

HERITAGE COUNCIL OF NSW Approvals Committee

MINUTES OF MEETING

6th July 2005

NSW Heritage Office, 3 Marist Place, Parramatta



PRESENT	Mary -Lynne Taylor	Chair	
	Jacqui Goddard		
	Susan Macdonald	Assistant Director, Heritage Office	
	Bruce Pettman		
	Megan Jones		
	David Logan		
	Gary Prattley		
	Dianne Jones		
APOLOGIES	Rod Leaver		
ALSO PRESENT	Vincent Sicari	Heritage Office	
	Vanessa Williams	Heritage Office	
	Gary Pringle	Heritage Office	
	Alice Brandjes	Heritage Office	
	Bruce Baskerville	Heritage Office	
	Troy Love Day	Ryde Council	Item 6.2
	Vince Scarleto	Ryde Council	Item 6.2
	Colleen Stevens	Ryde Council	Item 6.2
	Howard Tanner	Tanner Architects	Item 6.2
	Filippo Navara	Curzon Hall	Item 6.2
	Barney Collins	EJE Architect	Item 5.2
	Neil Slater	Nobby's Head Restaurant Proprietor	Item 5.2
	Doug Lithgow	Parks and Playground Movement	Item 5.2
	Richard Mackay	GML	Item 7.2
	Mark Robinson	Heritage office	Item 7.2
	Ben Hendriks	Sydney City Council	Item 7.2
	Otto Cserhalmi	Otto Cserhalmi & Partners Pty Ltd	Item 7.2

1. Opening – Welcome

The Chair opened the meeting at 09.45am.

iterated his belief in the viability of the business and commented that any further loss of restaurant seating or accommodation rooms would render the development unviable.

4.2 Nobbys Headland Newcastle Community

Mr Doug Lithgow from the community group Parks and Playground Movement Inc. presented to the committee public concern over the proposed development at Nobby's Head. Essentially Mr Lithgow was concerned that the development proposal was not taking into account the *Coal River Precinct* and that the development was being looked at in isolation to the whole precinct.

4.3 Curzon Hall, Marsfield

Howard tanner and his team presented to the Approvals Committee revised plans in relation to recommendations contained in the July Approvals Committee report on Curzon Hall.

4.4 CUB (Kent Brewery) Site CMP, Broadway, Sydney

The team representing the proposed endorsement of the CUB (Kent Brewery) Site CMP presented to the Approvals Committee their conclusions following the extensive collaboration of resources in producing the CMP.

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

5.1 Grafton Road & Rail Bridge over the Clarence River – S60

The Approvals Committee discussed the proposed recommendations for the section 60 application and resolved that in principle building the bridge was acceptable. The Approvals Committee discussed the merits in having a *staged* approval and would look at the merits of further applications in relation to the formalising of the development.

Resolved:

That the Heritage Council approves the application with the following conditions;

(A)

- 1. that this approval is a conditional approval under section 63B(2) of the Heritage Act and the detailed design, precise location and lane configuration of the new bridge must be subject to a further application under section 60 of the Heritage Act which must be approved prior to the commencement of construction.**
- 2. that this approval relates only to that part of the proposal which is within the boundary of the listing on the State Heritage Register of the Grafton Road and Rail Bridge over the Clarence River (SHR 01036), which is described as the bridge, piers, abutments, embankments and track formation for a distance of 10 metres in all directions from those elements.**
- 3. that the proposed development is to be generally in accordance with drawings KD678A Sheets 1A and 6A prepared by the Roads and Traffic Authority.**

(B) The Heritage Council also resolved to advise the Roads and Traffic Authority that the following matters are to be considered in the redesign of the proposal for the Stage 2 application:

- 1. The preferred lane configuration for the new bridge is one-north, two-south and must allow for the continued operation of the existing bridge as a road/rail bridge and avoid the need to alter the bridge trusses and piers to remove the kinks.**
- 2. The height of the proposed bridge is to be reduced as much as practical by reducing the clearance of the bridge over the rail line to match the clearance of the existing approach over the line (approximately 5.1 metres) to improve the visibility of the existing bridge from downstream vantage points in particular the silhouette of the trusses against the sky.**
- 3. The excessive massing of the proposed bridge is to be redesigned to reduce the bulk and visual dominance of the concrete arches and parapet in favour of a shallower vertical profile to the satisfaction of the Director of the Heritage Office.**
- 4. The colour and materials of the proposed bridge is to be submitted with the stage 2 section 60 application to the satisfaction of the Director of the Heritage Office.**
- 5. The separation distance between the existing and proposed bridges is to be as great as possible having regard to road engineering and land acquisition constraints, details of which**

are to be submitted with the stage 2 section 60 application to the satisfaction of the Director.

6. The stage 2 section 60 application is to be accompanied by an archaeological assessment which addresses historical and maritime archaeology.

5.2 Nobbys Headland, Newcastle – S60

In principle the Approvals Committee discussed their approval of the proposed development but reasoned that a sub-committee needed to be formed to assess the viability of the business venture in its present form.

Resolved:

1. That the Heritage Council resolved to suspend discussion till a sub-committee has been formed to assess the financial viability of the proposal.

6. Development Application Referrals

6.1 St Patricks Estate, 151 Darley Road Manly

In November 2004 Manly Council referred a development application proposing the subdivision of Lot 2 DP 544297 and construction of 38 dwellings including an apartment building containing 16 dwellings and 22 detached houses in Precincts 5, 6 and 10 of St Patrick's Estate Darley Road Manly to the Heritage Office for comment. The Heritage Council is not the consent authority for the application as St Patrick's Estate is not currently listed on the State Heritage Register. In light of previous discussion the Approvals Committee were content in providing the following comments to Manly Council.

Resolved:

That the Heritage Council :

1/ Advise Manly Council that the Heritage Council recommends approval of the proposal subject to the following:

a/ An assessment of Aboriginal Archaeology in Precincts 5, 6 and 10 should be obtained prior to determination of the proposal.

b/ The applicants should be advised that a s140 excavation permit for test excavation of the Archbishops Garden should be obtained under the Heritage Act 1977 prior to the commencement of any works on the land. Test excavation is required to be undertaken to properly inform historical archaeology of the site and future management recommendations.

c/ The applicants should also be advised that depending on the outcomes of the testing, the applicant may need to consult with the Heritage Office and obtain an additional s.140 excavation permit for archaeological excavation (salvage).

d/ Any approval for the proposal should be conditional on implementation of all of the mitigation measures listed in Chapter 8 of the Species Impact Statement prepared by EcoSense Consulting Pty Ltd.

e/ Tree retention should be maximised and any intervention to the primary root zones of the retained trees minimised.

f/ Any approval for the proposal should be made conditional on annual monitoring of retained trees and new plantings on the site for a period of five years by a qualified Arborist to the satisfaction of Council's General Manager.

g/ Any approval for the proposal should be made conditional a requirement that the owners of the land replace any plantings that may die over a period of five years.

6.2 Curzon Hall

The Approvals Committee were presented with amended plans for the proposed development on the day of the Approvals Meeting. After analysing the new plans, the Approvals Committee were satisfied with some of the amended changes but felt that some slight changes still needed to be made.

Resolved:

That the Heritage Council:

1)

- a) Note that Curzon Hall is considered to be potentially of State significance and;**
- b) Recommend that Curzon Hall is referred to the SHR Committee to allow consideration about the placing of Curzon Hall on the**

State Heritage Register to allow for a Heritage Agreement under the Heritage Act to take place as part of the current development proposal;

2) Advise the applicant that:

- a) **These comments are based on the information provided and do not constitute a decision by the Heritage Council. Formal comments will be provided upon receipt of formal DA referral from Ryde City Council and any other additional information relevant to the proposed development including any public comments;**
- b) **The proposed reduction in size & bulk of the ballroom and separation of car park structure from the rear of the Curzon Hall are considered positive;**
- c) **The proposed and completed maintenance and conservation works are considered a positive outcome of the proposal and are commended;**
- d) **It is considered that the plans presented (AR.DA.01-07 inclusive) are generally acceptable with the comments below; The following aspects of the proposal should be given further consideration:**
 - i) **That the number of steps from the proposed Ballroom are decreased from three to two steps;**
 - ii) **That a slight re-design occur to the carpark to incorporate a fall in the floor plan to reduce the height at the NE boundary; and**
 - ii) **If the proposal were to be considered acceptable at the formal development application referral stage, the Heritage Council would require a formal Heritage Agreement under the Heritage Act to ensure the heritage significance of Curzon Hall is retained in future without any need to further diminish its setting and architectural character in future;**

7. Conservation Management Plans

7.1 CMP Report

Resolved:

The Committee noted the CMP Report and asked to be advised on the progress with outstanding CMPs so that further suggestions could be

made to assist the Heritage Office with their strategy for dealing with the backlog.

7.2 CUB (Kent Brewery) Site CMP, Broadway, Sydney

The Approvals Committee discussed the current issues surrounding buildings 33 and 35C. The level of significance for these two buildings in the CMP is disputed by City of Sydney Council. The Approvals Committee discussed the merits of assessing the whole site and not the buildings in their separate forms. The Approvals Committee discussed the notion that the CMP suggests that these buildings are important but in conclusion does not include them to be listed.

Resolved:

That the Heritage Council Approvals Committee as a delegate of the Heritage Council:

- 1. endorse the conservation management plan entitled *Former Carlton and United Brewery Site, 26 Broadway, NSW, 2007 – Conservation Management Plan* dated May 2005 prepared by Noel Bell Ridley Smith for Carlton and United Breweries (NSW), including the *Executive Report* prepared by Godden Mackay Logan, as a suitable document to guide management decisions about the site for a period of 10 years from the date of endorsement ;**
 - that the final minor amendments to the policy sections, as agreed between GML and Sydney City Council, be included to the satisfaction of the Director of the Heritage Office, and**
 - subject to the issue of the level of significance of Building 33 and Building 35C being resolved to the satisfaction of the Director of the Heritage Office.**
- 2. note that neither the site as a whole or any elements within it are presently listed on the State Heritage Register, and that the CMP assesses the site as being of local significance;**
- 3. note that the CMP recommends investigation of the following elements which it identifies as being of exceptional significance for possible listing on the SHR:**
 - The Main Gateway**
 - The Kensington Street Terraces**
 - The Ovoid Drain (Blackwattle Creek);**

4. note that the CMP recommends the preparation of detailed individual conservation management plans or strategies for elements identified as being of exceptional, high or moderate significance and that the owners intend to undertake these to provide more detailed management policies for their conservation and adaptation;
5. agree that the management policies in the CMP are not detailed enough for the purposes of Standard Exemption No 6, but note that the individual CMPs proposed would be a more appropriate vehicle for detailed policies to which Standard Exemption No 6 could be applied should any elements of the site be ultimately listed on the SHR.

8.0 Matters for Consideration

Nil

9.0 Matters for Information

9.1 140 Marsden St, Parramatta

Resolved:

That the Heritage Council:

1. note the information in the report.

10.0 General Business

NIL

There being no further business the Chair closed the meeting at 1.30pm.

Mary-Lynn Taylor
Chair
Approvals Committee
Heritage Council of NSW
Date:

Next Meeting of the Approvals
Committee
Wednesday 3 August 2005
NSW Heritage Office
3 Marist Place
Parramatta