

RECOMMENDED HERITAGE ACT EXEMPTIONS

1.1 Background

Graythwaite is included on the State Heritage Register (SHR) as an item of State heritage significance. It is therefore subject to the provisions of the *Heritage Act 1977* (NSW).

Any major works to heritage items included on the SHR must be assessed and approved by the Heritage Council to ensure that the heritage significance of the place will not be adversely affected. A number of exemptions, however, have been established under Section 57(2) of the Act, to allow certain activities that are minor in nature and would have minimal impact on the heritage significance of the place. There are two-types of exemptions:

- Standard exemptions for all items on the SHR. Typical activities that are exempted include building maintenance, minor repairs, alterations to certain interiors or areas or change of use.
- Site specific exemptions for a particular heritage item that can be approved by the Minister on the recommendation of the Heritage Council.

The Heritage Council has prepared guidelines to inform owners and managers of SHR listed heritage items about the standard exemptions. They also explain how to develop site specific exemptions. A copy of the standard exemptions can be downloaded from www.heritage.nsw.gov.au.

Standard Exemption 6: Development Endorsed by the Heritage Council or Director-General provides for certain works to be exempt provided that they are identified in a conservation policy within a conservation management plan which has been endorsed by the Heritage Council of NSW. The exemption is repeated in full below:

Standard Exemption 6: Development Endorsed by the Heritage Council or Director-General

1. Minor development specifically identified as exempt development which does not materially impact on heritage significance, by a conservation policy or strategy within a conservation management plan which has been endorsed by the Heritage Council of NSW or by a conservation management strategy endorsed by the Director-General does not require approval under subsection 57(1) of the Act.
2. A person proposing to do anything of the kind described in paragraph 1 must write to the Director-General and describe the proposed development. If the Director-General is satisfied that the proposed development meets the criteria set out in paragraph 1, the Director-General shall notify the applicant.

Guidelines

This Standard Exemption does not exempt development that is consistent with a conservation policy or strategy contained in an endorsed conservation management plan or interim conservation strategy other than development that is specifically identified as exempt development in that conservation management plan or strategy.

1.2 Works Recommended for Exemption at Graythwaite

The following works are recommended for exemption from the need to obtain further approval requirements under the Heritage Act provided that they are undertaken consistent with all of the relevant policy recommendations contained in this CMP:

- Removal of hazardous materials from all buildings and structures.
- Remediation of any ground contamination outside of the areas identified as containing potential historical archaeological resources.
- Removal of the bitumen surfaces from around the House Complex.
- Removal of plantings of heritage significance on safety grounds provided that the proposed removal is supported by an Arborist's report.
- Demolition/removal of the Lavatory/Bathroom addition at the rear of the House provided that the work would avoid damage to the fabric of the House, Kitchen Wing, Stables Building, courtyard walls and other elements within the Services Courtyard.
- Demolition/removal of the intrusive link between the House and former Massage Room/Doctor's Room and the intrusive link between the House and Ward Building, provided that the work would avoid damage to the fabric of the House, Kitchen Wing, former Massage Room/Doctor's Room, courtyard walls and other elements within the Services Courtyard.
- Upgrade of existing and installation of new services infrastructure including electrical, telecommunications, mechanical and hydraulic.
- Installation of building security measures.

In addition to the above, the following works are proposed to be exempt:

- Removal of fabric identified as being intrusive in this CMP or by subsequent assessments undertaken by people with recognised heritage management expertise.
- Temporary non-structural installations for special events, such as rigging, lighting, furnishings, fittings and audio visual equipment provided that the installations do not require physical intervention into original/early fabric such as the installation of brackets, hooks and the like.
- Installation of temporary garden structures within the grounds of Graythwaite, such as marquees for special events.
- Minor office space alterations to existing unfixed internal partitions and furnishings that do not alter or add openings, walls or structural fabric and have no adverse or irreversible impact on significant spaces or fabric.

Endorsement of the CMP by the Heritage Council of NSW should provide for the above works to be exempt. However, as required under Standard Exemption 6, the proponent of any such works will still be required to write to the Director-General and describe the proposed works. If the Director-General is satisfied that the proposed works meet the criteria for Standard Exemption 6 then he/she will notify the proponent in writing.