significant plant species, should it die;
 - vii) conservation policies for reinstatement of known lost garden area elements, built or planted;
 - viii) prioritised conservation works for all significant components of the remnant garden area;
 - viii) specific inclusion of rankings of significance of remnant palm species, and contributory value, as a common 19th century garden plant, some the subject of high fashion, such as Lord Howe Island palms (*Howea fosteriana*) eg: specimen on northwest corner of Hamilton (visible in figure 3.36) and specimen #(29) on Figure 3.63 and cotton palms (*Washingtonia robusta*) eg: specimen #30, and assessment of options for the retention of these specimens in situ and/or moving them on site but reusing them as suitable period plantings;
 - ix) specific inclusion of ranking of significance of sweet bay tree (*Laurus nobilis*) near front door of Hamilton, (visible in figure 3.36) this species again a popular 19th century garden plant;
 - x) reassessment of the age and significance of brush box trees (*Lophostemon confertus*) ref: specimen #s 11 and 22 on figure 3.63) given what appears to be their appearance (among other brush box trees) in a 1928 photograph (Figure 2.12);
 - xi) revision of CMP sections 5.4.6 (rarity) and 5.4.7 (representativeness) in regard to the group value of these three lots. They would appear to be both rare

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as a single developer/designer's example of a large lot suburban subdivision development, (once not rare but now so,) in inner Sydney and Glebe. They would also appear to be representative of this 'better' kind of suburban development in the inner suburbs of that era;

xii) justification for the height, form and materials of the fence and gates upgrade (maintaining existing stone piers, upgrading steel fence infills) proposed along Bridge Road, viz the fence shown in a 1928 photograph (Figure 2.12), and the desirability or not of reinstating this known earlier form and height of front fence;

xiii) additional research and information on typical large suburban estate gardens of the period (if such material is lacking for this property), including typical layouts, features, materials (built and plants), typical shade loving shrub species (which are relatively absent from the proposed design) and arrangements of plants within beds and borders;

xiv) revised landscape scheme for the garden area based on (i-xiv) above, particularly revising the currently proposed treatment of the areas north-west of the Abbey flanking the commercial entry, revising the form and amount of paving in from of the new development on the Hamilton site, and revising appropriateness of currently proposed mass plantings north-west of Reussdale;

xv) justification for plant palette chosen, with specific regard for (xiii) above;

10. An Archaeological Research Design and methodology for the proposed archaeological program shall be undertaken within that part of the site which is listed on the State Heritage Register (Reussdale) and shall be submitted to and approved by the Director, NSW Heritage Office, together with the S60 application (refer Condition 14). The Research Design must nominate a suitably qualified Excavation Director to undertake the proposed archaeological works. The nominated Excavation Director must be approved as part of the S60 Application and will be required to manage all archaeological works undertaken on site.
11. An Application under S140 of the Heritage Act, 1977, shall be submitted to and approved by the Heritage Council prior to the commencement of work on those parts of the site which are not listed in the State Heritage Register.
12. The Section 140 Application shall include an Archaeological Research Design and must nominate a suitably qualified Excavation Director to undertake the proposed archaeological works. The same document may be used to support both a S60 and S140 Application for an Excavation Permit.
13. No excavation works are allowed to commence on site until approvals under Section 60 and Section 140 have been given for the nominated Excavation Director, and for the Research Design and proposed archaeological methodology;
14. The Applicants shall ensure that all personnel involved in demolition, excavation or disturbance of the site are briefed on site by an experienced historical archaeologist with knowledge of the archaeological 'relics' provisions of the Heritage Act, 1977, and the National Parks and Wildlife Act, 1974 in relation to the protection of relics and the need for compliance with those requirements. A signed record of attendance at the briefing should be created and submitted to the Heritage Office prior to the commencement of any ground disturbance or excavation works on the site.
15. Should any Aboriginal relics be uncovered, excavation or disturbance of the area is to stop immediately and the National Parks and Wildlife Service of the Department of Environment and Conservation is to be informed in accordance with the requirements of Section 91 of the National Parks and Wildlife Act 1974.

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16. Following the approval of the development under the Environmental Planning and Assessment Act 1979, A S60 application shall be lodged with the NSW Heritage Council under the Heritage Act 1977.

Note: It is recommended that a detailed schedule/specification of conservation works and the details of the proposed office fitout for the Abbey should be prepared. Such documents should include detailed drawings, methods of conservation, mitigation techniques, a program of work and a sample board showing the proposed finishes and colours and be submitted to and approved by Sydney City Council prior to the commencement of work.

6. Development Application Referrals

7. Conservation Management Plans

- 7.1 Members noted the Conservation Management Plan Status Report.

8. Matters for Consideration

8.1 City North Substation – Potential 1790's Archaeology

Resolved:

That the Heritage Council:

A) approve the application with the following conditions:

1. All works shall be in accordance with the methodology outlined in 'S140 Excavation Permit Application & Research Design for Archaeological Excavations, 65-79 Sussex Street, Sydney,' report prepared for EnergyAustralia by Austral Archaeology Pty Ltd, May 2004, except as amended by the following conditions:

2. This approval does not cover the removal of any State significant relics throughout archaeological testing and investigation at the site, except if there is a requirement to remove deposits containing non-significant and late occupation relics to facilitate the testing program.

3. This permit covers archaeological testing at 65-79 Sussex Street, Sydney, only. Should further archaeological investigation or development take place on the site, a new S140 application and Archaeological Research Design incorporating the results of the test trenches or other test excavations must be lodged with the Heritage Council of NSW for approval prior to undertaking any further works. The new application would determine the acceptability of the proposed redevelopment of the site on the archaeological resource. Adequate mitigation strategies, including any potential for in situ retention, interpretation or other proposals must be addressed and discussed with the Heritage Council of NSW in light of the findings from the archaeological testing.

4. The Heritage Office must be informed of the commencement and completion of the archaeological programme at least 5 days prior to the commencement and within 5 days of the completion of work on site.

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5. Following initial site clearance and removal of overburden (if any) the Excavation Director shall consult with the Heritage Office about the research potential of different areas of the place and, if required by the Heritage Office, undertake further background research, and formulate more pointed research questions and provide investigation strategies in each of the site areas to a form and extent approved by the Heritage Office prior to commencement of further archaeological investigation.
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 Office must be contacted for advice. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.
7. The Director of the Heritage Office must approve any substantial deviations from the approved research design (including extent and techniques of excavations) as an application for the variation or revocation of permit under section 144 of the NSW Heritage Act, 1977.
8. If the nominated Excavation Director will be absent from the site for more than 50% of the archaeological activity, the Applicant must forward for the approval of the Director of the Heritage Office the full details of the Site Director in charge for this period. This permit covers archaeological test excavation at 65-79 Sussex Street, Sydney, only.
9. This permit is valid for three years from the date of approval. Requests for extensions after this time will only be considered in writing.
10. The Applicant is responsible for ensuring that the nominated Excavation Director briefs all personnel involved in the excavation works at 65-79 Sussex Street, Sydney, on the requirements of the NSW Heritage Act 1977 in relation to archaeological relics, the need for compliance with those requirements and the proposed archaeological testing program.
11. The Applicant must avoid as much as possible any negative impact on the potential archaeological remains within 65-79 Sussex Street, Sydney, by minimising the movement of machines across the archaeologically sensitive areas, and by ensuring careful removal of the ground level features or structures where these must be removed to facilitate the archaeological testing program.
12. The Applicant must ensure that the nominated Excavation Director takes adequate steps to record in detail relics, structures and features discovered on the site during the archaeological works in accordance with the approved research design and current best practice guidelines. This work must be undertaken in accordance with the Heritage Office guidelines, "How to Prepare Archival records of Heritage Items" and "Guidelines for Photographic Recording of Heritage Sites, Buildings and Structures" (2001) and with the "Archaeological Assessment Guidelines", 1996.
13. The Applicant must ensure that the unexcavated artefacts, structures and features are not subject to deterioration, damage or destruction.

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14. Because this Permit covers archaeological testing only, it is expected that the relics identified on site during the work will as far as possible, be retained in-situ. Nevertheless, the Applicant is responsible for the safe-keeping of any relics removed from the site during the testing program.

15. Although it is expected that the relics identified on site during the work will as far as possible, be retained in-situ, the Applicant must ensure that the nominated Excavation Director cleans, stabilises, identifies, labels, catalogues and stores any artefacts recovered from the site during the archaeological testing program in a way that allows them to be retrieved according to both type and provenance.

16. The Heritage Council and the Heritage Office reserve the right to inspect the site and records at all times and access any relics recovered from the site.

17. In accordance with section 146(b) of the NSW Heritage Act, 1977, the Applicant must ensure that the final report is prepared by the nominated Excavation Director, to publication standard, within one (1) year of the conclusion of the project unless an extension of time is approved by the Heritage Council of NSW. Two hard copies of this report must be submitted to the NSW Heritage Office. At least one copy should also be submitted to the NSW Heritage Office in CD-Rom format. A further copy must be lodged in the local library or other appropriate local repository in the Sydney City Council area.

18. The Heritage Council of NSW requires, as stated in section 146(b), 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

19. Should any Aboriginal relics be uncovered, excavation or disturbance of the area is to stop immediately and the Department of Environment and Conservation (National Parks and Wildlife Service) is to be informed in accordance with Section 91 of the National Parks and Wildlife Act, 1974. NPWS CONTACT NUMBERS: Hurstville (02) 9585 6453 (in Head Office); Parramatta (02) 9895 7420.

20. During the archaeological testing program, the Applicant must ensure that appropriate signage or other material such as a leaflet or brochure which explains the history of the site and the works being undertaken, is available to the general public. At the completion of the archaeological testing program, subject to the findings, the results of the archaeological testing should be used to develop more detailed interpretation strategies for the site and any 'relics' in consultation with the NSW Heritage Office.

B) for the following reasons:

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1. The future redevelopment of the City North Substation would destroy any archaeological remains at the site. The assessed significance for most of the potential remains is Local except for any remains associated with the 1790s powder magazine which, if found, may be of State significance. Other undocumented elements may also be present, and substantially intact remains from eras later than the 1790s may also be of greater significance than predicted. An archaeological testing program would therefore be appropriate in order to better define the degree to which archaeological remains survive at this site to assist in planning the future uses of the site.
2. The information submitted with the current S140 Application for the site indicates some confusion between the nominated archaeological "testing" of the site and the intended on-site methodology. Conditions have been prepared for an approved Excavation Permit which would ensure that the work proposed to be undertaken in a testing phase would not prejudice the future retention of archaeological remains which are potentially rare and of State significance.

8.2 Prince Henry Site, Artisans' Cottages No. 8 and 9 Proposed Demolition – Pre IDA

Resolved:

That the Heritage Council:

- 1) Consider the report and the presentation given by the proponents and agree, in principle, that demolition of the cottages may be allowable subject to the condition of the item being properly established;
- 2) Advise the applicant that insufficient information has been submitted at present to allow the condition of the cottages to be determined and the Heritage Council requires a more detailed report on the condition of the building and in that regard would allow the roof tiles to be removed and the roof temporarily protected, complete access to the house be granted to complete the assessment;
- 3) Advise the proponents that the deteriorated condition of the cottages may not be sufficient to accept their full removal; and
- 4) Request the Director of the Heritage Office to determine the application under delegation once further information is received;
- 5) Request that if removal of the buildings is accepted, a development application should clearly describe a replacement building's use, positioning, envelope, materials and colours to retain and strengthen the character of the setting of the Artisans' Cottages.

8.3 Studley Park Golf Course, Narellan – Master Plan & CMP Review

Resolved:

That the Heritage Council:

1. notes the report;
2. supports in principle the need to revise the CMP, noting that this is to be submitted in due course for Heritage Council endorsement;
3. advises the applicant that more information is required to assist the Heritage Council to understand the issues involved, this being:
 - (a) a copy of the assessment of constraints and opportunities report prepared by Clive Lucas Stapleton & Partners;

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- (b) a copy of proposed revision to the existing conservation management plan prepared by Godden Mackay Logan;
 - (c) explanation of the differences between the 2000 CMP and the proposal, and reasons for the proposed revision;
 - (d) a copy of the economic appraisal of the viability of the proposed on-site community-title clustered accommodation, information on the types of accommodation considered, and on why the proposed option was recommended;
 - (e) photomontages showing the location and impacts of the proposed clustered accommodation, in particular as viewed from significant heritage buildings or viewpoints on the estate;
 - (f) clarification of the potential natural heritage (conservation) value of all remnant native vegetation on site, be that mature or regenerating;
 - (g) details on the form, design and materials of the proposed accommodation units, and of the proposed clubhouse;
 - (h) more detail on the Edwardian back access road to the north-west of the house, and of opportunities for its interpretation as part of the golf course;
 - (i) clarification of proposed uses and conservation of outlying estate elements such as the cottage facing Camden Valley Way and original driveway gates facing Camden Valley Way;
 - (j) a model of the proposed development in its neighbouring context to demonstrate its location and impacts on the whole site;
 - (k) a prioritised schedule of conservation works to key heritage elements of the site, ranked as to short, medium and long-term and linked to the draft heritage agreement for implementation;
 - (l) a prioritised maintenance schedule for key heritage elements, linked to the draft heritage agreement for implementation;
 - (m) a revised draft heritage agreement for consideration and comment;
4. gives its support for the general approach taken to the whole site, identification of areas where potential future development could occur, definition of the location, density, scale, form and materials of such development, and the intent of the proposed redevelopment principles;
 5. supports the preparation of a heritage agreement to guide future conservation and development works;
 6. instructs the Heritage Office to write to the Commonwealth Government seeking its cooperation in planning for Studley Park's future conservation and wholistic management, agreement to and participation in preparation of a whole-site CMP and whole-site heritage agreement;
 7. advises the applicant that as the proposals would represent major changes for Studley Park, it would require public exhibition of any proposed master plan for the estate, and of staged development applications as these arise;
 8. advises the applicant that it would also require more detailed information such as proposed staging, heritage impact statements to accompany any staged redevelopment applications.

8.4 Sydney Harbour Catchment REP

Resolved:

That the Heritage Council:

1. notes and supports the draft REP as a significant step forward in providing integrated planning controls for a critical NSW catchment;

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2. instructs the Heritage Office to request DIPNR to revise the draft REP heritage schedule to include all State Heritage Register items in the relevant local government and Waterways areas;
3. commends DIPNR for including shipwreck heritage sites in the draft REP, and seeks assurance that development impacting on these items will be considered as part of the normal approvals process.
4. instructs the Heritage Office to meet with DIPNR to discuss how this document together with draft State Significant Development SEPP adequately provide for the conservation of all relevant heritage items, development within the vicinity of these items and development visible from the harbour and waterways

9. Matters for Information

NIL

10. General Business

11. Next Meeting

The Chair closed the meeting at 16.35pm. The next meeting is scheduled for 1 September 2004.

Signed:

Date