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**ORDER UNDER SECTION 57(2)
TO GRANT SITE-SPECIFIC EXEMPTIONS FROM APPROVAL**

**Cumberland District Hospital Group (part) and Norma Parker Correctional Centre,
State Heritage Register (SHR) No. 00820 and 00811**

I, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57(2) of the *Heritage Act 1977*, do, by this my order, grant an exemption from section 57(1) of that Act in respect of the engaging in or carrying out of any activities described in Schedule “C” by the owners, managers or lessees of the land described in Schedule “B” on the item described in Schedule “A”.

The Hon James Griffin MP
Minister for Environment and Heritage

Sydney, 3rd Day of March 2022

SCHEDULE “A”

The items known as Cumberland District Hospital Group (part) and Norma Parker Correctional Centre, situated on the land described in Schedule “B”.

SCHEDULE “B”

All those pieces or parcels of land known as Lot 3 DP808447 and Lots 1 and 2 DP862127, in the Parish of Field of Mars, County of Cumberland shown on the plans catalogued HC Plan 2253 and HC Plan 2229 in the office of the Heritage Council of New South Wales.

SCHEDULE “C”

1. Existing approved or exempted development
All works and activities in accordance with a current and valid development consent from or minor works already endorsed as exempt under section 57(2) of the *Heritage Act 1977* in force at the date of gazettal of these site-specific exemptions.
2. Excavation
Excavation or disturbance of land identified within the endorsed Archaeological Management Strategy (AMS) as having No or Low archaeological potential where:
 - (i) the works are undertaken in accordance with the recommendations of the Heritage Council endorsed CMP, AMS and ACHMP;
 - (ii) the works do not remove state significant fabric and/or archaeological relics;

- (iii) there are no associated works that require consent of the NSW Heritage Council under section 57(1) of the *Heritage Act 1977*; and
- (iv) the Heritage Council of NSW or its delegate has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, including details of the works and their location.

Note:

If relics (local or State significant) or any unexpected buried discoveries such as a 'works', work must cease in the affected area and the Heritage Council must be notified under section 146 of the *Heritage Act 1977*. Depending on the nature of the discovery, additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery. If any Aboriginal objects are discovered on the site, excavation or disturbance is to cease and Heritage NSW notified in accordance with section 89A of the *National Parks and Wildlife Act 1974*.

3. Removal of intrusive buildings

Removal of buildings that have been identified as Intrusive in a Conservation Management Plan endorsed by the Heritage Council where:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of the Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance;
- (ii) the works will be supervised and carried out by people with knowledge, skills and experience appropriate to the work;
- (iii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP, AMS and ACHMP; and
- (iv) the Heritage Council of NSW or its delegate has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, including details of the works and their location.

4. Works to buildings of Little Significance

Minor works to buildings of Little significance where:

- (i) internal and external works comprise activities such as façade and roof repairs, repair/replacement of doors and windows, new external and internal openings, refurbishment of kitchens, bathrooms and floor finishes and installation of new services, removal of hazardous materials;
- (ii) the proposed works would not incrementally or materially impact significant elements or characteristics of the Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance;
- (iii) the works will be supervised and carried out by people with knowledge, skills and experience appropriate to the work;
- (iv) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP; and
- (v) the Heritage Council of NSW or its delegate has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, including details of the works and their location.

5. Repairs to buildings and elements of Exceptional, High and Moderate Significance

Repair/replacement of internal and external fabric including:

- failed roofing (slate, terracotta or metal sheet roofing), roof elements and rainwater goods provided that the replacement material matches the existing fabric and sound existing materials is salvaged for re-use.
- deteriorated sandstone and/or brickwork provided that the replacement material matches the existing fabric and that all sound material is conserved *in situ*.
- deteriorated timber structure provided that the replacement material matches the existing fabric and that all sound material is conserved *in situ*.
- deteriorated timber flooring and external and internal timber linings provided that the replacement material matches the existing fabric and that all sound material is conserved *in situ*.
- deteriorated sandstone paving provided that the replacement material matches the existing fabric and that all sound material is conserved *in situ*.
- deteriorated plaster and pressed metal wall and ceiling linings provided that the replacement material matches the existing fabric and that all sound material is conserved *in situ*.
- deteriorated window and door fabric provided that the replacement material matches the existing fabric and that all sound material is conserved *in situ*.
- immediate rectification of fabric damaged by storm or vandalization or other unforeseen events, provided that the replacement material matches the existing fabric and that all sound material is conserved *in situ*.

Note:

1. Repairs must be based on the principle of doing as little as possible and only as much as is necessary to retain and protect the element. Replacement must only occur as a last resort where the major part of an element has decayed beyond further maintenance.
2. Any new materials used for repair must not exacerbate the decay of existing fabric due to chemical incompatibility, obscure existing fabric or limit access to existing fabric for future maintenance.
3. Repair must maximise protection and retention of fabric and include the conservation of existing detailing, such as vents, capping, chimneys, carving, decoration or glazing.
4. Repair or the replacement of missing, damaged or deteriorated fabric that is beyond further maintenance, which matches the existing fabric in appearance, material and method of affixing and does not involve damage to significant sound fabric.
5. Removal of fabric not exceeding thirty per cent (30%) of a building element or structural element (this does not include cumulative impacts on heritage fabric or major alteration or major reconstruction).
6. Advice of a suitably qualified and experienced professional must be sought regarding repair/replacement of fabric.
7. Repair and conservation work must be undertaken using conservation materials and methods detailed by a suitably qualified and experienced heritage professional using appropriate technical specifications/heritage repair

6. Vegetation Management

Pruning (to control size, improve shape, flowering or fruiting and the removal of diseased, dead or dangerous material) of the canopy of a tree or removal of dead or dying trees, which are to be replaced by new trees of the same species in the same location where or the removal of intrusive or noxious vegetation:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant

fabric, relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance;

- (ii) the works will be supervised and carried out by people with knowledge, skills and experience appropriate to the work; and
- (iii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP, AMS and ACHMP.

7. Hard Landscape Maintenance

Repair of paths, paving, garden walls and edging, roads etc where:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance; and
- (ii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP, AMS and ACHMP.

8. Works to exteriors of new buildings

All works and activities for minor external modifications to buildings erected after the date of the listing of the site on the State Heritage Register where:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of the Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance;
- (ii) the works do not involve alterations to the external appearance of the building;
- (iii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP; and
- (iv) the Heritage Council of NSW or its delegate has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, including details of the works and their location.

Note:

Minor works include maintenance and repairs including replacement of deteriorated fabric.

9. Works to interiors of new buildings

All works and activities for internal modifications to buildings erected after the date of after the date of the listing of the site on the State Heritage Register.

10. Modification to new landscape works

All works and activities for modifications to landscape works completed after the date of the endorsed CMP where:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, archaeological relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance; and
- (ii) the proposed works are consistent with the conservation guidelines contained in an endorsed CMP, AMS and ACHMP.

11. Safety and Security

Erection of temporary security fencing, scaffolding, hoardings, surveillance or detection systems to monitor access; to prevent unauthorised access; or for public safety which will not adversely affect significant fabric or landscape or archaeological features where:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, archaeological relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance;
- (ii) the works will be supervised and carried out by people with knowledge, skills and experience appropriate to the work; and
- (iii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP, AMS and ACHMP.

Note:

Temporary fencing is to remain in place for no longer than 3 months.

12. Fire Safety

Installation of passive fire detection and active fire suppression systems for asset protection and public safety which will not adversely affect significant fabric or landscape or archaeological features where:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, archaeological relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance;
- (ii) the works will be supervised and carried out by people with knowledge, skills and experience appropriate to the work; and
- (iii) the proposed works are consistent with the conservation guidelines contained in an endorsed CMP, AMS and ACHMP.

13. Temporary restriction of parking

The erection of temporary barriers to restrict on-site parking where:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, archaeological relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance;
- (ii) the provision of temporary barriers does not involve excavation; and
- (iii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP, AMS and ACHMP.

14. Temporary Structures

The erection of temporary structures in accordance with the conservation guidelines of a Conservation Management Plan endorsed by the Heritage Council where the structures consist of:

- temporary site offices and other buildings associated with development activity and located within the development zone (temporary structures are to remain in place for no longer than 6 months); or
- small free-standing shade structures or marquees for up to five days per event for up to 50 times per year, and:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, archaeological relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance;
- (ii) the provision of temporary structures does not involve excavation; and
- (iii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP.

15. Temporary Parking

The use of open space areas for temporary parking where:

- (i) the proposed parking is related to special events associated with the operations of the site for not more than three consecutive days per event;
- (ii) the proposed parking would not incrementally or materially impact significant elements or characteristics of Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, archaeological relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance; and
- (iii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP, AMS and ACHMP.

16. Repair and Maintenance of Services

The repair and maintenance of existing site services (fire, security, hydraulics, electrical, communications, mechanical etc) including replacement of failed in-ground infrastructure services where:

- (i) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP, AMS and ACHMP;
- (ii) the works do not impact significant fabric;
- (iii) there are no associated works that require consent of the NSW Heritage Council under section 57(1) of the *Heritage Act 1977*; and
- (iv) the Heritage Council of NSW or its delegate has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, including details of the works and their location.

17. Hazardous Materials Management

The removal or encapsulation of hazardous materials from the site including the buildings of Exceptional, High or Moderate significance where:

- (i) the proposed works would not incrementally or materially impact significant elements or characteristics of the Parramatta North Historic Sites, such as (but not limited to) its setting, tree canopy, curtilage, subdivision and ownership patterns, remnant significant fabric, archaeological relics, landscape and natural features, current and historic access routes to significant elements, views to and from the item and its significant features, and the capacity for interpretation of its significance; and
- (ii) the proposed works are consistent with the conservation guidelines contained in the endorsed CMP;
- (iii) the works do not impact significant fabric;
- (iv) there are no associated works that require consent of the NSW Heritage Council under section 57(1) of the *Heritage Act 1977*; and
- (v) the Heritage Council of NSW or its delegate has been notified in writing of the works proposed to be undertaken under this exemption prior to commencement of works, including details of the works and their location.