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Notice of listing Elsie Refuge (former) on the SHR No. 02094 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 Heritage made on 29 August 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 Elsie Refuge (former) SHR No. 02094, situated on the land described in Schedule “B”.

SCHEDULE B

All those pieces or parcels of land known as Part Lot 87, Lot 88 and Part Lot 89 DP 246729 in Parish of Petersham, County of Cumberland shown on the plan catalogued HC Plan 3328 in the office of the Heritage Council of New South Wales.

Exemption Order for Elsie Refuge (former) listing on the SHR No. 02094 under the *Heritage Act 1977*

I, Penny Sharpe, the Minister for Heritage, on the recommendation of the Heritage Council of New South Wales dated 4 June 2024, make the following order under section 57(2) of the *Heritage Act 1977* (the Act) granting 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 29 day of August 2024.

The Hon Penny Sharpe MLC

Minister for Heritage

SCHEDULE A

The item known as Elsie Refuge (former) SHR No. 02094, situated on the land described in Schedule B.

SCHEDULE B

The item known as Elsie Refuge (former) SHR No 02094, located as identified on the plan catalogued HC Plan 3328 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.

GENERAL CONDITIONS

- a) These exemptions do not permit excavation or ground disturbance beyond existing trenches or disturbed ground.
- b) These exemptions do not permit the removal of relics or Aboriginal objects.
- c) 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 *Heritage Act 1977*. 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.
- d) 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*.

EXEMPTION 1: FRONT FACADE

Specified activities/ works:

- a) Repair and maintenance of the front façades of both terraces which is sympathetic to, and does not detract from, the significance of the place, and uses like-for-like fabric when required.
- b) Removal and replacement of significant fabric that is deteriorated beyond repair with like-for-like fabric.
- c) Repainting and change of front façade colour, where that colour is sympathetic to, and does not detract from, the significance of the place. Activities/ works must not involve the disturbance or removal of earlier paint layers other than those which have failed by chalking, flaking, peeling or blistering.
- d) Erection of temporary hoardings (up to 12 months in a 36 month period) and scaffolding associated with maintenance or conservation of facades, windows and roof sheeting and drainage where the scaffolding will have no physical impact on heritage fabric.

EXEMPTION 2: FRONT ROOM (BEDROOMS AND LOUNGE) INTERIORS

Specified activities/ works:

- a) Any works required to support ongoing residential use, provided such works will have no adverse impact on heritage significance. Excludes alteration or relocation of remnant

significant fabric including but not limited to the original walls of the bedrooms and lounge room.

- b) Repainting and change of wall colours, provided such works will have no adverse impact on heritage significance.

EXEMPTION 3: INTERIOR AND EXTERIOR OF NON-SIGNIFICANT EXTENSION

Specified activities/ works:

- a) Any internal and external works which do not alter the footprint or envelope of the terraces and do not intrude on the internal courtyard spaces.
- b) Erection of temporary scaffolding (up to 12 months in a 36 month period) associated with maintenance or conservation of facades, windows and roof sheeting and drainage where the scaffolding will have no physical impact on heritage fabric.

EXEMPTION 4: BACK AND INTERNAL COURTYARD SPACES

Specified activities/ works:

- a) Repaving, and alterations to external hard paving, that is for the maintenance or alterations to existing paving units. Excludes works which may adversely impact potential archaeological relics, or other significant fabric.
- b) Repaving, and alterations to external hard paving to facilitate the maintenance and repair of services underneath the paving.
- c) Repair of services within existing excavation trenches.
- d) Erection of temporary scaffolding (up to 12 months in a 36 month period) associated with maintenance or conservation of facades, windows and roof sheeting and drainage where the scaffolding will have no physical impact on heritage fabric.