



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF MEETING

RE: WOOLLEY TOWNHOUSE – REQUEST FOR ADVICE ON PROPOSED LISTING ON STATE HERITAGE REGISTER

WOOLLAHRA MUNICIPAL COUNCIL MEETING

PANEL: DUNCAN MARSHALL (CHAIR)
SIMON SMITH

OFFICE OF THE IPC: KENDALL CLYDSDALE

WOOLLAHRA MUNICIPAL COUNCIL: KRISTY WELFARE
TRISTAN RYAN

LOCATION: ZOOM VIDEOCONFERENCE

DATE: 11:30AM – 12:12PM
WEDNESDAY, 27 AUGUST 2025

<THE MEETING COMMENCED

MR DUNCAN MARSHALL: Good morning.

5 **MR TRISTAN RYAN:** Good morning.

MR SIMON SMITH: Good morning.

10 **MR MARSHALL:** Well, good morning, Ms Wellfare and Mr Ryan. I just want to check, are we waiting on anybody else from Council for this meeting? We thought it was just the two of you.

MS KRISTY WELLFARE: Not that I'm aware of.

15 **MR RYAN:** Yes, that's correct.

MR MARSHALL: Okay, good, good, okay. We might proceed. And I have an opening statement that is standard for these sorts of stakeholder meetings. So, I might begin by just reading through that, and then we can get into the substance of the discussions for today.

20
So, good morning and welcome. Before we begin, I would like to acknowledge that I am speaking to you from Ngunnawal land, noting there are other people and families with connections to this country, and I acknowledge the traditional owners of all the lands from which we virtually meet today and pay my respects to their Elders past and present.

25
Welcome to the meeting today to discuss the proposed listing of Woolley Townhouse at 8A Cooper Street, Paddington, New South Wales, on the State Heritage Register, which is currently before the Commission for review.

30
My name is Duncan Marshall, and I am the Chair of this Commission Panel. And I am joined by my fellow commissioner, Simon Smith. We're also joined by Kendall Clydsdale from the Office of the Independent Planning Commission.

35
In the interest of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a complete transcript will be produced and made available on the Commission's website.

40
Any personal and/or commercially sensitive information discussed today may be redacted from the transcript at the discretion of the commission Panel, if considered appropriate to do so. We're not sure if that'll arise in the case of this conversation, but perhaps if you could indicate if you do start talking about that type of personal or commercially sensitive information. We'll check again at the end of the meeting, but
45
yes, if you could just flag that for us so that we're aware if that arises on this occasion.

This meeting is one part of the Commission's consideration of this matter and will form one of several sources of information upon which the Commission will base its advice.

5 It is important for the commissioners to ask questions of attendees and to clarify issues whenever it is considered appropriate. If you are asked a question and are not in a position to answer, please feel free to take the question on notice and provide any additional information in writing subsequently, which we will then put up on our website.

10 I request that all members here today introduce themselves before speaking for the first time, and for all members to ensure that they do not speak over the top of each other, to ensure accuracy of the transcript.

15 So, we will now begin the substance of the meeting. And I think we have shared with you an agenda for today's meeting. Is that correct, Ms Wellfare and Mr Ryan?

MR RYAN: That's correct.

20 **MR MARSHALL:** And I just wonder whether you have any changes or additions you wish to make to that agenda? I mean, it is a sort of framework and a guideline for our conversation today, and often meetings stray into other matters, for example. But I just wonder whether you have any changes or additions that you wish to make to the agenda? Okay, all right, we'll take that as our guideline for today's meeting.

25 I'd like to begin by checking whether, from Council's point of view, from Council officers point of view, you have an opening statement or opening comments that you would like to make about the matter before the Commission Panel, or not?

30 **MS WELFARE:** Only that the nomination came from a Council-led study and the nomination form was prepared by one of Council's officers, strategic planning officers, who's no longer with Council. So, the – neither myself nor Tristan have actually had carriage of the entirety of the project. But Tristan's been the lead officer in taking carriage of the remainder of the listing process, and so he's probably the best person to give you any feedback that you might wish.

35 **MR MARSHALL:** Okay, thank you. And I think this is in our paperwork, but do you recall what date the study – I think it was back in the last century, wasn't it, 1990-something or other, or have I got that slightly wrong?

40 **MS WELFARE:** I thought it came out of the 2005 Clive Lucas study.

MR MARSHALL: Oh, 2005, okay. And do you recall – hmm?

45 **MS WELFARE:** Sorry. The contemporary building study ...

MR MARSHALL: Yes.

MS WELFARE: ... was carried out by, as they were at the time, Clive Lucas Stapleton & Partners for Woollahra Council.

5 **MR SIMON SMITH:** Kristy, do you mind if I ask about, was this one of a set of nominations that arose out of that process?

10 **MS WELFARE:** There was a number of buildings that were nominated for Local Heritage Listing in that. Some of them proceeded and a number of them didn't, for reasons that I won't go into. We have also recently done a peer review of that study to review the remainder of the buildings that were recommended for listing that didn't progress at the time. And that was done, and we've progressed that through the Local Planning Panel and we're about to lodge that with the Department of Planning for gateway.

15 **MR SMITH:** Right.

20 **MS WELFARE:** So, we've gone back to it as part of – it was identified in the heritage gap analysis that Council undertook in 2021, that these buildings could still fulfil the criteria for listing as they were first recommended. And so, they were subject to a peer review by Robertson & Hindmarsh. So, we have taken that back up and carried it on.

MR SMITH: Okay. But were there any other nominated for State Heritage Listing?

25 **MS WELFARE:** Not that I'm aware of, no.

MR SMITH: Right.

30 **MR RYAN:** There were. Wentworth Memorial Church, I believe, was nominated as part of that same study and has now been listed on the State Heritage Register. And the McGrath House, which we've also nominated. And the Penthouses, which did not proceed to local nomination – did not proceed to local listing, and we are recommending for Local Listing but, if I remember correctly, are no longer recommending for State Listing.

35 **MR SMITH:** And was the McGrath House listed?

MR RYAN: The McGrath House is still entrained, is my understanding.

40 **MR SMITH:** That's helpful background. Thank you.

MR MARSHALL: And sorry, the first building – a church?

45 **MR RYAN:** Correct. Wentworth Memorial Church by Clarke Gazzard and Yeomans, specifically Don Gazzard.

MR MARSHALL: Okay. Do you have a recollection how many properties were proposed for Local Listing? I mean, it doesn't have to be an accurate number, I mean, is it a handful, 10, 20, 50, 100? Do you have a recollection of what that number was?

5 **MR RYAN:** As part of that study?

MR MARSHALL: Hmm.

10 **MR RYAN:** Something in the order of 15, I think. I can probably get the exact number.

MS WELFARE: We could take that on notice and provide you with the exact number, if that would be something ...

15 **MR MARSHALL:** That would be helpful. I guess, as we're taking that on notice, but perhaps also the number of those that did actually make their way through the Local Listing process. Because I think you said a number were withdrawn or did not proceed for one reason or another.

20 **MS WELFARE:** Sure.

MR MARSHALL: So, those two numbers would be helpful to know. Simon, anything further?

25 **MR SMITH:** Well, I did – yes, so I suppose I did want to understand why, in Council's view, this higher level of protection is needed for this particular property. Because that's one of the criteria that we've been asked to provide advice on, so I'd be very interested to know why Council believes that that higher level of listing is necessary for the conservation of the building.

30 **MS WELFARE:** Tristan, are you happy to take that?

35 **MR RYAN:** Yes. Look, I suppose it's not something that we would necessarily frame in the context of getting a higher level of protection. The study and our nomination identified that it is a building of significance to the State of New South Wales. And so, we are nominating it for that reason for consideration as part of the heritage of the State of New South Wales and not simply the local area.

40 In terms of the idea of a higher level of protection, I mean, I guess the significance of the building at the state level does arguably warrant a higher level of protection. But we would probably say that we were proposing it for listing more because of its significance than for any particular strive for a higher level of protection, I think. Would you agree with that, Kristy?

45 **MS WELFARE:** Absolutely.

MR SMITH: So, the sort of ... The machinery to ensure its conservation is already achieved because it's been listed for protection under the local council listing. But the

principal reason for nomination of state level is Council's view of the wider significance of the building as a state asset or as a part of the heritage of New South Wales rather than merely of Woollahra.

5 **MS WELFARE:** Correct.

MR RYAN: Correct.

MR SMITH: Okay. That's helpful. Thank you.

10

MR MARSHALL: And just to make sure I understand correctly. There were two parts to Simon's question. One being that protection could be adequately achieved through the Local Listing mechanism. And then nomination arising because of perceptions of state level significance. So, just to understand that first part, you do confirm that, in Council's view, adequate protection could be provided by local level protection for this particular property.

15

MS WELFARE: Well, I mean, being listed as a Local Heritage item requires consideration of works under clause 5.10 of the Local Environmental Plan. And it's considering the identified significance in the fabric, and the identified values. But if those values are of state significance, then – and Heritage NSW has undertaken its review and concurs with the recommendation and concurs that the building is of state significance, then it's the state level values that get considered when an application comes in under the Heritage Act.

20

25

MR MARSHALL: Hmm. As well as presumably local values if they arise, or not?

MS WELFARE: Well, I'm not sure that it's Heritage NSW's brief to consider the state listed items in the context of any local level listing or heritage conservation area. That's more covered by the purview of Council's heritage officers.

30

MR MARSHALL: Hmm. Okay. I wonder whether you have any comments about the proposed heritage values which the Heritage Council has included in its Assessment Report. Do you have any thoughts about the values as portrayed there?

35

MS WELFARE: Tristan, have you got any comment on that one?

MR RYAN: Forgive me, I'm just going to have to go back to the report. I have been focusing on our nomination.

40

MR MARSHALL: Well, perhaps take that on notice.

MR RYAN: Yes, I'm happy to do that.

45

MR MARSHALL: You may have no comments, you may support those proposed values, but it would just be interesting to know what Council's reactions to that Assessment Report and those proposed values are.

MS WELFARE: Sure.

5 **MR MARSHALL:** And perhaps a high-level question. I think in a previous written submission, Council was supportive of the proposed listing. Can I just check what the current view of Council is regarding the proposed listing?

MS WELFARE: Do you mean Council as in the elected representatives?

10 **MR MARSHALL:** Well, at the end of the day, we presumably will get a further submission, I think that previous submission, I can't remember who signed off on the letter, presumably it was the Chief Executive or Mayor, and that was expressing support at that point in time.

15 If there was to be a further expression of support or otherwise, that's a matter for Council to decide who that comes from. But I just wonder whether there's any current view which is either different or similar to the views expressed about the proposed listing.

20 **MS WELFARE:** Not at a staff level.

MR MARSHALL: So, would it be fair to say that at least at a staff level, there is continuing support for the proposed listing?

25 **MS WELFARE:** Yes.

MR RYAN: Correct, yes.

30 **MS WELFARE:** The letter that we sent in October 2024 was signed off by the Director of Planning and Place.

35 **MR MARSHALL:** Okay. Okay. Then I'm assuming there may be a similar sort of circumstance on this occasion. What about other parts of the Assessment Report, and again, it may be a similar situation where you haven't focused necessarily on its detail. But I just wonder whether you have any comments at this moment about the remainder of the Assessment Report or perhaps take on notice and provide comments subsequently if you feel that there is something in there that you would wish to correct or comment upon.

40 **MS WELFARE:** I'm happy to take that on notice.

MR SMITH: Thank you.

45 **MR MARSHALL:** And in that same vein, I mean, that report also deals with stakeholder comments. And I'd be interested to know whether Council feels that those comments have been satisfactorily addressed, or whether you have other views about how the Council comments have been addressed in that document. So, that can be kind of subset of addressing that subset report.

Simon, I've been talking for a few minutes. Do you have any questions?

5 **MR SMITH:** I did, thank you. I want to – I'm just interested in the owner's future experience how, look, we've had internal advice about how should the owner want to undertake works on the property they would lodge a DA in the normal way. And then if it was State Listed, it would have to be referred under Integrated Development across to the state people.

10 How would the two bodies work together when assessing the heritage dimensions of any proposed works – how would that work, like, does one advice trump the other, or do the both of them apply, or how does it work out?

15 **MS WELFARE:** We have a number of State Items in our municipality, and we have even, at the moment, we're currently working with Heritage NSW on a modification application to one of the State Items. So, we work very well with Heritage NSW – I used to work there myself.

MR SMITH: Okay.

20 **MS WELFARE:** So, I've got a relationship with the – like, a professional relationship with the organisation. Heritage NSW when they – and before I get too into the DA side of things, there are standard exemptions under the Heritage Act that are available to an owner of a State Listed item that, provided they can satisfy themselves that they fulfil the criteria, they can undertake exempt works without needing to go through an application under the Heritage Act.

25 It may require them to still come to Council for an exemption if it is minor works, but there's an exemption process that is a – it's less of an application and more of a notification. These are the works we're seeking to carry out without needing consent, can you confirm that we can go ahead and do that. And that's – I think it's a \$220 fee and it has a turnaround of sort of two to four weeks. So, that's one approval –

30 **MR SMITH:** So, yes, because that – I'm glad you raised that, because we have had a look at the suite of exemptions and so forth. So, if the property owner wants to do something which he thinks falls under one of those exemptions, there's a notification process to Heritage NSW, but does he also have to obtain any kind of approval or notify the Council at the same time?

35 **MS WELFARE:** If it is an exemption, particularly if it's a standard exemption, it doesn't require notification to Heritage NSW.

MR SMITH: Right.

40 **MS WELFARE:** I've not looked at the wording of the proposed site-specific exemptions to see whether there's any requirement for reporting.

45 **MR SMITH:** Sorry, so the one you mentioned before, the \$220 fee, was that for Council, was it?

MS WELFARE: That's for Council, that's under clause 5.10.3 of the standard instrument LEP.

5 **MR SMITH:** Yes.

MS WELFARE: For minor works, and that's available for every property and heritage conservation area all the way up to a state item.

10 **MR SMITH:** So, but the owner would, say, have something in mind, look at the state exemption list, say, oh yes, that's provided for under the exemption. If so, then has to notify the local council of intention to do works, referencing the exemption, and then it would be automatic that it would come back within four to six weeks saying go ahead.

15 **MS WELFARE:** Oh yes, two to four weeks, mostly.

MR SMITH: Two to four weeks, right, okay.

20 **MS WELFARE:** We've had this exact circumstance with Rosemont, which is an SHR listed item in Woollahra. They came for some minor works re internal plastering and what have you, and they just provided the information and information establishing that they were able to meet the exemption. And then this signs off on that Environmental Planning and Assessment Act side of things. To ensure that there's a Council EP&A Act acknowledgement that works going to be taking place.

25 **MR SMITH:** Right, okay. That's really helpful.

30 **MS WELFARE:** But when the DA does come in, we have our own integrated development procedures. It goes through to Heritage NSW. We often conduct site inspections together to try and streamline the process. But ultimately, they will carry out their assessment under the Heritage Act under their own delegations, and either they'll request additional information, or they will issue either general terms of the approval or general terms of refusal. And those terms get put in holus-bolus into a determination from Council.

35 Council may have other matters that it considers, if it's in a heritage conservation area, for example, there may be works that we would consistently not support in an HCA that aren't related to the state values that would get assessed under the Heritage Act. So, we do look at different things. We look at the same broad thing and then it's all heritage, but we acknowledge that there are – there's a potential for a state item to have local significant values that are different in terms of its locality and its context to the state values that are important to the State of New South Wales.

40
45 **MR SMITH:** Right. But it sounds like generally, you wouldn't be – you know, if he wants to do something fairly minor or whatever, that you're not going to have two sets of eyes prosecuting the detail of the colour and the design and the fabric and all that kind of stuff.

MS WELFARE: No.

MR SMITH: All right.

5 **MS WELFARE:** Not for minor works.

MR SMITH: Right. Okay.

10 **MR MARSHALL:** But that could arise in the case of works which are not covered by standard or site-specific exemptions, possibly. Is that the implication?

MS WELFARE: Yes, I mean, but it just gets an extra set of eyes looking over it. Because, as I said, when we're looking at similar but slightly different things. Our emphasis is different.

15 **MR MARSHALL:** Actually, is that – that raises an interesting question. The extent to which the proposed State Heritage Listing values vary from the LEP or Local Heritage values. Can you advise us whether they are completely congruent and the same, or whether there are substantial differences which might lead to different approaches, different advice and the like? And again, that may be a point to take on notice.

MS WELFARE: I'll take that one on notice. I wouldn't anticipate that they would vary wildly, but I'm happy to take that on notice and provide commentary on that.

25 **MR MARSHALL:** That would be very helpful. So, and you'll forgive me, I mean, Simon's based in New South Wales. I have a heritage background, but I'm based in the ACT, so my experience is somewhat difference.

30 But it sounds like there are kind of two pathways that we're broadly speaking about here in terms of approvals. The exemptions pathway, be they site-specific or the standard exemptions with a little notification process that might be tagged on. And then there's those matters which go beyond exemptions where the more normal heritage/DA process would apply, where it's possible for both the Heritage Council or Heritage NSW and Woollahra Council to both have a view or form a view about the development and potential conditions.

35 But you mentioned joint meetings, you know, joint site inspections and the like. But presumably, as part of the integrated development process, there is essentially one piece of paper that comes back to an owner in this circumstance, which consolidates –

40 **MS WELFARE:** Correct.

MR MARSHALL: Yes.

45 **MS WELFARE:** Yes. So, that if they do seek to carry out development under that integrated development pathway, then the general terms of approval or refusal come back to Council, and they get integrated into the notice of determination. If Heritage NSW issue general terms of refusal, then Council is unable to issue an approval.

5 **MR MARSHALL:** Yes. Is it fair to say that – and I think you may have implied this – that Heritage Council advice is essentially just picked up out of the notice of advice from the Heritage Council and just inserted into the DA conditions in total. Is that the ...

10 **MS WELFARE:** Yes. Yes. Council’s officers don’t alter the general terms of approval or refusal that come from the Heritage Office, they literally are picked up and placed into the notice of determination.

15 **MR SMITH:** So, what would Council do if something came back from Heritage that wasn’t consistent with what Council had intended to issue as an approval condition?

20 **MS WELFARE:** That doesn’t happen very often. But we do tend – if we have concerns with what’s come back, then we can go back to them and ask for further clarification.

25 **MR SMITH:** Yes.

30 **MS WELFARE:** There are assessment reports, as there is with this matter, that get put together by Heritage NSW staff, and what we get is the notice of determination. So, if we have queries or questions about how Heritage NSW has come to a particular viewpoint, then we have – can and have previously asked for copies of the Assessment Report from Heritage NSW, so that we can get a better understanding of how they’ve come to the position in the recommendation that they come to.

35 **MR SMITH:** I don’t want to labour the point, but I guess what I’m asking questions about is, the caricature of an owner in a difficult situation could be that you might have two different heritage bodies arguing for a slightly different or a contradictory approach on this only one matter, and I’m just not wanting to see a person be caught in a situation like that. So, I’m trying to understand how the two ways, the two views, or the two lenses are resolved in practice.

40 **MS WELFARE:** I think the Council’s heritage officers understand that they can’t impose conditions that derogate from the general terms that we receive from Heritage NSW.

45 **MR SMITH:** Okay, right. That’s helpful. Thank you very much, Kristy.

MR MARSHALL: And just shifting tack slightly. You will have seen in previous submissions made to the Heritage Council concerns raised about insurance costs for this particular property. And I just wonder whether you have any comments on that issue in this particular case.

MS WELFARE: I have no comments about the implications of a heritage listing on insurance. It’s outside of my area of expertise.

MR MARSHALL: What about, has the question ever arisen regarding Local Heritage Listing and the implications for insurance costs. Has that ever arisen, in your experience?

5 **MS WELFARE:** It comes up regularly. Again, it's not something that we have expertise on to be able to make an informed comment. For example, we recently had a heritage study go to Council and one of the owners did raise insurance costs as an issue. Part of the significance of that building, the identified significance of that building, was that it was particularly – the materiality was particularly impressive and that was quite expensive. And so, the replacement value of the materials might be expensive, there's not a lot – that would still be the case whether it was heritage listed or otherwise.

15 So, I've not seen anything that – granted I've not looked into it too much, but also I've not seen anything that is sort of a robust peer reviewed paper that establishes any nexus between increased insurance costs and heritage listing.

20 **MR MARSHALL:** So, is it fair to say, when concerns are raised by owners – not in this case particularly, but in your broader experience – is it fair to say that when insurance costs are raised, because you do not have to hand a kind of robust study, Council or council officers note the issue but proceed or do something else?

25 **MS WELFARE:** Well, we note the issue but generally it doesn't affect our recommendation, because the place is still identified as being significant.

30 **MR MARSHALL:** Right. But yes, forgive me, I don't know whether the question of costs, financial hardship and the like, are matters that you need to consider in Local Listings compared to State Listings. Do you know the answer to that question?

35 **MS WELFARE:** As far as I'm aware, there's no guiding document that asks us to take that into consideration.

MR MARSHALL: But there is that you'd need to meet certain criteria ...

40 **MS WELFARE:** Correct.

MR MARSHALL: ... for heritage listing. So, the listing is driven by values and not by financial implications.

45 **MS WELFARE:** Yes.

MR MARSHALL: Is that correct, yes. Okay.

50 **MR RYAN:** It may be worth just saying at this point that the evidence that we have for financial implications, which includes things like declining property values and so on and so forth, suggest that the financial implications are limited. Now, obviously, the extent to which that has been researched is also fairly limited, so we wouldn't want to

say that with any confidence to owners. But that is the understanding that I believe Heritage NSW and the State Government was advising people.

5 **MR MARSHALL:** Does the Council, your council, have a fact sheet or something specific on this topic, financial implications, or is that not something you have and provide?

10 **MR RYAN:** We have been referring people to a Heritage Council fact sheet, which I can provide you, if you like.

15 **MR MARSHALL:** I think we have that fact sheet already, and we'll be talking to the Heritage Council later today. One of the other concerns that's been raised with the Panel is another implication of heritage listing, particularly State Heritage Listing, and whether there's an implication that owners need to make their properties publicly available/open, something of that sort, to enable people to appreciate the heritage in their local area.

20 Does Council have a view about the implications either for Local Listing or for State Listing and whether that means that owners need to make their properties available for inspection by anyone? Is there a view about that matter?

25 **MS WELFARE:** It's not a requirement in any way. But if they were looking to participate in a festival such as Sydney Open, then obviously that would be fantastic. But it's up to the owners.

30 **MR MARSHALL:** And again, does Council have a fact sheet or something which addresses those sorts of implications and makes that clear?

35 **MR RYAN:** There is – I mean, there is no implication, essentially. We don't suggest or require that owners open up their properties to the public.

40 **MR MARSHALL:** Right, okay. Thank you. That's helpful to know. Simon, again, any ...?

45 **MR SMITH:** Yes, I just had one other question about this particular property. So, we understand that previously that there had been, I think, three times when the owner had gone to the Land and Environment Court to seek to resolve heritage-related matters. But we don't know anything more than that. And I just wondered are you in a position to give us a bit more insight into what those matters were about?

50 **MS WELFARE:** I understand that it relates to potential unauthorised work that had been carried out. But I've not looked into the detail of it, because it pre-dated my involvement in this.

55 **MR SMITH:** So, would it be possible to just – for you to take that on notice, just to let us know what the, you know, what the matter was about, who commenced it, and what the outcome was?

MS WELFARE: Sure.

MR SMITH: That would be helpful. Thank you.

5 **MR MARSHALL:** I'm running towards the end of the questions that I had on my list. Simon, were you running out of questions as well or have you got ...

MR SMITH: Yes, no, I've asked all my questions, thanks very much, Duncan.

10 **MR MARSHALL:** All right-y. And we are about 10 minutes away from our scheduled closing. We've done a fair bit of talking and questioning of you, Ms Wellfare and Mr Ryan. I just wonder whether you have other comments or issues that you would like to raise with the Panel about this proposed State Heritage registration?

15 **MS WELFARE:** Only that to be a State Heritage item, it actually enables you to apply for grants from Heritage NSW. Council doesn't have a grants program at present. And this is, I mean, this is something that we will be looking into, but there's no guarantee that that will be set up any time soon. Whereas the Heritage NSW has a variety of different grants that are available to owners of State Listed items to undertake work to their properties.

20 **MR MARSHALL:** I mean, grants is one of the financial incentive mechanisms. Are there other incentive mechanisms that Council, your council, could offer to owners?

25 **MS WELFARE:** There's nothing that we have as policy at this point. Council's always looking at how to encourage people to be supportive of heritage. And I'm sure that we will consider other mechanisms over time, but there's nothing on the agenda at this point.

30 **MR MARSHALL:** All right, okay. Sorry, I interjected a question there. Were there other things that you would like to raise with us today?

35 **MS WELFARE:** No, not really. I mean, the exemptions that you get under the state policy are actually probably more generous than what you get as a local item, in some respects. Because they're identified and they're very specific about the scope of works that can be permitted on a state item. Whereas a local item gets considered on a case-by-case basis, and sometimes seeks to over-reach, whereas I find the exemptions to state items are very clear in what the scope that they allow and there's very rarely any issues.

40 **MR MARSHALL:** We understand there has been some previous discussions about exemptions with the owner in this case, although we do not know the details at this point. Have those discussions involved your council as well?

45 **MS WELFARE:** I don't think they have. I know that when we did – when we were involved in having Rushcutters Bay Park listed as a State Heritage Register item, we were involved but then we were the asset owner.

MR MARSHALL: Hmm, hmm. But nothing specific, no specific discussions in the case of the Woolley Townhouse?

5 **MS WELFARE:** Not that I can recall.

MR MARSHALL: Okay, all right.

MR RYAN: Or me.

10 **MR MARSHALL:** Thank you. Anything further, Ms Wellfare?

15 **MS WELFARE:** No. I just, you know, I'm the Team Leader of Heritage, so I'm always going to be supportive of places that are identified as being of state significance being included in the State Heritage Register. So, I understand that there is concern in the community about the implications of heritage listing, but my viewpoint is always that for preserving, protecting the heritage of New South Wales is not a bad thing.

20 **MR MARSHALL:** Okay, all right. Thank you. And well, if that concludes the issues that Council would like to raise with the Panel, and if – I'm looking at my colleague, Commissioner Smith, to see whether he has other things, but I think he's done. There are some matters that we need to cover by way of conclusion, but I'm just looking at Kendall Clydsdale from the staff just to see whether there are other things that he needs to remind the Panel in this space about?

25 **MR KENDALL CLYDSDALE:** Thank you, Chair, no, there's nothing from the Office at this point.

30 **MR MARSHALL:** Ms Wellfare.

MS WELFARE: Have you got a timeframe that you'd like the questions on notice returned?

35 **MR MARSHALL:** I will now look at Kendall and ask him to ...

MR CLYDSDALE: Kristy, what we typically do is, when there's questions taken on notice, we do just also put them in writing for the benefit of the parties. So, we'll get that out to you in due course, and we typically ask for a reply within a week. But you're more than welcome to request some additional time if needed.

40 **MS WELFARE:** I will ask for additional time, because I'm having some time off over the next few days, so.

MR CLYDSDALE: That's not a problem.

45 **MS WELFARE:** Thank you.

MR MARSHALL: Okay, all right, well, thank you. And just to do the wrap-up items. So, there are a number of matters which were taken on notice with regard to any comments on the proposed State Heritage values, any comments on the Assessment Report. We asked a couple of questions about numbers of items coming through from the 2005 Clive Lucas study. And the last item that I quickly noted was whether there were any differences between what Council operates with in terms of local values, and the proposed State Heritage values, or whether they are completely congruent and consistent.

10 So, as Kendall has said, there will be a letter with a deadline date suggested for getting us that information. So, that brings us to the end of today's meeting. Thank you for your time today to meet with the Commission Panel to discuss the proposed listing of the Woolley Townhouse on the State Heritage Register.

15 And just to remind, there is a deadline for submissions which is 5 p.m. on Wednesday 10 September 2025, and I'd invite you to look at the Commission's website for further details about that. And just anticipating that you may have a question about whether that date is flexible; I, again, look to Kendall to indicate whether that's a hard deadline or whether if a good case was made, then there may be some flexibility. But I'm just anticipating that that may be an issue if you're going to be away for some days.

MR CLYSDALE: Thank you, Chair. Yes, if Council is looking to make a written submission to the Commission and you do need some additional time, yes, please let us know via email as soon as practical, and I will seek input from the Chair and about whether that extension can be granted. So, that's no problems.

MS WELFARE: Thanks, Kendall.

MR RYAN: Thank you.

30 **MR MARSHALL:** And I think that there is an open offer at the moment for the Commission's Panel to meet with representatives from your council itself, and that, I think, the suggested date is next Monday or ...

35 **MS WELFARE:** It's either next Monday or Tuesday, because it's one of the days I'm not going to be here.

40 **MR MARSHALL:** And I guess, you know, that will run its course, and if Woollahra councillors wish to meet, of course we're very happy to meet if they feel that these matters have been adequately covered by staff of council, then we're happy for that as well. So, we remain flexible to meet with councillors if that's the case.

MS WELFARE: Okay.

45 **MR MARSHALL:** So, again, thank you very much for your time today. And we look forward to further information in due course.

MS WELFARE: Thank you.

MR RYAN: Thank you.

MR SMITH: Thanks very much.

5

MR RYAN: Bye.

>THE MEETING CONCLUDED