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Notice of listing *Wellington Town Common* on the SHR No. 02086 under the *Heritage Act 1977*

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 6 March 2024 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule B.

The listing takes effect on the date this notice is published in the NSW Government Gazette.

Heritage Council of New South Wales

SCHEDULE A

The item known as the Wellington Town Common, situated on the land described in Schedule “B”.

SCHEDULE B

All those pieces or parcels of land known as Part of Lot 7 Deposited Plan 1078858, Parish of Wellington, County of Wellington shown on the plan catalogued HC 3314 in the office of the Heritage Council of New South Wales.

Exemption Order for *Wellington Town Common* listing on the State Heritage Register (SHR) No. 02086 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 4 December 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 6 March 2024.
The Hon Penny Sharpe MLC
Minister for Heritage

SCHEDULE A

The item known as *Wellington Town Common*, SHR No. 02086, situated on the land described in Schedule B.

SCHEDULE B

The item known as *Wellington Town Common*, SHR No. 02086, located as identified on the plan catalogued HC Plan 3314 in the office of the Heritage Council of New South Wales.

SCHEDULE C

The following specified activities/ works to an item do not require approval under section 57(1) of the Act.

EXEMPTION 1: REPAIR OR REPLACEMENT OF FABRIC OF HOUSE

Specified activities/ works:

- (a) Repairs or replacement to roof and cladding that are consistent with a conservation policy incorporated in a conservation management plan for the area or under the advice of a suitably qualified and experienced heritage conservation specialist.

EXEMPTION 2: REPAIR OR REPLACEMENT OF FABRIC OF CHURCH

Specified activities/ works:

- (a) Repairs or replacement to the concrete floor, roof and masonry that are consistent with a conservation policy incorporated in a conservation management plan for the area or under the advice of a suitably qualified and experienced heritage conservation specialist.

EXEMPTION 3: REPAIR OR REPLACEMENT OF LOWRIE DRIVE ROAD RESERVE

Specified activities/ works:

- (a) Works associated with the upgrade, maintenance and repair of Lowrie Drive within the road reserve.

Notice of listing Victoria Pass and Berghofers Pass on the SHR No. 02084 under the *Heritage Act 1977*

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 6 March 2024 to direct the listing. This listing applies to the curtilage or site of the item, being the land described in Schedule B.

The listing takes effect on the date this notice is published in the NSW Government Gazette.

Heritage Council of New South Wales

SCHEDULE A

The item known as the *Victoria Pass and Berghofers Pass*, SHR No. 02084, situated on the land described in Schedule “B”.

SCHEDULE B

All those pieces or parcels of land known as Lot 10 of Deposited Plan 1187573, part of Lot 12 of Deposited Plan 1187573 and a section of Great Western Highway, Mount Victoria, Little Hartley and Kanimbla, Parish of Hartley, County of Cook shown on the plan catalogued HC 3315 in the office of the Heritage Council of New South Wales.

**Exemption Order for *Victoria Pass and Berghofers Pass*
listing on the State Heritage Register (SHR) No. 02084 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 4 December 2023, do by this Order grant an exemption from section 57(2) 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 6 March 2024.
The Hon Penny Sharpe MLC
Minister for Heritage

SCHEDULE A

The item known as *Victoria Pass and Berghofers Pass*, SHR No. 02084, situated on the land described in Schedule B.

SCHEDULE B

The item known as *Victoria Pass and Berghofers Pass*, SHR No 02084, located as identified on the plan catalogued HC Plan 3315 in the office of the Heritage Council of New South Wales.

SCHEDULE C

The following specified activities/ works to an item do not require approval under section 57(1) of the Act.

1. EXEMPTIONS FOR THE GREAT WESTERN HIGHWAY

Specified activities/ works:

- a) Emergency vehicle access to any part of the road corridor during an emergency.
- b) Management of the roadway, including removal, repair and replacement of pavement and road formation to engineering standard, to edge of clear zone under the terms of the *Roads Act 1993*.
- c) Installation of new infrastructure for traffic control and surveillance on existing modern or non-significant mountings.
- d) Temporary works, including compounds, exclusion zones, work stockpiles and work zones for a period of no longer than 12 months. Appropriate barrier materials and methodologies must be used to prevent impact to above or below ground significant fabric.
- e) Maintenance and repair of gantry.
- f) Maintenance and like-for-like replacement of Welcome to Country sign.
- g) Maintenance and repair of wind telemetry and surveillance camera.
- h) Replacement of wind telemetry and surveillance equipment and structures within the same location, footprint and height of the existing wind telemetry and surveillance camera.
- i) Maintenance, repair and in situ replacement of speed and safety signage.
- j) Maintenance and repair of non-significant drainage structures using appropriate materials considering context and performance requirements.
- k) Temporary slope and rock face stabilisation works (up to five years) including temporary rock meshing, insertion of necessary attachment points and the removal of loose stone at risk of falling under the advice of heritage specialists. Any work that requires cutting stone beyond the depth required to address urgent safety risks is not exempt. Permanent rock meshing and any mock rock work is not exempt.
- l) Removal of trees and vegetation at risk of falling onto road and clear zone.
- m) Invasive weed management.

2. EXEMPTIONS FOR BERGHOFERS PASS

Specified activities/ works:

- a) Make-safe repairs to road surface. Heavy machinery only to be used when no other option is possible and carried out with input and assessment from heritage specialists.
- b) Maintenance and repair of dry-stone walls under the advice of heritage specialists.
- c) Repair of cemented stone walls at culvert exits under the advice of heritage specialists.
- d) Excavation associated with drainage repair in areas that have been assessed as having no or low archaeological potential as determined by a heritage specialist. Heavy machinery only to be used when no other option is possible and carried out with input and assessment from heritage specialists.
- e) Natural stone management activities and safety works that do not involve any impacts on inscriptions, archaeological resources or significant material.
- f) Replacement of modern interpretive signage in the same location as existing signage.
- g) Maintenance and repair, not involving heavy machinery, of underground telecommunications cabling along the existing trench line.