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Exemption Order for *MLC Building, North Sydney (former)* listing on the State Heritage Register (SHR) No.02069 under the *Heritage Act 1977*

I, Penny Sharpe, the Minister for Heritage, pursuant to section 57(2) of the *Heritage Act 1977* (the Act), on the recommendation of the Heritage Council of New South Wales dated 1 November 2023, do by this Order 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, mortgagee or lessee (or persons authorised by the owner or manager) of the item described in Schedule A on the land identified in Schedule B.

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

Dated this 9th day of February 2024.

The Hon Penny Sharpe MLC
Minister for Heritage

SCHEDULE A

The item known as the *MLC Building, North Sydney (former)*, SHR No. 02069, situated on the land described in Schedule B.

SCHEDULE B

The item known as *MLC Building, North Sydney (former)*, SHR No. 02069, located as identified on the plan catalogued HC Plan 3265 in the office of the Heritage Council of New South Wales.

SCHEDULE C

The following specified activities and works do not require approval under section 57(1) of the Act.

The gradings of significance (exceptional, high, moderate, little and intrusive) refer specifically to those in the *Conservation Management Plan, 105-153 Miller Street, North Sydney* (Curio Projects, November 2023).

EXEMPTION 1: Maintenance and repair of external hard landscaping

Specified activities/ works:

- (a) Works and activities associated with the maintenance and repair of paths, fences, garden edges, retaining walls and gates, where works will have no adverse impact on elements identified as being of exceptional or high heritage significance.
- (b) Works are to reflect the original design intent of the fabric of the forecourt garden.

EXEMPTION 2: Removal of non-illuminated and non-original signs and decorations

Specified activities/ works:

- (a) Works and activities associated with removal of flags, rigging, banners, merchandising, and associated decorations providing that the signs and decoration do not contribute to the overall heritage significance of the site and have not been identified to be of exceptional or high significance.

EXEMPTION 3: Changes to internal fit-outs and external elements of non-significant fabric of ground and lower ground floor retail shop fronts

Specified activities/ works:

- (a) Works and activities associated with changes to internal fit outs and external elements such as aluminium framing and glass panels that are associated with doorways, entrances, and airlocks of ground and lower ground level retail spaces where such works do not impact upon fabric of exceptional or high heritage significance.
- (b) Works must not adversely impact the configuration of the original openings and must be in keeping with the building's original design in terms of materials and colour selection.

EXEMPTION 4: Maintenance and repairs to interior non-significant fabric and finishes

Specified activities/ works:

- (a) Works and activities associated with maintenance and repair to partition walls, internal glazing (not including façade glazing), lighting (non-original) and signage that has been added to the interior of the building on commercial floors (Floors 1 to 12) if there is no impact upon fabric of exceptional or high significance.

EXEMPTION 5: Maintenance and repairs internal non-significant floor finishes

Specified activities/ works:

- (a) Works and activities associated with maintenance and renewal of non-significant floor finishes where works will have no adverse impact on fabric of exceptional or high significance.

EXEMPTION 6: Internal changes to retail commercial and childcare spaces

Specified activities/ works:

- (a) Internal changes to commercial retail and childcare facility spaces which do not impact fabric of exceptional or high significance.

EXEMPTION 7: Maintenance and upgrade of electrical mechanical and hydraulic services located within the building and on the rooftop within the envelope of existing plant

Specified activities/ works:

- (a) Works and activities associated with maintenance and essential upgrades to roof exhaust fans and associated support duct work, where there is little or no adverse visual impact on fabric of exceptional or high significance and excluding any new external mobile telecommunications equipment and antennae.

EXEMPTION 8: Modification and upgrade of roof access

Specified activities/ works:

- (a) Works and activities associated with replacement or modification of roof access ladders, stairs, and platforms where there is no adverse visual impact on fabric of exceptional or high heritage significance.

EXEMPTION 9: Relocation of moveable heritage (on site)

Specified activities/ works:

- (a) Works and activities associated relocation of moveable heritage items within the building where such items will be kept secure and watertight.
- (b) Relocation activity must be recorded in writing and photographically demonstrating the original position of such items and their relocated position within the building.

EXEMPTION 10: Erection of temporary hoardings

Specified activities/ works:

- (a) Works and activities associated with erection of temporary hoardings and scaffolding, where possible for three months, but up to 12 months for maintenance or conservation of facades, windows, and roof sheeting where there would be no physical impact on fabric of exceptional or high significance, and only if the works relate to a standard or site specific exemption.