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HERITAGE ACT 1977

**NOTICE OF LISTING ON THE STATE HERITAGE REGISTER
UNDER SECTION 37(1)(b)**

Manly Warringah War Memorial Park

Manly Vale NSW 2093

SHR No. 02073

In pursuance of section 37(1)(b) of the *Heritage Act 1977 (NSW)*, the Heritage Council gives notice that the item of environmental heritage specified in Schedule "A" has been listed on the State Heritage Register in accordance with the decision of the Minister for Environment and Heritage made on 21 December 2022 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule "B".

Heritage Council of New South Wales

SCHEDULE "A"

The item known as the Manly Warringah War Memorial Park, situated on the land described in Schedule "B".

SCHEDULE "B"

All those pieces or parcels of land known as CROWN L 59/17, CROWN L C46/7, CROWN L C46/7, CROWN L C50/3, CROWN L C50/4, CROWN L 7073 DP 1029974, CROWN L 7074 DP 1029974, PART LOT 7311 DP 1146408, CROWN L 7312 DP 1146408, CROWN L 76 DP 504237, CROWN L 77 DP 504237, CROWN L 13 DP 504238, CROWN L 70 DP 504238, CROWN L 71 DP 504238, CROWN L 72 DP 504238, CROWN L 74 DP 504238, CROWN L 1 DP 67342, CROWN L 2 DP 67342, CROWN L 2 DP 710023, CROWN L 2802 DP 727031, CROWN L 2 DP 734661, CROWN L 1239 DP 752038, CROWN L 1549 DP 752038, PART LOT 2409 DP 752038, PART LOT 2701 DP 752038, CROWN L 1 DP 771902, Parish of Manly Cove, County of Cumberland shown on the plan catalogued HC 3299 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

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

Manly Warringah War Memorial Park

Manly Vale NSW 2093

SHR No. 02073

I, the Minister of Environment and 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 owner, mortgagee, manager or lessee of the land described in Schedule “B” on the item described in Schedule “A”.

The Hon James Griffin MP
Minister of Environment and Heritage

Dated at Sydney, 21st Day of December 2022

SCHEDULE “A”

The item known as the Manly Warringah War Memorial State Park, situated on the land described in Schedule “B”.

SCHEDULE “B”

All those pieces or parcels of land known as CROWN L 59/17, CROWN L C46/7, CROWN L C46/7, CROWN L C50/3, CROWN L C50/4, CROWN L 7073 DP 1029974, CROWN L 7074 DP 1029974, PART LOT 7311 DP 1146408, CROWN L 7312 DP 1146408, CROWN L 76 DP 504237, CROWN L 77 DP 504237, CROWN L 13 DP 504238, CROWN L 70 DP 504238, CROWN L 71 DP 504238, CROWN L 72 DP 504238, CROWN L 74 DP 504238, CROWN L 1 DP 67342, CROWN L 2 DP 67342, CROWN L 2 DP 710023, CROWN L 2802 DP 727031, CROWN L 2 DP 734661, CROWN L 1239 DP 752038, CROWN L 1549 DP 752038, PART LOT 2409 DP 752038, PART LOT 2701 DP 752038, CROWN L 1 DP 771902, Parish of Manly Cove, County of Cumberland shown on the plan catalogued HC 3299 in the office of the Heritage Council of New South Wales.

SCHEDULE “C”

1. Northern Beaches Council:

All those pieces or parcels of land known as Manly Warringah War Memorial Park, as shown on Plan 3299 in the office of the Heritage Council of NSW and subject to the *Manly Warringah War Memorial Park Plan of Management 2014*.

1.1 Existing approved development

All works and activities in accordance with a current and valid development consent in force at the date of Gazettal of the listing of Manly Warringah War Memorial Park on the State Heritage Register.

1.2 Works, and activities included in the adopted Plan of Management

Works and activities in accordance with the adopted *Manly Warringah War Memorial Park Plan of Management 2014* (Adopted 25 March 2014 by Northern Beaches Council), with the exclusion of new playgrounds, bike trails and major structures.

1.3 Pedestrian, mountain biking, walking and fire trails

Works and activities to allow for the maintenance, renewal and upgrade of existing pedestrian, mountain biking, walking and fire trails, including realignments for the purpose of improving safety or environmental protection, and as required by NSW Rural Fire Service and other emergency services, where these activities do not materially impact on the identified heritage values of Manly Warringah War Memorial Park.

1.4 Pedestrian links between picnic areas

Works to provide a safe pedestrian link between picnic areas 1 and 4, including a boardwalk from picnic areas 2 to 3 as shown on *Manly Dam – Link Trail Concept Design – 23 September 2021*, where these activities do not materially impact upon the identified heritage values of Manly Warringah War Memorial Park, consistent with the bushland setting and responsive to existing terrain and vegetation in terms of material and colour palette.

1.5. Renewal of depot, administration and public amenities buildings

Demolition, improvement, renewal and reconstruction of depot and administration buildings and public amenities buildings in picnic areas 1, 3 and 4, where these works do not materially impact upon the heritage values of Manly Warringah War Memorial Park, within current building footprint and envelope, consistent with the bushland setting and responsive to existing terrain and vegetation in terms of material and colour palette.

1.6. Hazard reduction burns

Works and activities to carry out hazard reduction burns, as deemed necessary by the NSW Rural Fire Service.

1.7. Temporary structures

Temporary structures for events, which are erected for no longer than 30 consecutive calendar days in accordance with Standard Exemption 13(a-g), however with no exclusion period between events, in areas of the Park located close to amenities and picnic areas.

1.8. Research activities

Research activities involving the collection of samples of earth, water and vegetation for scientific and educational purposes that do not affect the cultural and natural values of the place.

1.9. Asset Protection Zone Maintenance

Maintenance, improvements and amendments to Asset Protection Zones in accordance with RFS Planning for Bush Fire Protection 2019 and successor guidelines.

1.10. Contaminated Land Management

Activities and works for the purpose of Contaminated Land Management, as defined by the *Contaminated Land Management Act 1997* and relevant guidelines, as deemed necessary by the NSW Environment Protection Authority (EPA), to manage risk to human or environmental health within the Park or adjoining Reserves.

1.11 Removal of significant trees or vegetation

Removal of significant trees or vegetation which are deemed to be diseased, dying and/or dangerous and present an immediate risk to human life or property. The health status of the significant tree or vegetation is to be confirmed by a qualified arborist, horticulturist or tree surgeon. Replacement planting of trees or vegetation of the same or similar species is to be undertaken in the vicinity of the removed significant tree or vegetation or where practicable.

2. Wakehurst Golf Club

2.1 Works and activities to allow general maintenance and repair, including:

- (i) Suppression of fire in vegetation.
- (ii) Tree surgery or tree removal where considered necessary for the health of a tree, the safety of the public or staff or the health of turfgrass playing surfaces.
- (iii) Repair of damage caused by erosion and implementation of erosion control measures.
- (iv) Maintenance, repair and resurfacing of existing vehicular hard surfaces, paths, fences, and gates.
- (vii) Maintenance and repair of any building, structure, monument, or work, including temporary relocation for conservation or protection.
- (viii) Maintenance, repair and resurfacing of golf course playing surfaces and other sports infrastructure, including the tennis courts and futsal courts using like for like materials and same locations.
- (ix) Use of current and future approved chemicals and pesticides for the treatment of turfgrass playing surfaces, gardens, soil, plants, and trees that have no impact on water quality, natural vegetation or heritage values of the Park.

2.2 Works and activities to allow for the maintenance of existing services and utilities, including:

- i) Maintenance and repair of services and public utilities, including communications, gas, electricity, water supply, waste disposal, sewerage, irrigation, fuel, and drainage.
- (ii) Maintenance and upgrade work to existing buildings undertaken to improve public safety and/or the suppression of fire within existing building footprint and envelope consistent with the bushland setting and responsive to existing terrain and vegetation in terms of material and colour palette.
- (iv) Installation, maintenance, and removal of waste bins to implement the Council's waste management policies consistent with the bushland setting and responsive to existing terrain and vegetation in terms of material and colour palette.
- (v) Extension of the irrigation system as necessary to areas currently without this infrastructure.

2.3 Works and activities to allow the alteration of verges, drainage, pedestrian pathways, and steps

- (i) Closure, removal, alteration or construction of pathways, verges, steps and fences responsive to existing terrain and vegetation in terms of materials and colour palette.

2.4 Works and activities to allow for the management of turf, and sports infrastructure, including the tennis courts and futsal courts, garden beds and living collections, including:

- (i) Removal, construction or alteration of garden beds and plantings gardens responsive to existing terrain and vegetation in terms of materials and colour palette.
- (ii) Alteration of the golf course and other facilities for organised sports within the areas currently used for such activities to meet changing needs and demands responsive to existing terrain and vegetation in terms of materials and colour palette.

(iii) Routine horticultural curation, including development and management of displays and gardens responsive to existing terrain and vegetation in terms of materials and colour palette.

2.5 Management of interpretative, information and directional signage, including:

(i) Installation, removal, and alteration of informational and directional signage and labels responsive to existing terrain and vegetation in terms of materials and colour palette.

2.6 Management of artworks, statues, and monuments, including:

(i) Installation or relocation within the golf club precinct of artworks, statues, and monuments

(ii) Minor maintenance and minor repair of any artwork, monument, or work within the golf club precinct.

2.7 Furniture and fixtures, including:

i) Installation, relocation, removal, and maintenance of golf club furniture, including furniture at the tennis courts and futsal courts, BBQs, play equipment, light poles, bollards, and fixtures responsive to existing terrain and vegetation in terms of materials and colour palette.

2.8 Existing approved development.

(i) All works and activities under a current and valid development consent in force at the date of gazettal for listing on the State Heritage Register.

2.9 Works and activities allowing alterations to existing recent development.

(i) All works and activities for minor alterations and additions to current and valid development consents, in force at the date of gazettal for listing on the State Heritage Register of Wakehurst Golf Club's cultural landscape, where:

(ii) The proposed works are substantially the same as the development for which consent was originally granted, before any modifications to that consent, for the purpose of this exemption only.

(iii) The proposed works will not impact significant elements or characteristics of Wakehurst Golf Club's cultural landscape or cultural heritage values of the Park.

HERITAGE ACT 1977

**NOTICE OF LISTING ON THE STATE HERITAGE REGISTER
UNDER SECTION 37(1)(b)**

**South Head Cultural Landscape (including RMP 9-inch 12-ton gun)
Cliff St, Watsons Bay**

SHR No. 02071

In pursuance of section 37(1)(b) of the *Heritage Act 1977 (NSW)*, the Heritage Council gives notice that the item of environmental heritage specified in Schedule “A” has been listed on the State Heritage Register in accordance with the decision of the Minister for Environment and Heritage made on 21 December 2022 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule “B”.

Heritage Council of New South Wales

SCHEDULE “A”

The item known as the South Head Cultural Landscape (including RMP 9-inch 12-ton gun), situated on the land described in Schedule “B”.

SCHEDULE “B”

All those pieces or parcels of land known as Lots 1 and 3 of Deposited Plan 536603, Lots 1 and 2 of Deposited Plan 1073412, Lots 398 and 415 of Deposited Plan 752011, Lot 2 of Deposited Plan 609383, Lots 1, 2 and 3 of Deposited Plan 605078, part of Lot 100 of Deposited Plan 1259004 and part of Lot B of Deposited Plan 442342, Parish of Alexandria, County of Cumberland as shown on the plan catalogued HC 3306 in the office of the Heritage Council of New South Wales.

HERITAGE ACT 1977

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

South Head Cultural Landscape (including RMP 9-inch 12-ton gun) Cliff St, Watsons Bay

SHR No. 02071

I, the Minister of Environment and 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 owner, mortgagee, manager or lessee of the land described in Schedule “B” on the item described in Schedule “A”.

The Hon James Griffin MP
Minister of Environment and Heritage

Dated at Sydney, 21st Day of December 2022

SCHEDULE “A”

The item known as South Head Cultural Landscape (including RMP 9-inch 12-ton gun) SHR No. 02071 situated on the land described in Schedule “B”.

SCHEDULE “B”

Lots 1 and 3 of Deposited Plan 536603, Lots 1 and 2 of Deposited Plan 1073412, Lots 398 and 415 of Deposited Plan 752011, Lot 2 of Deposited Plan 609383 and Lots 1, 2 and 3 of Deposited Plan 605078, Parish of Alexandria, County of Cumberland as shown on the plan catalogued HC 3306 in the office of the Heritage Council of NSW.

SCHEDULE “C”

Site Specific Exemptions for Hornby Lighthouse

1. All works in accordance with Hornby Lighthouse Conservation, South Head, Watsons Bay, Technical Specification, prepared by Joy Singh Heritage Pty Ltd for the Public Works Advisory, Department of Regional NSW, dated December 2021 and revised June 2022.
2. Work to unblock existing drainage pipe. This encompasses breaking into the pipe and jetting water through it to clean out blockages.
3. Maintenance and cleaning of Hornby Lighthouse to retain condition and operation without removal or damage of existing fabric and without introduction of new materials.
4. Replacement of services within Hornby Lighthouse and the Crown land parcel on which it sits that use existing service routes, cavities or voids or replaces

existing surface mounted services and does not involve damage to or removal of significant fabric.

5. All maintenance works required for the functioning of the light and beacons within the Hornby Lighthouse if there is no impact on the heritage significance of the building or Crown land parcel on which it sits as assessed by a person with relevant maritime safety qualifications and/or experience, as deemed appropriate by the Port Authority of NSW.

Site Specific Exemptions for South Head Precincts of Sydney Harbour National Park

Note: The South Head Sydney Harbour National Park Conservation Management Plan, (prepared by Knagg M., dated 2008-2010) sets out the significance of buildings or ruins within the South Head Precincts of the Sydney Harbour National Park. Where the following exemptions allow works dependent on significance, the level of significance must be taken from this conservation management plan. The plan may be updated and the revision(s) will supersede the current version.

6. Cyclical maintenance works and activities clearly identified in the maintenance schedule and schedule of works incorporated in the Conservation Management Plan (South Head Sydney Harbour National Park, Conservation Management Plan, prepared by Knagg M., dated 2008-2010).
7. Cultural practices by Aboriginal people and the sharing of these practices with others.
8. Bush regeneration activities including removal of exotic species and re-vegetation that do not involve any impacts on archaeological resources or significant ruins or cultural plantings.
9. Threatened species and communities' recovery and pest management activities that do not involve any impacts on archaeological resources or significant ruins.
10. Track and path maintenance and improvements to existing tracks and paths which do not materially affect the significance of the park and do not involve any impacts on archaeological resources or significant ruins.
11. Infrastructure maintenance and improvement including: energy saving works and the installation of sustainable technologies (solar power, water tanks, etc), electrical supply infrastructure, navigation aids, water and sewerage pipelines, pump stations and pits, existing toilet facilities and enclosed infrastructure, fences, erosion control and soil conservation works, Park User Fee infrastructure (including parking meters and E-tag technologies), maintenance of existing roads, fire and other trails and tracks, including sub-grade, pavement and drainage works where these works do not involve any impacts on archaeological resources or structures identified as being significant.
12. Maintenance and renovation of existing visitor facilities including toilet blocks, barbecues, picnic shelters, signage, car parks, walking track, fencing, bollards, road barriers and road works that do not involve any impacts on archaeological resources, significant ruins or significant buildings. Colours and materials to be those described in current National Parks and Wildlife Service signage policy.
13. The demolition of the toilet block at Camp Cove and all associated remediation works that do not involve any impacts on archaeological resources or significant ruins.

14. Works to existing buildings and structures of no significance that do not increase the building's envelope or substantively change the external materials.
15. Repair/replacement of significant, non-significant and intrusive internal and external fabric to significant buildings and structures under the advice and direction of a suitably qualified and experienced heritage professional. For significant fabric, restricted to like-for-like repair/replacement of fabric that cannot be maintained due to condition.
Limited to:
 - a) deteriorated roofing (slate, terracotta or metal sheet roofing, timber shingles)
 - b) roof elements and rainwater goods
 - c) deteriorated sandstone and/or brickwork
 - d) deteriorated timber structure
 - e) deteriorated timber flooring
 - f) external and internal timber linings
 - g) deteriorated sandstone paving
 - h) deteriorated plaster
 - i) pressed metal wall and ceiling linings
 - j) deteriorated window and door fabric, and
 - k) immediate rectification of fabric damaged by storm or vandalism or other unforeseen events.
16. Maintenance and repair of stone buildings, structures and elements under the advice and direction of a suitably qualified and experienced stone conservation specialist limited to:
 - a) repointing of stone wall mortar using traditional lime/sand mortar
 - b) replacement of deteriorated stone using traditional methods
 - c) limewashing and reinstatement of limewash on stone walls using traditional lime wash, and
 - d) removal of acrylic or enamel paints from stone walls.
17. Maintenance and repair of retaining walls and sea walls under the advice and direction of a suitably qualified and experienced stone conservation specialist and heritage structural engineer that do not involve any impacts on archaeological resources or significant ruins.
18. Excavation in areas that have been assessed as having no or low archaeological significance and potential as determined by a suitably qualified and experienced archaeologist (the Conservation Management Plan should not be relied on alone for archaeological significance and potential).
19. Temporary activities and temporary infrastructure (no more than 60 days) associated with the ongoing program of suicide and accident prevention around the cliffs of the Gap (and adjoining areas) where the infrastructure does not obstruct significant views to and from the item and does not involve any adverse impacts on archaeological resources, significant ruins or significant buildings. This infrastructure should be reversable.
20. Temporary infrastructure (no more than 60 days including removal) associated with festivals, filming and events in two of the five precincts of the park at a time. A hiatus between the erection of temporary structures should take place at a ratio of 1:3 (ie a structure in place for two days should be followed by six days hiatus).
21. Beach management and sand re-nourishment activities that do not involve any impacts on archaeological resources or significant ruins.

22. Natural stone and cliff face management activities and safety works in accordance with the NSW National Parks and Wildlife Service Landslides and Rockfalls Procedures (2019) that do not involve any impacts on archaeological resources or significant ruins.
23. Vegetation control including hazard reduction burning, manual, mechanical and chemical treatment of non-culturally significant vegetation.
24. Environmental rehabilitation work including temporary silt fencing, tree planting, and weed removal and rubbish removal that do not involve any impacts on archaeological resources or significant ruins.
25. New signage associated with park use and management, including interpretive signage that do not involve any impacts on archaeological resources or significant ruins. Colours and materials to be similar to existing palette and scope.

Site specific exemptions for Camp Cove Beach

26. Beach management and sand re-nourishment activities that do not involve any impacts on archaeological resources or significant ruins.
27. Temporary infrastructure (no more than 30 days including removal) associated with festivals, filming and events. A hiatus between the erection of temporary structures should take place at a ratio of 1:3 (i.e. a structure in place for two days should be followed by six days hiatus).

HERITAGE ACT 1977

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

Goat Island

Goat Island, NSW 2477

SHR No. 00989

I, James Griffin, the Minister of Environment and Heritage, on the recommendation of the Heritage Council of New South Wales, in pursuance of section 57(2) of the *Heritage Act 1977* ("the Act"), grant an exemption from section 57(1) of the Act in respect of the engaging in or carrying out of any activities described in Schedule C by the owner, manager or lessee of the land described in Schedule B on the item described in Schedule A.

This Order takes effect on the date it is published in the NSW Government Gazette.

The Hon. James Griffin MP
Minister for Environment and Heritage
Dated: 21 December 2022

SCHEDULE A

The item known as Goat Island (also known as Me-Mel), situated on the land described in Schedule B.

SCHEDULE B

The piece or parcel of land known as Lot 3 in DP 837195 in the Parish of Petersham, County of Cumberland as shown on the plan catalogued HC 3012 in the office of the Heritage Council of New South Wales.

SCHEDULE C

1. Interpretation:

- (a) Words and expressions that occur in this Order have the same meanings as they do in the Act, except in so far as the context or subject matter otherwise indicates or requires or as otherwise defined in clause 1(e).
- (b) A reference to an Act includes any regulations or rules or instruments made under that Act.
- (c) This Order prevails in the event of any inconsistency between this Order and any other order made under sections 57(2) or 139(4) of the Act in relation to the item in Schedule A. Where there is an inconsistency between this Order and the Act, the Act will prevail.

(d) A reference to an Act, policy, guideline or document in this Order includes any consolidations, amendments, re-enactments or replacements of any of them.

(e) The following definitions apply:

- i. **Aboriginal Object** has the meaning given by section 5 of the *National Parks and Wildlife Act 1974*.
- ii. **Archaeological Significance** means as described in the *Assessing Significance for Historical Archaeological Sites and 'Relics' 2009*.
- iii. **CMP** means a 'conservation management plan' as defined under section 38A(3) of the Act.
- iv. **Disturbed depth** means as defined, mapped or quantified in an Archaeological Management Plan, or where no Archaeological Management Plan exists, 100mm below existing ground level.
- v. **Endorsed CMP** means the Goat Island Conservation Management Plan endorsed by the Heritage Council of NSW on 6 April 2011 or any future endorsed CMP.
- vi. **Exemptions** means the exemptions set out in clause 2 of Schedule C of this Order.
- vii. **General Conditions** means the conditions set out in clause 3 of Schedule C of this Order.
- viii. **Identified Significant Views** mean all views identified in an endorsed CMP or Conservation Management Strategy.
- ix. **Material Threshold** means as defined by the *Material Threshold Policy 2020*.
- x. **Relevant Standards** means the relevant standards under each of the Exemptions.
- xi. **Significant** means an item graded as having exceptional, high or moderate significance, as defined in the endorsed CMP.
- xii. **Non-Significant** means an item graded as having little or intrusive significance, as defined in the endorsed CMP.
- xiii. **Significant Fabric** means all the physical material of the place/item including elements, fixtures, landscape features, contents, relics and objects which contributes to the item's exceptional, high or moderate heritage significance.
- xiv. **SHR** means the State Heritage Register as defined in section 4 of the Act.
- xv. **Standards Exemptions** means the order for '*Standard exemptions for engaging in or carrying out activities/ works*' made under section 57(2) of the Act and published in the NSW Government Gazette.

2. Exemptions:

The following specified activities/ works to an item do not require approval under subsection 57(1) of the Act if the specified activities/ works are undertaken in accordance with each of the Relevant Standards and General Conditions prescribed below.

EXEMPTION 1: CONSERVATION WORKS AND ACTIVITIES

Specified activities/ works:

- (a) All conservation work and activities clearly identified in the maintenance schedules or schedule of works for the site outlined in the CMP endorsed by the Heritage Council of NSW 6 April 2011 (excluding policies for significant alteration, including the part or full removal of items) and any future endorsed CMP.

Relevant Standards:

- (b) Conservation work should ensure no adverse impact to Significant Fabric.
- (c) Repairs involving restoration and/or reconstruction must:
 - i. use materials and construction details, equivalent to those used for the Significant Fabric being repaired
 - ii. appear visually equivalent to Significant Fabric being repaired
 - iii. repair only what is necessary to maintain the item's or element's Significant Fabric.
- (d) Activities/ works must be supervised and carried out by people with appropriate heritage knowledge, qualifications, skills and/or experience.

EXEMPTION 2: EMERGENCY MANAGEMENT AND RESPONSE ACTIVITIES

Specified activities/ works:

- (a) Any emergency management and response activities which may require immediate and urgent action.

Relevant Standards:

- (b) The activities/ works are reasonable and justifiable in the circumstances.
- (c) The activities/ works are proportionate to the damage the item has suffered and to the risk of further damage.
- (d) The effects of the activities/ works must be adequately mitigated or remedied.
- (e) Repairs involving restoration and/or reconstruction must:
 - i. use materials and construction details, equivalent to those used for the Significant Fabric being repaired
 - ii. appear visually equivalent to Significant Fabric being repaired
 - iii. repair only what is necessary to maintain the item's or element's Significant Fabric.

EXEMPTION 3: WORKS TO NON-SIGNIFICANT BUILDINGS OR STRUCTURES

Specified activities/ works:

- (a) Works that do not increase any building's or structure's envelope or the reflectivity of its external materials.

Relevant Standards:

- (b) Activities/works must not incrementally or adversely impact Significant elements or characteristics of the place such as (but not limited to) its:
 - i. setting
 - ii. tree canopy
 - iii. curtilage
 - iv. subdivision
 - v. ownership patterns
 - vi. remnant Significant Fabric
 - vii. relics
 - viii. landscape and natural features
 - ix. current and historic access routes to or between Significant elements
 - x. Identified Significant Views
 - xi. the capacity for interpretation of its Significance.
- (c) Activities/ works must be supervised and carried out by people with appropriate heritage knowledge, qualifications, skills and/or experience.
- (d) Activities/ works must be consistent with the conservation guidelines contained in the endorsed CMP.

EXEMPTION 4: REPAIRS TO SIGNIFICANT BUILDINGS AND ELEMENTS

Specified activities/ works:

- (a) Repairs involving restoration and reconstruction of internal and external fabric which is damaged, deteriorated or failed including:
 - i. roofing (slate, terracotta or metal sheet roofing, timber shingles)
 - ii. roof plumbing and rainwater goods
 - iii. sandstone and/or brickwork
 - iv. timber structure
 - v. timber flooring
 - vi. external and internal timber linings
 - vii. sandstone paving
 - viii. deteriorated plaster
 - ix. pressed metal wall and ceiling linings
 - x. window and door fabric
 - xi. fabric damaged by storm or vandalism or other unforeseen events.

Relevant Standards:

- (b) This exemption does not allow the cumulative replacement of large amounts or a high proportion of the fabric of a building or element.
- (c) Repairs involving restoration and/or reconstruction must:
 - i. use materials and construction details, equivalent to those used for the Significant Fabric being repaired
 - ii. appear visually equivalent to Significant Fabric being repaired

- iii. repair only what is necessary to maintain the item's or element's Significant Fabric.
- (d) Representative examples and/or sections of affected fabric should be retained in-situ if safety and space allow.
- (e) All sound fabric must be conserved in situ.
- (f) Repairs involving restoration and reconstruction must maximise preservation of Significant Fabric and existing detailing.
- (g) Replacement of deteriorated or non-compliant fire sprinklers must ensure there is no material impact to Significant Fabric, fixture or form.
- (h) Activities/ works must be carried out in accordance with the written advice of a suitably qualified and experienced professional.
- (i) Activities/ works must be carried out by a suitably qualified person with heritage experience.
- (j) Only applies to where the material or fabric of an item is damaged and eroded beyond the ability to repair or undertake maintenance and/or repair or maintenance would cause further systemic damage to adjoining Significant Fabric.

EXEMPTION 5: MAINTENANCE OF SANDSTONE STRUCTURES AND BUILDINGS

Specified activities/ works:

- (a) Repointing of deteriorated sandstone wall mortar using traditional lime/sand mortar.
- (b) Limewashing and reinstatement of limewash on sandstone walls using traditional lime wash.
- (c) Removal of acrylic or enamel paints from sandstone walls.

Relevant Standards:

- (d) Activities/ works must be carried out in accordance with the written advice from a suitably qualified professional with appropriate heritage experience.
- (e) Limewashing can only occur in areas where there is evidence of previous limewashing.
- (f) Paint removal and limewashing methods must not adversely impact Significant Fabric.
- (g) Paint removal and limewashing must maximise preservation of Significant Fabric and existing detailing.
- (h) Does not allow for painting of previously unpainted surfaces or limewashing of surfaces not previously limewashed.
- (i) Paint removal is only permitted where that paint is identified as non-Significant.

EXEMPTION 6: UPGRADES TO EXISTING UNDERGROUND INFRASTRUCTURE AND SERVICES

Specified activities/ works:

- (a) Upgrades to existing Non-Significant underground infrastructure.

Relevant Standards:

- (b) Only applies to the replacement of services that are contained within existing trenches and pits.
- (c) Activities/ works must not impact fabric or spaces identified as being Significant in the endorsed CMP.
- (d) Activities/ works must occur totally within an area of previous disturbance and or outside of areas assessed as having Archaeological Significance.

EXEMPTION 7: MAINTENANCE OF EXISTING NON-SIGNIFICANT VISITOR FACILITIES

Specified activities/ works:

- (a) All maintenance of existing Non-Significant visitor facilities including:
 - i. toilets
 - ii. signage
 - iii. pathways
 - iv. fencing
 - v. safety services (including security cameras)
 - vi. bollards.

Relevant Standards:

- (b) Activities/ works must not involve ground disturbance below known existing disturbed depth.
- (c) Any installation of safety services (including security cameras) must minimise the number of fixings to external Significant Fabric, where possible.
- (d) Activities/ works must not impact on fabric or spaces identified as Significant in the endorsed CMP.

EXEMPTION 8: MAINTENANCE AND REPAIR OF THE SEA WALLS

Specified activities/ works:

- (a) All maintenance and repair of the sea walls.

Relevant Standards:

- (b) Activities/ works must be carried out in accordance with the written advice and under the direction of a suitably qualified professional with appropriate heritage experience.
- (c) Maintenance and repairs involving restoration and reconstruction must maximise preservation of Significant Fabric including its form and detailing.
- (d) Repairs involving restoration and/or reconstruction must:
 - i. use materials and construction details, equivalent to those used for the Significant Fabric being repaired
 - ii. appear visually equivalent to Significant Fabric being repaired
 - iii. repair only what is necessary to maintain the item's or element's Significant Fabric.
- (e) Activities/works must not adversely impact Significant Fabric.

EXEMPTION 9: PATHWAY MAINTENANCE

Specified activities/ works:

- (a) Any pathway maintenance and repairs.

Relevant Standards:

- (b) Activities/ works must not involve ground disturbance below known existing disturbed depth.
- (c) Repairs and maintenance must:
 - i. use materials and construction details, equivalent to those used for the Significant Fabric being repaired

- ii. appear visually equivalent to Significant Fabric being repaired
 - iii. repair only what is necessary to maintain the item's or element's Significant Fabric.
- (d) Re-surfacing must not disturb Significant pathway surfaces, kerb or guttering which may lie underneath.
- (e) No modification to the dimensions or the alignment of the pathway is permitted.

EXEMPTION 10: BUSH REGENERATION ACTIVITIES

Specified activities/ works:

- (a) All bush regeneration activities including soil improvement, mulching, planting (with low staking and a protective decomposable wrap) and surface placed groundwater management objects such as decomposable swales.

Relevant Standards:

- (b) Activities/ works must not involve ground disturbance below known existing disturbed depth.
- (c) Activities/ works must not obstruct Identified Significant Views to, within and from the item.
- (d) Activities/ works must not detract from the significance of the item.
- (e) Activities/ works must not impact on existing vegetation identified as Significant in the endorsed CMP.
- (f) Activities/ works must be undertaken by a suitably qualified and experienced bush regenerator, horticulturalist or equivalent.

EXEMPTION 11: ENVIRONMENTAL REHABILITATION WORK

Specified activities/ works:

- (a) Environmental rehabilitation work including:
- i. temporary silt fencing
 - ii. weed removal
 - iii. rubbish removal.

Relevant Standards:

- (b) Activities/ works must not involve ground disturbance below known existing disturbed depth (except stump-grinding).
- (c) Temporary silt fencing must be able to be later removed without causing damage to Significant Fabric.
- (d) Temporary silt fencing may be installed for no longer than 180 consecutive calendar days (inclusive of set-up, pack-down and removal), after which it must be removed or approved under the Act.

EXEMPTION 12: TREATMENT OF NON-SIGNIFICANT VEGETATION

Specified activities/ works:

- (a) Manual, mechanical and chemical treatment of Non-Significant vegetation.

Relevant Standards:

- (b) Activities/ works must not involve ground disturbance below known existing disturbed depth (except stump-grinding).
- (c) Activities/ works must be undertaken by a suitably qualified and experienced horticulturalist.
- (d) Activities/ works must not impact on existing vegetation identified as Significant in the endorsed CMP.

EXEMPTION 13: TEMPORARY INFRASTRUCTURE

Specified activities/ works:

- (a) Temporary infrastructure associated with events, functions and filming.

Relevant Standards:

- (b) Activities/ works must not involve ground disturbance below a depth of 100mm.
- (c) Temporary infrastructure must be able to be later removed without causing damage to Significant Fabric.
- (d) Activities/ works must not adversely impact the significance of the item.
- (e) Activities/ works must not impact fabric or spaces identified as being Significant in the endorsed CMP.
- (f) Existing public access to the item must be maintained and not restricted.
- (g) The temporary infrastructure must not be in place for more than 30 consecutive calendar days (inclusive of set-up, pack-down and removal).
- (h) No further temporary infrastructure may be erected again within the same visual setting under this exemption within a period of 60 calendar days.

EXEMPTION 14: EXCAVATION IN AREAS OF NO ARCHAEOLOGICAL SIGNIFICANCE

Specified activities/ works:

- (a) Excavation in areas that have been assessed as having no Archaeological Significance or potential.

Relevant Standard:

- (b) Activities/ works must not compromise the structural integrity of any Significant building, structure or landscape elements, as identified in the endorsed CMP.
- (c) Activities/ works must not adversely impact the significance of an item's or element's Significant Fabric.

3. General Conditions:

1. These General Conditions apply to **all** of the Exemptions described in clause 2 of Schedule C.
2. The Exemptions do not permit activities/ works above the Material Threshold.
3. The Exemptions do not permit relics or Aboriginal Objects to be damaged, destroyed or removed.

If relics are discovered, work must cease in the affected area and the Heritage Council must be notified in writing in accordance with section 146 of the Act. Depending on the nature of the discovery, assessment and an excavation permit may be required prior to the recommencement of work in the affected area.

If any Aboriginal Objects are discovered, excavation or disturbance is to cease, and Heritage NSW notified in accordance with section 89A of the *National Parks and Wildlife Act 1974*. Aboriginal Object has the same meaning as in the *National Parks and Wildlife Act 1974*.

4. The Exemptions do not apply to historic shipwrecks or underwater cultural heritage.
5. Activities/ works that do not fit strictly within these Site Specific Exemptions or the Standard Exemptions will require approval by way of an application under section 60 of the Act.
6. The *Heritage Manual 1996* and *The Maintenance Series*, must be complied with when undertaking any activities/ works.
7. Anything done under the exemptions must be carried out by people with knowledge, skills and experience appropriate to the work (some exemptions require suitably qualified and experienced professional advice/ work).
8. Photographs must be made prior to activities/ works associated with an element's Significant Fabric.
9. Records of any activities/ works carried out under these exemptions must be kept in accordance with the *State Records Act 1998* (and subsidiary Regulation and record management policies) for auditing and compliance purposes by the Heritage Council. Where advice of a suitably qualified and experienced professional has been sought, a record of that advice must also be kept.